

# SUPREME COURT

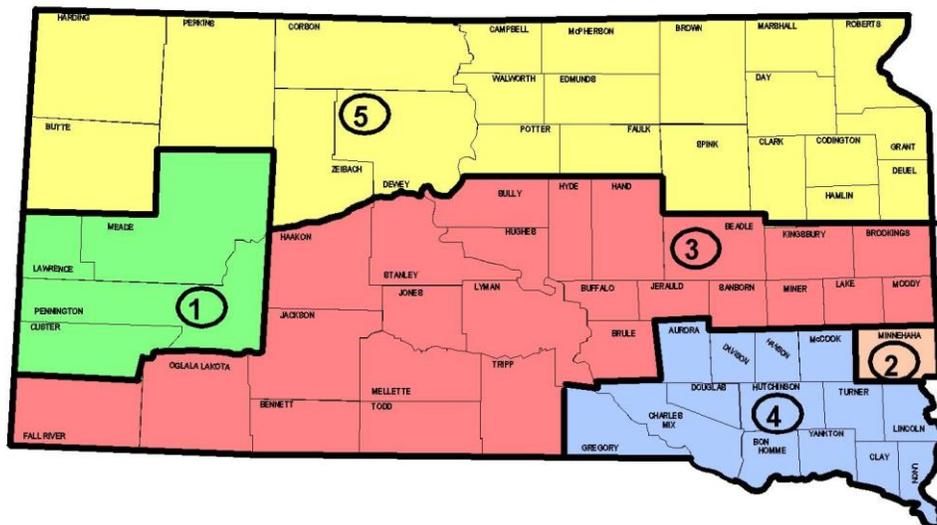
The South Dakota Supreme Court is the state's highest court and the court of last resort for state appellate actions. The Supreme Court is comprised of the chief justice, who is the administrative head of the Unified Judicial System, and four justices who are entrusted to deliver the final judicial authority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

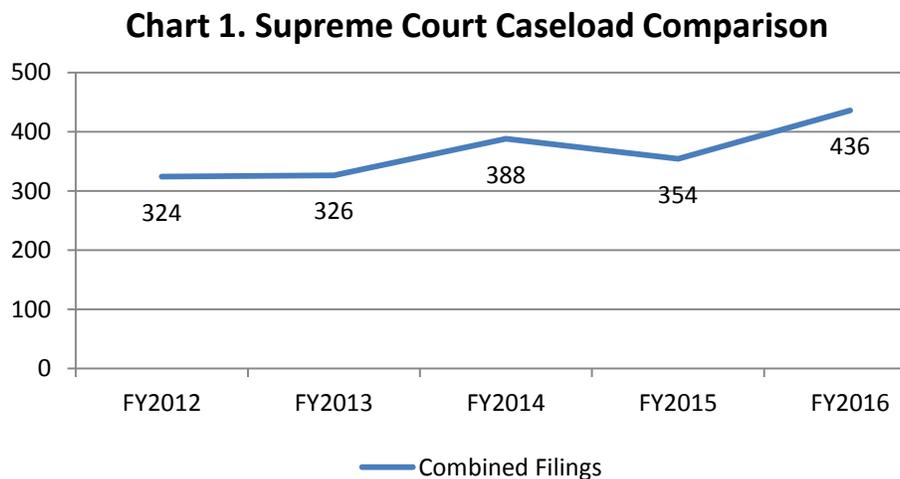
“Notice of Review” is filed by an appellee (party against whom an appeal is taken) seeking review of a judgment or order entered in the same action from which an appeal has been taken. A notice of review is a separate filing but not a separate disposition since it is disposed of as part of the original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



**Table 2. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR**

<b>Fiscal Year:</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>
<b>FILINGS:</b>					
Appeals	266	260	290	282	298
Intermediate Appeals	22	19	38	28	83
Original Proceedings	10	25	28	24	30
Notice of Review	12	9	18	11	12
Certificates of Probable Cause	14	12	13	9	12
Reinstatements	0	1	1	0	1
Rehearings Granted	0	0	0	0	0
<b>COMBINED FILINGS</b>	<b>324</b>	<b>326</b>	<b>388</b>	<b>354</b>	<b>436</b>
<b>DISPOSITIONS:</b>					
Appeals / Original Proceedings	123/129	120/123	102/110	114/132	108/114
Orders of Dismissal/Dispositional Remands	99	119	108	109	103
Denial of Intermediate Appeals	24	13	27	11	28
Original Proceedings (by Order)	29	26	28	26	24
Dispositive Remand	1	0	0	1	0
Summary Dispositions	119	93	74	84	84
<b>COMBINED DISPOSITIONS</b>	<b>401</b>	<b>374</b>	<b>347</b>	<b>363</b>	<b>353</b>
<b>PENDING CASES:</b>					
Submitted and Pending	48	31	35	27	23
Ready for Submission	40	33	45	48	44
Not Ready for Calendar	98	80	109	115	120
Other (in Suspense)	3	4	4	4	3
<b>TOTAL PENDING CASES AT YEAR-END</b>	<b>189</b>	<b>148</b>	<b>193</b>	<b>194</b>	<b>190</b>
<b>ADMINISTRATIVE:</b>					
Hearings on Rules and Related Matters	2	1	2	2	2
Internal Procedure Rules Adopted or Amended	1	1	4	5	7
Supreme Court Rules Adopted or Amended	27	8	19	14	130
Administrative Conferences	28	25	24	23	22
<b>JUDICIAL:</b>					
Orders, Writs and Judgments Entered	1190	1185	1180	1170	1150
Bar Admissions (includes reciprocity)	91	129	116	99	96
Bar Admissions (pursuant to SDCL 16-18-2)	16	8	6	11	18
Oral Arguments (Actions/Submission)	35/77	42/47	32/35	34/37	32/42
Cases Submitted on Briefs	93/101	125/131	101	147/156	141/159
Case Conference Days	23	20	18	19	19
<b>LEGAL RESEARCH:</b>					
Appeals Screened	324	326	388	354	436
Cases Briefs Were Received In	233	218	228	223	235
Per Curiams Assigned	45	31	33	36	37
Circuit Judge Opinions Issued	0	0	0	0	0
<b>BAR ADMISSIONS:</b>					
Applications Processed	132	128	137	141	156
Bar Inquiries Answered	1350	1200	1250	1300	1350