

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA
* * * *

OCT 07 1994

David Engel
Clerk

IN THE MATTER OF THE AMENDMENT)
OF SDCL 16-19-89

RULE 94-12

Pursuant to a hearing held on September 22, 1994, at Pierre, South Dakota, relating to the amendment of SDCL 16-19-89, 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 16-19-89 be and it is hereby amended to read in its entirety as follows:

16-19-89. Petition by board for determination of impairment of attorney -- Directions for investigation. The disciplinary board may petition the Supreme Court to suspend an attorney from the practice of law pending final hearing and disposition by the Supreme Court, upon good cause shown that the attorney, by reason of physical, mental or other condition, including the abuse of drugs or alcohol, is impaired and that the impairment substantially adversely affects the attorney's ability to competently practice law. The Court may take or direct such action as it deems necessary or proper to determine whether the attorney is so impaired, including the examination of the attorney by such qualified medical experts as the Court shall designate.

IT IS FURTHER ORDERED that this rule shall become effective November 1, 1994.

DATED at Pierre, South Dakota, this 7th day of October, 1994.

BY THE COURT:

ATTEST:

Maria J. Engel
Clerk of the Supreme Court
(SEAL)

Robert A. Miller
Robert A. Miller, Chief Justice