

## THE SOUTH DAKOTA COURT SYSTEM (Fact Page)

South Dakota's government has three parts: the Executive branch, which includes the Governor; our state representatives and senators, which make up the Legislative branch, and our court system, which is called the Judiciary, or Judicial branch. The Supreme Court is the highest court in South Dakota and was created by the South Dakota Constitution.

The court system does a lot of important work, like:

- Deciding what laws mean (but not writing new laws);
- Punishing criminals by sending them to jail or making them pay for what they did wrong or for hurting somebody; and
- Helping people who have problems, like moms and dad who need a divorce or others who can't agree on business matters.

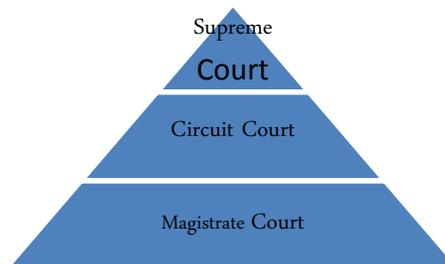
People use the court system for lots of other reasons, too. For example, courts help families adopt kids or decide who is telling the truth or not.

### Levels of Courts

In South Dakota, we have three different court levels. The lowest level is magistrate court. A magistrate judge oversees courts that rule on minor cases, like speeding tickets. Next, there is the Circuit Court level. These kinds of courts are called "circuit courts" because a long time ago, judges would go from town to town on horseback to hear cases. This was known as "riding the circuit." Today, juries may help the judge decide what is fair in this kind of court. The highest court in South Dakota is the Supreme Court and their

courtroom is in the State Capitol Building in Pierre. If your mom gets a speeding ticket and goes to court, and is not happy with what the judge says, she can "appeal" it to a higher court. That court looks at what happened all over again, and decides if the first judge's answer was right. (This is sort of like going to your dad if your mom gives you a punishment that you don't think was fair.) All judges in South Dakota wear black colored robes whether a man or a woman.

The South Dakota Supreme Court has five justices including Chief Justice Gilbertson from Lake City, Justice Konenkamp from Rapid City, Justice Zinter from Pierre, Justice Severson from Sioux Falls and Justice Wilbur from Sioux Falls. They must all be attorneys to start out. Our Supreme Court reviews all cases that are brought to them.



### Chief Justice

The head of our court system in South Dakota is Chief Justice Gilbertson. Chief Justice Gilbertson was born in 1949, was a volunteer firefighter, graduated from the University of South Dakota Law School in 1975 and has four children.