

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE ADOPTION OF )  
A NEW RULE RELATING TO FILING A )  
DOCUMENT WITHOUT THE REQUIREMENT )  
OF AN OATH AND NOTARIZED SIGNATURE. )  
-----  
RULE 24-11  
CORRECTED

A hearing was held on August 27, 2024, at Pierre, South Dakota, relating to the adoption of a new rule relating to filing a document under penalty of perjury without the requirement of an oath and notarized signature, and the Court having considered the proposed adoption, written and oral presentation relating thereto, now, therefore, it is

ORDERED that the adoption of a new rule relating to filing a document under penalty of perjury without the requirement of an oath and notarized signature is hereby adopted to read in its entirety as follows:

Filing a document under penalty of perjury without the requirement of an oath and notarized signature.

Section 1.

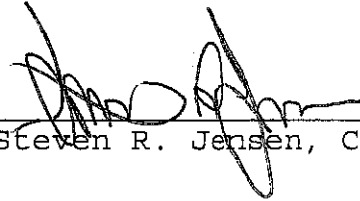
Unless specifically required by statute or court rule, a pleading, motion, affidavit, or other document filed with a court of this state, or presented to a judge or judicial officer in support of a request for a court order, warrant, or other relief, is not required to be notarized. Signing a document filed with the court or presented to a judge or judicial officer constitutes an "unsworn declaration", as defined in section SDCL 18-7-2(6), without administration of an oath or notarized signature, provided that the signature, as defined by court rules, is affixed immediately below a declaration using substantially the following language: "I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct". In addition to the signature, the date of signing, the city or other location, and state where the document was signed shall be noted on the document.

Rule 24-11

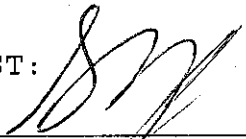
IT IS FURTHER ORDERED that this rule shall become effective immediately.

DATED at Pierre, South Dakota, this 5th day of September, 2024.

BY THE COURT:

  
\_\_\_\_\_  
Steven R. Jensen, Chief Justice

ATTEST:

  
\_\_\_\_\_  
Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

SEP 05 2024

  
Clerk

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, S.D. this

5 day of Sept, 2024.  
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Shirley A. Jameson-Fergel  
Deputy