

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE NAME	)	ORDER DIRECTING ISSUANCE OF
CHANGE OF	)	JUDGMENT OF AFFIRMANCE
	)	
S.J.K. and of	)	#31021
W.J.K,	)	
	)	
Minor Children.	)	
	)	
	)	

The Court having, pursuant to SDCL 15-26A-87.1(A), considered all of the briefs filed in the above-entitled matter, together with the appeal record, and having concluded that it is manifest on the face of the briefs and the record that the appeal is without merit on the ground that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states (SDCL 15-26A-87.1(A)(1)), the Court concludes that the order from which appeal is taken should be affirmed.

In entering this summary order of affirmance, the Court considered the circuit court's findings of fact and conclusions of law discussing the clear and compelling standard of evidence, which this Court has rejected. *See In re J.P.H.*, 2015 S.D. 43, ¶ 15, 865 N.W.2d 488, 491-92 ("The standards adopted in our current case law adequately address name-change issues. We do not find a need to alter our best-interest-of-the-child standard."). However, the

#31021, Order

circuit court properly considered the best interests standard in denying the name change and the record does not demonstrate that the court held Petitioner to a heightened evidentiary standard for the evidence offered in support of the petition. See *Keegan v. Gudahl*, 525 N.W.2d 695, 698 (S.D. 1994) (applying the best interest of the child standard for name change petitions). Therefore, Petitioner has not shown error or prejudice in the circuit court's decision.

Now, therefore, it is:

ORDERED that a judgment affirming the Judgment of the circuit court be entered forthwith.

IT IS FURTHER ORDERED that both motions for attorney's fees are denied because they are not provided for in SDCL 15-17-38.

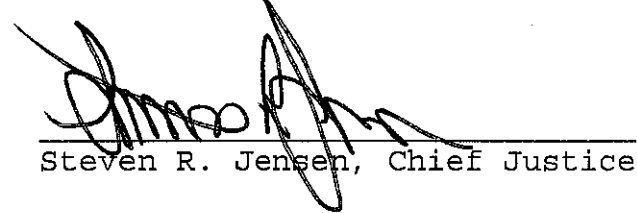
DATED at Pierre, South Dakota, this 15th day of October, 2025.

BY THE COURT:

ATTEST:



Clerk of the Supreme Court
(SEAL)

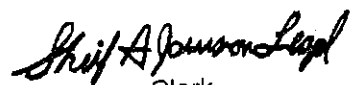


Steven R. Jensen, Chief Justice

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Janine M. Kern, Mark E. Salter, Patricia J. DeVaney and Scott P. Myren.

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OCT 15 2025


Clerk