

SUPREME COURT

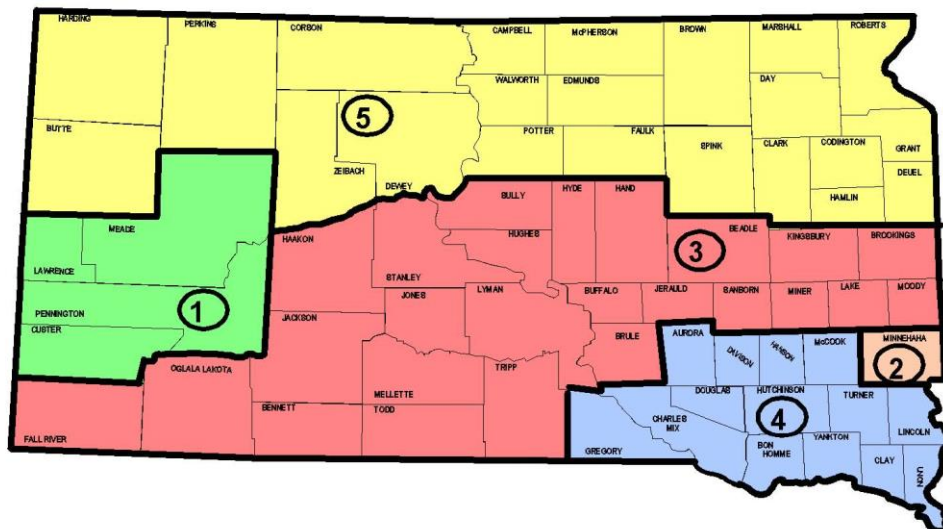
The South Dakota Supreme Court is the state's highest court and the court of last resort for state appellate actions. The Supreme Court is comprised of the chief justice, who is the administrative head of the Unified Judicial System, and four justices who are entrusted to deliver the final judicial authority on all matters involving the legal and judicial system of South Dakota.

Chief Justice and Four Justices
Duties and Responsibilities of the Supreme Court

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

Pursuant to 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 workload of the Supreme Court is shown below and on the following page. The categories noted 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.

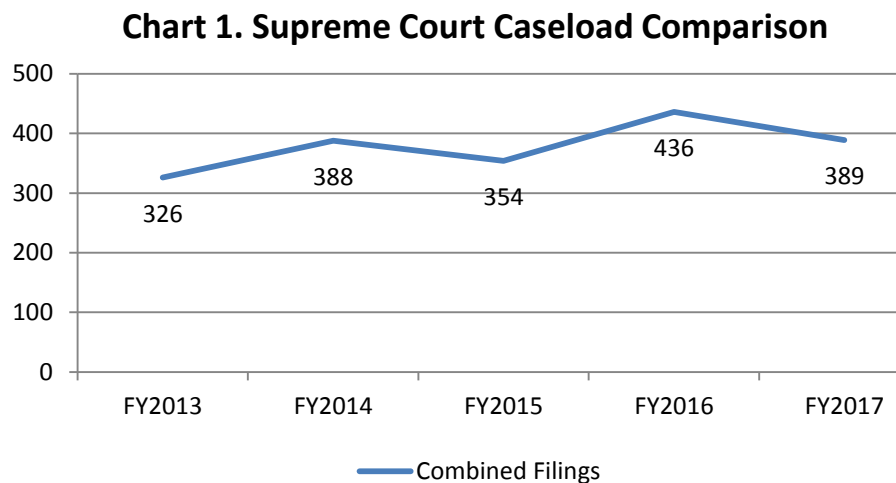


Table 2. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR

Fiscal Year:	FY2013	FY2014	FY2015	FY2016	FY2017
FILINGS:					
Appeals	260	290	282	298	271
Intermediate Appeals	19	38	28	83	29
Original Proceedings	25	28	24	30	66
Notice of Review	9	18	11	12	13
Certificates of Probable Cause	12	13	9	12	10
Reinstatements	1	1	0	1	0
Rehearings Granted	0	0	0	0	0
COMBINED FILINGS	326	388	354	436	389
DISPOSITIONS:					
Appeals / Original Proceedings	120/123	102/110	114/132	108/114	97/149
Orders of Dismissal/Dispositional Remands	119	108	109	103	97
Denial of Intermediate Appeals	13	27	11	28	20
Original Proceedings (by Order)	26	28	26	24	60
Dispositive Remand	0	0	1	0	1
Summary Dispositions	93	74	84	84	109
COMBINED DISPOSITIONS	374	347	363	353	436
PENDING CASES:					
Submitted and Pending	31	35	27	23	28
Ready for Submission	33	45	48	44	32
Not Ready for Calendar	80	109	115	120	107
Other (in Suspense)	4	4	4	3	4
TOTAL PENDING CASES AT YEAR-END	148	193	194	190	171
ADMINISTRATIVE:					
Hearings on Rules and Related Matters	1	2	2	2	3
Internal Procedure Rules Adopted or Amended	1	4	5	7	4
Supreme Court Rules Adopted or Amended	8	19	14	125	7
Administrative Conferences	25	24	23	22	21
JUDICIAL:					
Orders, Writs and Judgments Entered	1185	1180	1170	1150	1145
Bar Admissions (includes reciprocity)	129	116	99	96	91
Bar Admissions (pursuant to SDCL 16-18-2)	8	6	11	18	15
Oral Arguments (Actions/Submission)	42/47	32/35	34/37	32/42	26/36
Cases Submitted on Briefs	125/131	101	147/156	141/159	160/192
Case Conference Days	20	18	19	19	18
LEGAL RESEARCH:					
Appeals Screened	326	388	354	436	389
Cases Briefs Were Received In	218	228	223	235	238
Per Curiams Assigned	31	33	36	37	31
BAR ADMISSIONS:					
Applications Processed	128	137	141	156	164
Bar Inquiries Answered	1200	1250	1300	1350	1425