

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

FEB 14 2003

*Shirley A. Johnson Long*  
Clerk

\* \* \* \*

IN THE MATTER OF THE AMENDMENT)  
OF SDCL 16-16-2.4 )

RULE 03-5

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A hearing having been held on February 10, 2003, at Pierre, South Dakota, relating to the amendment of SDCL 16-16-2.4, and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-16-2.4 be and it is hereby amended to read in its entirety as follows:

**SDCL 16-16-2.4 Use of information.**

(1) In reviewing the relevant conduct identified in 16-16-2.3 the board shall consider:

- (a) applicant's age at the time of the conduct;
- (b) recency of conduct;
- (c) reliability of the information concerning the conduct;
- (d) seriousness of the conduct;
- (e) factors underlying the conduct;
- (f) cumulative effect of conduct or information;
- (g) evidence of rehabilitation;
- (h) applicant's candor in the admission process, and
- (i) results of applicant's criminal background check.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2003.

DATED at Pierre, South Dakota, this 14th day of February, 2003.

BY THE COURT:

*David Gilbertson*  
David Gilbertson, Chief Justice

ATTEST:

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