

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE ADOPTION OF A NEW)  
RULE OF PROCEDURE FOR THE JUDICIAL )  
QUALIFICATIONS COMMISSION (APPENDIX TO)  
SDCL 16-1A) )

RULE 94-2

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Pursuant to a hearing held on February 18, 1994, at Pierre, South Dakota, relating to the adoption of a new rule of procedure for the Judicial Qualifications Commission (Appendix to SDCL 16-1A), the Court having considered the proposed new rule, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that the following new rule, to be designated 10.1, be and it is hereby adopted to read in its entirety as follows:

**10.1. Interim Suspension**

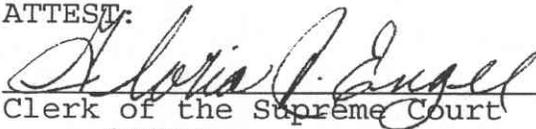
Upon the issuance of a written notice and complaint to a judge, or at any time thereafter, the commission may, in its discretion, issue its order directed to the judge ordering the judge to appear before the commission and show cause why the commission should not recommend to the Supreme Court that the judge be suspended from office, with compensation, while the matter is pending. The order to show cause shall be returnable before the commission at a designated place and at a time certain, at which place and time the commission shall consider the question of suspension. Thereafter, the commission, with not less than five members concurring, may recommend to the Supreme Court that the judge be suspended from performing the duties of that judge's office pending final determination of the inquiry. If the commission recommends suspension, such recommendation shall be submitted to the Supreme Court along with a record of the proceedings of the commission in relation to that recommendation.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1994.

DATED at Pierre, South Dakota, this 15th day of March, 1994.

BY THE COURT:

ATTEST:

  
Clerk of the Supreme Court  
(SEAL)

  
Robert A. Miller, Chief Justice

**PARTICIPATING:** Chief Justice Robert A. Miller and Justices George W. Wuest, Frank E. Henderson, Richard W. Sabers and Robert A. Amundson.

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

MAR 15 1994

  
Clerk