

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

SEP 29 2003

Shirley A. Johnson Long
Clerk

* * * *

IN THE MATTER OF THE)
REENACTMENT OF SDCL 16-12B-1.3)

RULE 03-17

A hearing having been held on August 28, 2003, at Pierre, South Dakota, relating to the repeal of SDCL 16-12A-4.1 and reenactment at SDCL 16-12B-1.3, and the Court having considered the proposed repeal and reenactment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-12B-1.3 be and it is hereby reenacted to read in its entirety as follows:

SDCL 16-12B-1.3. Term of magistrate judges - Removal.

Persons appointed as full-time magistrate judges shall be appointed for a full term of four years from and after the date of the approval of the appointment by the Supreme Court and shall be subject to removal only upon recommendation of the Judicial Qualifications Commission and the action of the Supreme Court thereon. Persons appointed as part-time magistrate judges shall be appointed by the presiding judge of the circuit court, subject to the approval of the Supreme Court, and shall serve at the pleasure of the presiding judge. Upon termination of any appointment the presiding judge shall forthwith notify the state court administrator thereof.

IT IS FURTHER ORDERED that this rule shall become effective January 1, 2004.

DATED at Pierre, South Dakota, this 29th day of September, 2003.

BY THE COURT:

David Gilbertson
David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)