

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

Shirley A. Jameson-Fergel
Clerk of Supreme Court
Deputy

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026

Shirley A. Jameson-Fergel
Clerk

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IN THE MATTER OF THE ADOPTION OF)
A NEW RULE TO PROVIDE FOR THE)
DISCHARGE OF FINANCIAL OBLIGATIONS) RULE 26-05
THREE YEARS FOLLOWING NOTICE OF)
DEATH OF A DEFENDANT)

A hearing was held on February 11, 2026, at Pierre, South Dakota, relating to the adoption of a new rule to provide for the discharge of financial obligations three years following notice of death of a defendant, and the Court having considered the proposed adoption and oral presentation relating thereto, now, therefore, it is

ORDERED that a new rule be adopted to read in its entirety as follows:

Any court-ordered financial obligation due and owing in a criminal proceeding, habeas corpus or abuse and neglect case, must be terminated three years following notice of death of the party owing the court-ordered financial obligation unless the court orders otherwise upon motion of the parties or victim. The Unified Judicial System shall provide the state's attorney, county auditor and victim, if applicable, notice of the date of death when that information is received.

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
Steven R. Jensen, Chief Justice

ATTEST:
[Signature]
Clerk of the Supreme Court
(SEAL)