

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

MAR 17 2006

*Shirley A. Johnson Long*  
Clerk

\* \* \* \*

IN THE MATTER OF THE AMENDMENT)

SDCL 16-16-11

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RULE 06-61

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A hearing was held on February 16, 2006, at Pierre, South Dakota, relating to the amendment of SDCL 16-16-11, and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-16-11 be and it is hereby amended to read in its entirety as follows:

**SDCL 16-16-11. Re-examination after three failures prohibited.**

An applicant who fails three times to pass the examination may not be permitted to take another examination except by permission of the Supreme Court upon a showing that the reasons for previous failures no longer exist and there is a reasonable likelihood the applicant will pass the examination if allowed to take it.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2006.

DATED at Pierre, South Dakota, this 17th day of March, 2006.

BY THE COURT:

*David Gilbertson*

David Gilbertson, Chief Justice

ATTEST:

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)