

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

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

RULE 11-04

A hearing was held on February 16, 2011, at Pierre, South Dakota, relating to the amendment of SDCL 16-12B-1.3 and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-12B-1.3 be and it is hereby amended 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 term of four years from and after the date of the approval of the appointment by the Supreme Court subject to any conditions imposed by the Supreme Court. Full-time magistrate judges may be subject to removal upon recommendation of the Judicial Qualifications Commission and the action of the Supreme Court thereon. The Supreme Court may also, in its discretion, refer any matter to the Judicial Qualifications Commission to conduct an investigation and file a report with the court concerning the conduct of any full-time magistrate judge. 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. Nothing in this section shall be construed to limit the Supreme Court's inherent authority to regulate magistrate judges.

IT IS FURTHER ORDERED that the rule shall become effective immediately.

DATED at Pierre, South Dakota, this 2nd day of March,
2011. SUPREME COURT
STATE OF SOUTH DAKOTA

FILED

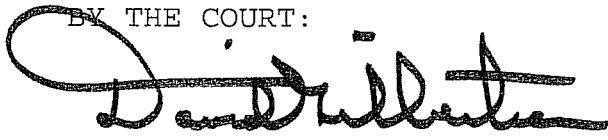
MAR - 2 2011


Clerk

ATTEST:

Clerk of the Supreme Court
(SEAL)

BY THE COURT:


David Gilbertson, Chief Justice