SUPREME COURT
STATE OF SOUTH DAKOTA
FILED
MAR 17 1997
Clerk

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT OF SDCL 16-19-83) **RULE 97-34**

- -

A hearing having been held on February 21, 1997, at Pierre, South Dakota, relating to the amendment of SDCL 16-19-83, 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 16-19-83 be and it is hereby amended to read in its entirety as follows:

> **16-19-83. Reinstatement order required before resumption of practice - Time of application - Waiting period after denial of reinstatement.** No attorney suspended for more than three months or disbarred may resume practice until reinstated by order of the Supreme Court. A person who has been disbarred after hearing or by consent may not apply for reinstatement until the expiration of at least five years from the effective date of the disbarment. No petition for reinstatement under § 16-19-87 shall be filed within one year following an adverse judgment upon a petition for reinstatement filed by or on behalf of the same person. An attorney suspended or disbarred shall not be permitted to act as a legal assistant except as provided by §§ 16-18-34.4 to 16-18-34.7, inclusive.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1997.

DATED at Pierre, South Dakota, this 17th day of March, 1997.

BY THE COURT:

Robert A. Miller, Chief Justice

ATTEST:

Clerk of the Supreme Court
(SEAL)