

Unified Judicial System
500 East Capitol Avenue
Pierre, SD 57501-5070

For Immediate Release-

September 1, 2022

Parenting Education Class FAQs

Effective September 1st Supreme Court Rule 22-09 requires that the parties to any action involving issues of child custody or parenting time are required to complete a court-approved course to educate the parents on the impact these proceedings can have on the involved children. The full text of the rule can be found here:

https://uj.s.sd.gov/uploads/sc/rules/SCRULE_RSRC_20220228163902.pdf

IMPORTANT THINGS TO KNOW ABOUT THE IMPLEMENTATION OF THIS RULE:

What proceedings does this apply to?

The rule applies to any action initiated after September 1, 2022, which involves the issues of child custody or parenting time. However, the rule does not apply to a protection order proceeding or termination of parental rights proceeding.

When must the course be completed?

The course must be completed within 60 days following service of the summons and complaint, petition or motion for any action involving child custody or parenting time initiated after September 1, 2022.

Who has to complete the course?

Each party to a proceeding involving child custody or parenting time unless it is excused by the court for “good cause.”

What is “good cause” to waive the parenting course requirement?

“Good cause” includes but is not limited to a default by one of the parties or a showing that the parties have previously participated in a court-approved course or its equivalent within the past 5 years. If good cause is found the court may order that the information be provided to the parties in an alternative format.

How does a party seek a waiver of the parenting course requirement?

A request to waive the requirement must be approved by the court. Those seeking a waiver should complete an “Affidavit on Court-Approved Parenting Course” available on the UJS website [UJS 364 - Affidavit on Court-Approved Parenting Course.pdf \(sd.gov\)](#) and serve that on the other parties to the action.

What happens if the class is not completed?

A final decree shall not be granted or a final order shall not be entered until both parties have complied with this requirement.

Who arranges the course for the parent?

Each party is responsible for making arrangements for their participation in the course.

Where do I find a court-approved course?

The UJS website has a list of approved parenting classes here:
https://uj.s.sd.gov/Parenting_Education/Default.aspx

If a provider is not on this list they are not court-approved. From the UJS Homepage there is an icon on the bottom that links to “Parenting Classes.”

Who pays for the course?

Each party is responsible for the payment of their course.

What if someone cannot afford the course?

Many of the courses offer reduced or discounted prices to those with limited means. Contact the providers directly to ask them their policy. The clerk of courts or court cannot waive this fee.

What happens after the course is completed?

Upon completion, the participant will be provided a certificate of completion. That certificate should be provided to the clerk of courts in the county where the court case is pending. Each party is responsible for filing the certificate with the court.

What if one party does not complete the course?

A good cause waiver may be sought from the court as a result of the default by the other party using the “Affidavit on Court-Approved Parenting Course” available on the UJS website [UJS 364 - Affidavit on Court-Approved Parenting Course.pdf \(sd.gov\)](#) and serve that on the other parties to the action.