

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENTS) RULE 26-02
TO SDCL 15-15A-8)
AND SDCL 15-15A-9)

A hearing was held on February 11, 2026, at Pierre, South Dakota, relating to amendment of SDCL sections 15-15A-8 and 15-15A-9, and the Court having considered the proposed amendments and written and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL sections 15-15A-8 and 15-15A-9 be amended to read in their entirety as follows:

SDCL 15-15A-8. Confidential numbers, financial documents, and name of child ~~victim~~ excluded from public access.

The following information in a court record is not accessible to the public:

- (1) Social security numbers, employer or taxpayer identification numbers, and financial or medical account numbers of an individual;
- (2) Financial documents such as income tax returns, W-2's and schedules, wage stubs, credit card statements, financial institution statements, check registers, and other financial information; and
- (3) The name of any minor child, that is not a defendant, alleged to be a victim of a crime in any adult criminal proceeding.

SDCL 15-15A-9. Filing confidential numbers, financial documents, and name of child ~~victim~~ in court record.

The following procedures apply to the filing of confidential information in court records:

- (1) Social security numbers, employer or taxpayer identification numbers, and financial or medical account numbers of an individual where required to be filed with the court ~~shall~~ must be submitted on a separate Confidential Information Form, appended to these rules, and filed with the pleading or other document required to be filed. The Confidential Information Form is not accessible to the public;
- (2) Financial documents named in subdivision 15-15A-8(2) that are required to be filed with the court ~~shall~~ must be submitted as a confidential document and designated as such to the clerk upon filing. The Confidential Financial Documents Information Form appended to these rules ~~shall~~ must be attached to financial documents being filed with the court.

The Confidential Financial Documents Information Form is not accessible to the public. The confidential financial documents will not be publicly accessible, even if admitted as a trial or hearing exhibit, unless the court permits access pursuant to § 15-15A-10. The court may, on its own motion, protect financial documents that have been submitted without the Confidential Financial Documents Information Form-;

(3) Names of any child under eighteen years of age, that is not a defendant, ~~alleged to be the victim of a crime in any adult criminal proceeding shall~~ must appear as ~~initials only~~ "minor" or "minor family member" followed by a numerical identifier. The names ~~shall~~ must be provided on a separate Confidential Information Form-;

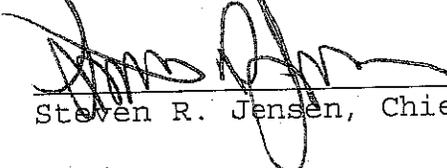
(4) Court records in which a child under eighteen years of age is identified as the petitioner or respondent in a protection order proceeding ~~shall~~ must be treated as confidential and excluded from public access-; and

(5) Parties with cases filed prior to the effective date of this rule, or the court on its own, may, by motion, protect the privacy of confidential information as defined in § 15-15A-8. Parties filing this motion will submit a completed Confidential Information Form or Confidential Financial Documents Information Form as appropriate.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2026.

DATED at Pierre, South Dakota, this 25th day of February, 2026.

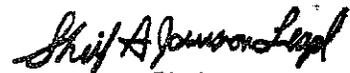
BY THE COURT:


Steven R. Jensen, Chief Justice

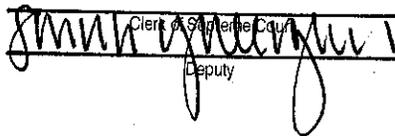
ATTEST: 
Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this 25 day of Feb, 2026.


Deputy