

# 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.

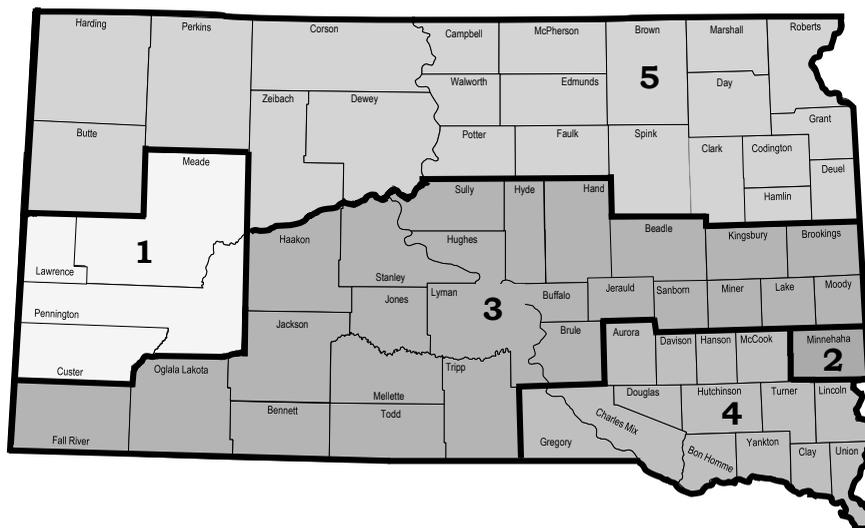
## Chief Justice and Four Justices

### Duties and Responsibilities of the Supreme Court include:

- 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; and
- 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



## 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.

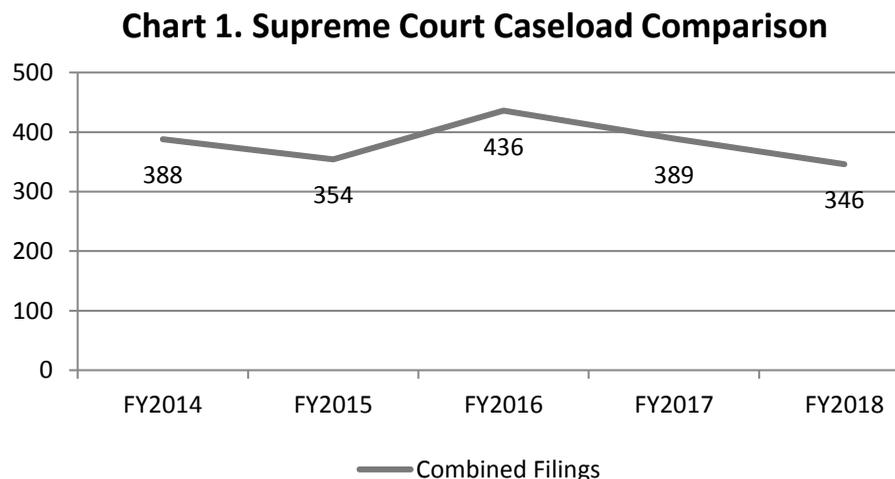
“Notice of Review” is filed by an appellee (party against whom an appeal is taken) seeking review of a judgment or order entered in the same action from which an appeal has been taken. A notice of review is a separate filing but not a separate disposition since it is disposed of as part of the original 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 1. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR**

<b>Fiscal Year:</b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>	<b>FY2017</b>	<b>FY2018</b>
<b>FILINGS:</b>					
Appeals	290	282	298	271	244
Intermediate Appeals	38	28	83	29	25
Original Proceedings	28	24	30	66	56
Notice of Review	18	11	12	13	11
Certificates of Probable Cause	13	9	12	10	10
Reinstatements	1	0	1	0	0
Rehearings Granted	0	0	0	0	0
<b>COMBINED FILINGS</b>	<b>388</b>	<b>354</b>	<b>436</b>	<b>389</b>	<b>346</b>
<b>DISPOSITIONS:</b>					
Appeals / Original Proceedings	102/110	114/132	108/114	97/149	103/126
Orders of Dismissal/Dispositional Remands	108	109	103	97	96
Denial of Intermediate Appeals	27	11	28	20	21
Original Proceedings (by Order)	28	26	24	60	46
Dispositive Remand	0	1	0	1	2
Summary Dispositions	74	84	84	109	84
<b>COMBINED DISPOSITIONS</b>	<b>347</b>	<b>363</b>	<b>353</b>	<b>436</b>	<b>375</b>
<b>PENDING CASES:</b>					
Submitted and Pending	35	27	23	28	20
Ready for Submission	45	48	44	32	41
Not Ready for Calendar	109	115	120	107	80
Other (in Suspende)	4	4	3	4	6
<b>TOTAL PENDING CASES AT YEAR-END</b>	<b>193</b>	<b>194</b>	<b>190</b>	<b>171</b>	<b>147</b>
<b>ADMINISTRATIVE:</b>					
Hearings on Rules and Related Matters	2	2	2	3	2
Internal Procedure Rules Adopted or Amended	4	5	7	4	1
Supreme Court Rules Adopted or Amended	19	14	125	7	22
Administrative Conferences	24	23	22	21	21
<b>JUDICIAL:</b>					
Orders, Writs and Judgments Entered	1180	1170	1150	1145	1130
Bar Admissions (includes reciprocity)	116	99	96	91	106
Bar Admissions (pursuant to SDCL 16-18-2)	6	11	18	15	15
Oral Arguments (Actions/Submission)	32/35	34/37	32/42	26/36	22/29
Cases Submitted on Briefs	101	147/156	141/159	160/192	132/144
Case Conference Days	18	19	19	18	17
<b>LEGAL RESEARCH:</b>					
Appeals Screened	388	354	436	389	346
Cases Briefs Were Received In	228	223	235	238	190
Per Curiam Assigned	33	36	37	31	30
<b>BAR ADMISSIONS:</b>					
Applications Processed	137	141	156	164	188
Bar Inquiries Answered	1250	1300	1350	1425	1475