

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, South Dakota

4 day of SEPT, 20 24.

Shirley A. Jameson-Fergel
Clerk of the Supreme Court
Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

SEP - 4 2024

Shirley A. Jameson-Fergel
Clerk

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE PROPOSED) RULE 24-10
AMENDMENT to SDCL 16-21-6.)

A hearing was held on August 27, 2024, at Pierre, South Dakota, relating to the amendment to SDCL 16-21-6, and the Court having considered the proposed amendment and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL 16-21-6 is amended to read in it's entirety as follows:

SDCL 16-21-6. Confidential information.

The confidentiality of an electronic record, or an electronic copy thereof, is the same for the equivalent paper record, with the exception of photographs or videos that

- a. Depict the death, killing, autopsy, rape, or sexual assault of a person; or
- b. Is of a sexual nature or contains depictions of the breasts of a female or the genitalia or anus of any person.

The depictions listed above will be accessible for viewing at the clerk of court's office if not otherwise sealed.

Access to confidential information, regardless of form, shall only be to the extent provided by law. The EDMS shall place a visible mark identifying confidential or sealed information and restrict access accordingly.

IT IS FURTHER ORDERED that this rule shall become effective immediately.

DATED at Pierre, South Dakota, this 4th day of September, 2024.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST:

Shirley A. Jameson-Fergel
Clerk of the Supreme Court
(SEAL)