

SUPREME COURT

The South Dakota Supreme Court is the state's highest court and the court of last resort for state appellate actions. The Supreme Court is comprised of the chief justice, who is the administrative head of the Unified Judicial System, and four justices who are entrusted to deliver the final judicial authority on all matters involving the legal and judicial system of South Dakota.

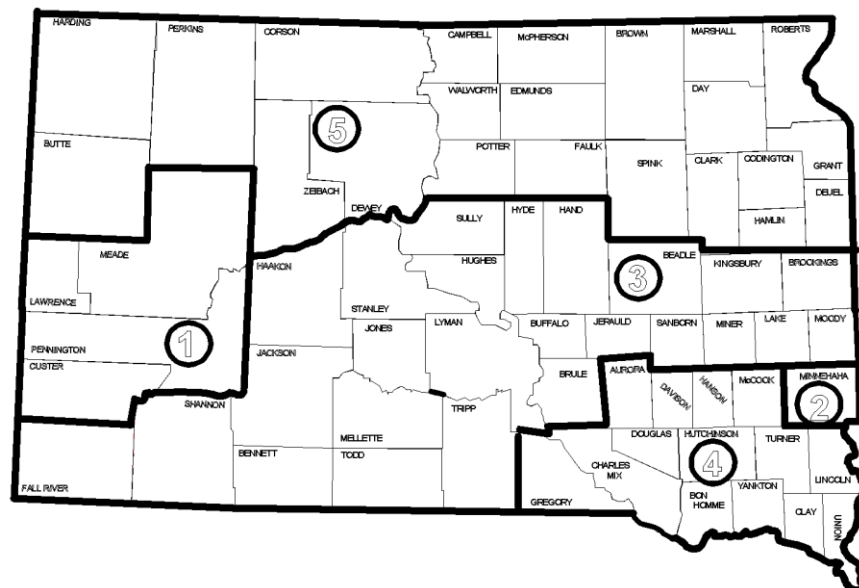
Chief Justice and Four Justices Duties and Responsibilities of the Supreme Court

- Original jurisdiction in cases involving interests of the state
- Issues original and remedial writs
- Renders advisory opinions to Governor on issues involving executive power
- Appellate jurisdiction over circuit court decisions
- Rule-making power over court practice and procedure
- Administrative leadership for the legal and judicial system
- Controls admissions to and disciplines members of the State Bar

Pursuant to a 1980 constitutional amendment, Supreme Court justices are appointed by the Governor from a list of nominees selected by the Judicial Qualifications Commission. All who sit on the Supreme Court must be licensed to practice law in the state and permanent justices must be voting residents of the district from which they are appointed at the time they take office (Map below).

South Dakota Supreme Court Appointment Districts

Effective January 23, 2012



Supreme Court Workload

The workload of the Supreme Court is shown below and on the following page. The categories noted are those most commonly used within the Supreme Court.

“Intermediate Appeals” are appeals made during the progress of a case in circuit court. Intermediate appeals are accepted at the discretion of the Supreme Court.

“Notice of Review” is filed by an appellee (party against whom an appeal is taken) seeking review of a judgment or order entered in the same action from which an appeal has been taken. A notice of review is a separate filing but not a separate disposition since it is disposed of as part of the original appeal.

“Certificates of Probable Cause” are required before an appeal can be brought in a habeas corpus case.

“Summary Dispositions” are appeals that have been summarily affirmed or reversed on established grounds set forth in SDCL 15-26A-87.1. In these proceedings the Court, on its own motion, may affirm or reverse the judgment or order from which the appeal is taken. The Court must be unanimous in its decision to render a summary disposition, and the decision is set out in an order or memorandum opinion. The term “expedited appeal” is sometimes used because it usually takes less time to process appeals under this rule.

“Pending Cases” are cases which have been filed with the Court but in which no decision has been entered.

“Administrative, Judicial, Legal Research, Law Library and Bar Admissions” are all part of the workload within the Supreme Court.

Chart 1. Supreme Court Caseload Comparison



Table 2. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR

Fiscal Year:	FY2010	FY2011	FY2012	FY2013	FY2014
FILINGS:					
Appeals	279	321	266	260	290
Intermediate Appeals	25	30	22	19	38
Original Proceedings	17	15	10	25	28
Notice of Review	4	29	12	9	18
Certificates of Probable Cause	14	11	14	12	13
Reinstatements	1	0	0	1	1
Rehearings Granted	1	0	0	0	0
COMBINED FILINGS	341	406	324	326	388
DISPOSITIONS:					
Appeals / Original Proceedings	120/140	85/90	123/129	120/123	102/110
Orders of Dismissal/Dispositional Remands	80	80	99	119	108
Denial of Intermediate Appeals	18	22	24	13	27
Original Proceedings (by Order)	31	18	29	26	28
Dispositive Remand	0	0	1	0	0
Summary Dispositions	75	121	119	93	74
COMBINED DISPOSITIONS	344	331	401	374	347
PENDING CASES:					
Submitted and Pending	35	33	48	31	35
Ready for Submission	37	45	40	33	45
Not Ready for Calendar	76	119	98	80	109
Other (in Suspense)	11	4	3	4	4
TOTAL PENDING CASES AT YEAR-END	159	201	189	148	193
ADMINISTRATIVE:					
Hearings on Rules and Related Matters	2	4	2	1	2
Internal Procedure Rules Adopted or Amended	2	1	1	1	4
Supreme Court Rules Adopted or Amended	11	35	27	8	19
Administrative Conferences	22	24	28	25	24
JUDICIAL:					
Orders, Writs and Judgments Entered	1085	1195	1190	1185	1180
Bar Admissions (includes reciprocity)	88	103	91	129	116
Bar Admissions (pursuant to SDCL 16-18-2)	18	14	16	8	6
Oral Arguments (Actions/Submission)	63/69	45/55	35/77	42/47	32/35
Cases Submitted on Briefs	144/155	142/149	93/101	125/131	101
Case Conference Days	27	24	23	20	18
LEGAL RESEARCH:					
Appeals Screened	405	406	324	326	388
Cases Briefs Were Received In	210	211	233	218	228
Per Curiams Assigned	49	57	45	31	33
Circuit Judge Opinions Issued	14	0	0	0	0
BAR ADMISSIONS:					
Applications Processed	148	108	132	128	125
Bar Inquiries Answered	1300	1300	1350	1200	1250