THIS RULE HAS BEEN ELECTRONICALLY APPROVED BY THE COURT

THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE ADOPTION OF A RULE RELATED TO ADMINISTRATIVE OPERATIONS OF THE FOURTH AND SEVENTH JUDICIAL CIRCUITS	**RULE 26-09**

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Whereas, a hearing was held on November 9, 2026, at Pierre, South Dakota, relating to the proposed rule to modify the circuit court boundaries and;

Whereas, the Court after considering the proposed rule, written submissions and comments at the hearing, and having determined that it is in the best interests of the Unified Judicial System to consolidate the administrative functions of the Fourth and Seventh Judicial Circuits, and for the Court to continue to study whether a merger of the Fourth and Seventh Circuits should take place at some point in the future, it is therefore

ORDERED that the State Court Administrator’s Office, in conjunction and coordination with the Presiding Judges of the Fourth and Seventh Judicial Circuit, shall:

> Enter into a Memorandum of Understanding (MOU) to restructure the current administrative positions of the Fourth and Seventh Circuit to create one Circuit Court Administrator, one Chief Court Services Officer, two Deputy Chief Court Services Officers and one Chief Clerk of Court who will provide administrative supervision and management of the clerks of court and court services functions

Filed 11/23/2026 Supreme Court, State of South Dakota

throughout the Fourth and Seventh Judicial Circuits. The administrative supervisory positions shall be under the appointing authority of the Presiding Judge of the Seventh Judicial Circuit.

Transition the supervision of employees (excluding magistrate judge and law clerk positions) to supervision under the new administrative structure.

Nothing in this order directs any change in the administrative powers and duties of the Presiding Judges of the Fourth and Seventh Circuits as it relates to the judicial functions and their appointing authority for magistrate judges and law clerks in each Circuit. The Presiding Judges of the Fourth and Seventh Circuits shall each continue to be responsible for the supervision, oversight, and scheduling of cases for all judicial officers and law clerks in each of their respective Circuits, including arranging and assigning circuit judges and magistrate judges for sessions of court in each county, drawing and scheduling of jury panels, establishing a schedule for fines and bail, and such other powers and duties necessary to carry out the judicial functions in each Circuit.

Develop a plan for implementation of uniform policies and practices for performance of the duties of clerks of court and court services officers in the Fourth and Seventh Judicial Circuits to balance workload needs and shift work as necessary between offices in the Fourth and Seventh Circuits.

Reallocate two court services officer positions through current vacancies or by attrition to transfer to the Second Judicial Circuit prior to March 1, 2027.

ORDERED that the current circuit boundaries of the Fourth and Seventh Judicial Circuits remain as set forth in SDCL 16-5-1.2 and the number of circuit judges and magistrate judges in each circuit shall continue as set forth in SDCL 16-6-1 and SDCL 16-12B-1.1.

Filed 11/23/2026 Supreme Court, State of South Dakota

ORDERED that the State Court Administrator's Office shall report to the Court on a quarterly basis the status of implementation of this Order and shall propose any further order of the Court to carry out the consolidation of the administrative functions of the Fourth and Seventh Judicial Circuits.

IT IS FURTHER ORDERED that this order shall become effective immediately.

DATED at Pierre, South Dakota, this 23rd day of November 2026.

BY THE COURT:

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Steven R. Jensen, Chief Justice

ATTEST:

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Clerk of the Supreme Court
(SEAL)

Filed 11/23/2026 Supreme Court, State of South Dakota