

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION OF A)
NEW RULE TO BE DESIGNATED AS SDCL)
16-16-17.1)

RULE 96-6

Pursuant to a hearing held on February 15, 1996, at Pierre, South Dakota, relating to the adoption of a new rule concerning the conditional admissions of applicants to the practice of law, and 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 as SDCL 16-16-17.1, be and it is hereby adopted to read in its entirety as follows:

16-16-17.1. Conditional Admission. If the Board of Bar Examiners determines that there are unresolved issues of good moral character, fitness or general qualifications of the applicant, the Board, in its discretion, may make a recommendation to the Supreme Court of conditional admission. The recommendation may incorporate such terms, conditions and restrictions and be for such duration as the Board determines appropriate. The Supreme Court may accept or reject the recommendation.

The Board of Bar Examiners shall review the conditional admission no later than the date specified in the recommendation and recommend to the Supreme Court that:

- (1) the conditional admission be terminated, resulting in loss of license, or
- (2) that the conditional admission be modified and/or extended, or
- (3) that full admission be granted.

The Supreme Court may accept or reject the recommendation.

RULE 96-6

A conditional admission shall be confidential except that the Board of Bar Examiners shall advise the Secretary-Treasurer of the State Bar of such conditional admission, and except as provided in §§ 16-16-15 and 16-19-99. An applicant admitted to the practice of law pursuant to this section is bound by the terms of such conditional admission. Applicants aggrieved by the decision of the Board of Bar Examiners may seek review pursuant to § 16-16-16.

IT IS FURTHER ORDERED that this rule shall become effective March 15, 1996.

DATED at Pierre, South Dakota, this 27th day of February, 1996.

BY THE COURT:

ATTEST:

Glenn J. Engel
Clerk of the Supreme Court
(SEAL)


Robert A. Miller, Chief Justice

By: *Nanathy A. Smith, Deputy*

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 27 1996

Glenn J. Engel
Clerk