

SUPREME COURT

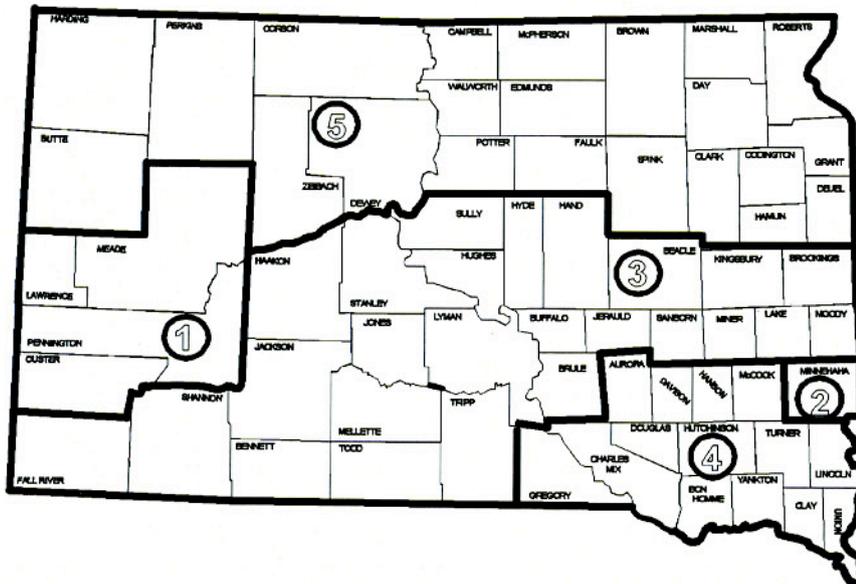
As the state's highest court and the court of last resort for state appellate actions, the chief justice and four justices comprising the South Dakota Supreme Court are the final judicial authority on all matters involving the legal and judicial system of South Dakota.

Chief Justice and Four Justices Duties and Responsibilities

- Φ Original jurisdiction in cases involving interests of state
- Φ Issues original and remedial writs
- Φ Renders advisory opinions to Governor on issues involving executive power
- Φ Appellate jurisdiction over circuit court decisions
- Φ Rule-making power over court practice and procedure
- Φ Administrative leadership for the legal and judicial system
- Φ Controls admissions to and disciplines members of the State Bar

Under the terms of a 1980 constitutional amendment, Supreme Court justices are appointed by the Governor from a list of nominees selected by the Judicial Qualifications Commission. All who sit on the Supreme Court must be licensed to practice law in the state and permanent justices must be voting residents of the district from which they are appointed at the time they take office (Map below).

South Dakota Supreme Court Appointment Districts
Effective January 23, 2012



Supreme Court Workload

The Supreme Court workload information is shown below and on the following page. The categories shown are those most commonly used within the Supreme Court.

“Intermediate Appeals” are appeals made during the progress of a case in circuit court. Intermediate appeals are accepted at the discretion of the Supreme Court.

“Notice of Review” is filed by an appellee (party against whom an appeal is taken) seeking review of a judgment or order entered in the same action from which an appeal has been taken. A notice of review is a separate filing but not a separate disposition since it is disposed of as part of the original appeal.

“Certificates of Probable Cause” are required before an appeal can be brought in a habeas corpus case.

“Summary Dispositions” are appeals that have been summarily affirmed or reversed on established grounds set forth in SDCL 15-26A-87.1. In these proceedings the Court, on its own motion, may affirm or reverse the judgment or order from which the appeal is taken. The Court must be unanimous in its decision to render a summary disposition, and the decision is set out in an order or memorandum opinion. The term “expedited appeal” is sometimes used because it usually takes less time to process appeals under this rule.

“Pending Cases” are cases which have been filed with the Court but in which no decision has been entered.

“Administrative, Judicial, Legal Research, Law Library and Bar Admissions” are all part of the workload within the Supreme Court.

Chart 1. Supreme Court Caseload Comparison

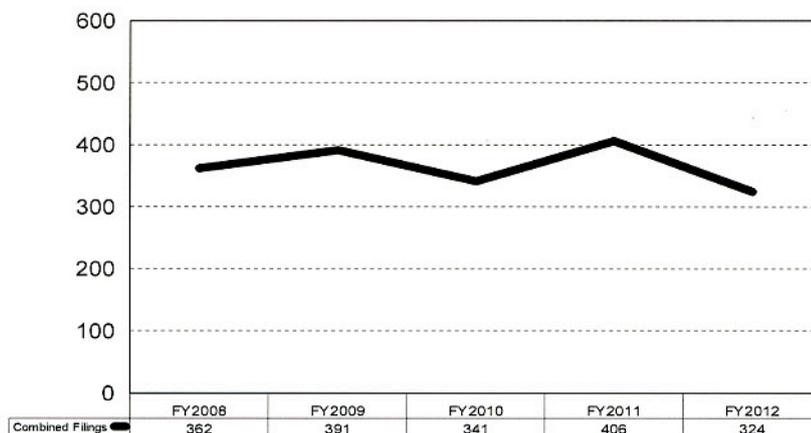


Table 2. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR

Fiscal Year:	FY2008	FY2009	FY2010	FY2011	FY2012
FILINGS:					
Appeals	279	310	279	321	266
Intermediate Appeals	29	20	25	30	22
Original Proceedings	17	25	17	15	10
Notice of Review	12	16	4	29	12
Certificates of Probable Cause	24	20	14	11	14
Reinstatements	1	0	1	0	0
Rehearings Granted	0	0	1	0	0
COMBINED FILINGS	362	391	341	406	324
DISPOSITIONS:					
Appeals / Original Proceedings	120/140	130/141	120/140	85/90	123/129
Orders of Dismissal/Dispositional Remands	80	95	80	80	99
Denial of Intermediate Appeals	18	27	18	22	24
Original Proceedings (by Order)	31	41	31	18	29
Dispositive Remand	0	0	0	0	1
Summary Dispositions	75	92	75	121	119
COMBINED DISPOSITIONS	344	396	344	331	401
PENDING CASES:					
Submitted and Pending	35	27	35	33	48
Ready for Submission	37	38	37	45	40
Not Ready for Calendar	76	74	76	119	98
Other (in Suspense)	11	3	11	4	3
TOTAL PENDING CASES AT YEAR-END	159	142	159	201	189
ADMINISTRATIVE:					
Hearings on Rules and Related Matters	2	3	2	4	2
Internal Procedure Rules Adopted or Amended	2	3	2	1	1
Supreme Court Rules Adopted or Amended	11	12	11	35	27
Administrative Conferences	22	25	22	24	28
JUDICIAL:					
Orders, Writs and Judgments Entered	1085	1095	1085	1195	1190
Bar Admissions	88	97	88	103	91
Bar Admissions pursuant to SDCL 16-18-2	18	10	18	14	16
Oral Arguments (Actions/Submission)	63/69	57/63	63/69	45/55	35/77
Cases Submitted on Briefs	144/155	140/150	144/155	142/149	93/101
Case Conference Days	27	27	27	24	23
LEGAL RESEARCH:					
Appeals Screened	362	392	405	406	324
Cases Briefs Were Received In	213	213	210	211	233
Per Curiams Assigned	43	43	49	57	45
Circuit Judge Opinions Issued	6	6	14	0	0
BAR ADMISSIONS:					
Applications Processed	125	125	148	108	132
Bar Inquiries Answered	1300	1300	1300	1300	1350