

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE AMENDMENT OF )

SDCL 16-18-2.4 )

RULE 11-09

- - - - -  
A hearing was held on February 16, 2011, at Pierre, South Dakota, relating to the amendment of SDCL 16-18-2.4 and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-18-2.4 be and it is hereby amended to read in its entirety as follows:

SDCL 16-18-2.4. Consent and approval for appearance by legal intern or extern --Authority for appearance in civil and criminal matters.

A legal intern or extern may appear and participate in any proceeding in any court or before any administrative agency in this state on behalf of any person in the following matters and under the following circumstances:

(1) In any civil matter. In such matters the supervising lawyer shall certify to the court or the administrative agency, orally or in writing, that the client has consented to the appearance of the legal intern or extern. The supervising lawyer is not required to be personally present in court or before the administrative agency if the supervising lawyer certifies to the court or the administrative agency, orally or in writing, that the client consents to his or her absence.

(2) In any criminal or quasi-criminal matter, and whether the defendant does or does not have the right to the assignment of counsel under any constitutional provision, statute, or rule of the Supreme Court of this state or of the United States. In such matters the client shall consent in writing and the supervising lawyer shall approve in writing the appearance by the legal intern or extern and the supervising lawyer shall be personally present throughout the proceedings; provided, however, in matters where the proceedings do not involve a critical stage, the legal intern or extern may appear in the absence of the supervising lawyer and without such written consent and approval if the supervising lawyer certifies to the

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court, orally or in writing, that the client has consented to such appearance by the legal intern or extern.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2011.

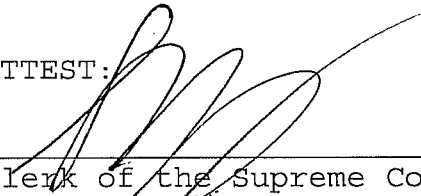
DATED at Pierre, South Dakota, this 2nd day of March, 2011.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:

  
Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
**FILED**

MAR - 2 2011

  
Clerk