

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE PROPOSED) NOTICE OF SPECIAL
AMENDMENT OF SDCL 16-16-13) RULES HEARING
)
)
) NO. 152

A petition for an amendment of an existing section of the South Dakota Codified Laws having been filed with the Court and the Court having determined that the proposed amendment should be noticed for hearing, now therefore,

NOTICE IS HEREBY GIVEN THAT ON August 31, 2023, at 11:15 A.M., C.T., at the Courtroom of the Supreme Court in the Capitol Building, Pierre, South Dakota, the Court will consider the following:

Proposed Amendment to SDCL 16-16-13. Fees payable with application for admission—Disposition of fees.

An applicant for an admission on examination shall pay a fee of four hundred fifty dollars. An applicant for admission without examination shall pay a fee of six hundred fifty dollars. An applicant shall also pay the National Conference of Bar Examiners the applicable fee for preparation of an initial or supplemental character report. If an applicant fails to appear for the examination, the fee paid shall ~~only~~ be applied to one of the next two scheduled combined Multistate Essay Examination Examinations, which ~~includes~~ include an Indian Law question and Multistate Performance Test, and/or ~~to the~~ Multistate Bar Examination Examinations. The applicant shall inform the Secretary in writing which of the next two scheduled examinations to apply the fee. The fees thus paid to the Secretary shall be retained in a special fund

and shall be paid out by the state court administrator when authorized by the Secretary for the compensation and necessary expenses of the Board of Bar Examiners.

Explanation for Proposal

This amendment is proposed by the South Dakota Board of Bar Examiners. The proposed change would allow applicants who applied for the bar exam but who did not appear for the exam to elect to apply the application fee to one of the next two upcoming examinations, rather than to only the next examination. The proposed change would allow applicants some flexibility in determining when they will be prepared to take the exam and apply fees accordingly. The proposed amendment is not based upon any state or federal rule or statute and should not affect other existing rules or statutes. The amendment, if adopted, is intended to apply to any application currently pending before the Board or the Court.

Any person interested may appear at the hearing and be heard, provided that all objections or proposed amendments shall be reduced to writing and the original and ten copies thereof filed with the Clerk of the Supreme Court no later than August 17, 2023.

Subsequent to the hearing, the Court may reject or adopt the proposed amendments or adoptions or any rule germane to the subject thereof.

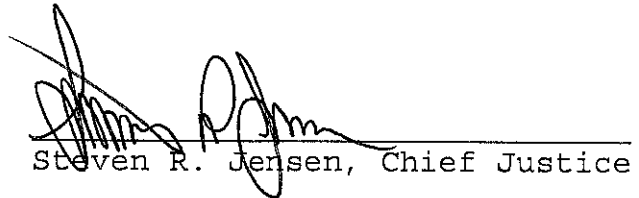
Notice of this hearing shall be made to the members of the State Bar by electronic mail notification, by posting

Notice of Special Rules Hearing No. 152 - August 31, 2023

notice at the Unified Judicial System's website at
<http://www.ujs.sd.gov/> or the State Bar of South Dakota's
website at <http://www.sdbar.org/>.

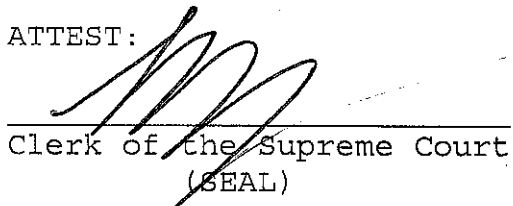
DATED at Pierre, South Dakota this 21st day of July, 2023.

BY THE COURT:



Steven R. Jensen, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

JUL 21 2023


Clerk