



STATE OF SOUTH DAKOTA  
FIFTH JUDICIAL CIRCUIT



**PRESIDING JUDGE**

Jack R. Von Wald

**CIRCUIT JUDGES**

Larry H. Lovrien

Jon S. Flemmer

Scott P. Myren

**MAGISTRATE JUDGE**

Tony L. Portra

**JACK R. VON WALD**  
Presiding Circuit Court Judge

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July 20, 2004

TO: Fifth Judicial Circuit Clerk of Courts  
Fifth Judicial Court Services Staff

FROM: Presiding Judge Jack R. Von Wald

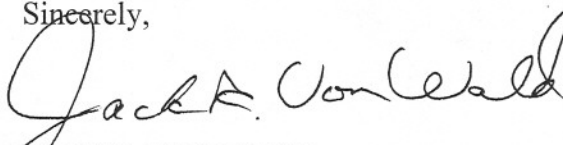
RE: Monitoring Suspended Imposition of Sentence Cases of Informal Probationers

After polling all the clerks of court in our circuit as to how the suspended imposition of sentence cases are monitored for magistrate cases in each of our counties, and receiving several different responses, the Court has decided to implement the following policy to take effect circuit-wide as soon as possible.

When a suspended imposition of sentence is handed down in magistrate court, the clerk will report the information to the court services officer covering that particular county, or, as in the case of Brown County, the clerk will report that information to the Court Services Department. The court services officer will then monitor the terms of the suspended imposition of sentence including the time given for probation, the restitution, treatment and whether there were any violations. If all conditions are met and the time has lapsed, the CSO will advise the judge upon termination of the time, and complete the order of discharge and dismissal for the judge's consideration.

It is not the Court's intent to have each CSO actively supervise these cases, only monitor whatever compliance needs to be done and to make certain the paperwork is filed in a timely fashion.

Sincerely,

  
JACK R. VON WALD  
Presiding Judge

cc: Judges, Fifth Circuit