

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT OF)
SDCL 15-26A-69.1) RULE 10-05

A hearing was held on August 26, 2010, at Pierre, South Dakota, relating to the amendment of SDCL 15-26A-69.1, and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-26A-69.1 be and it is hereby amended to read in its entirety as follows:

SDCL 15-26A-69.1. Citation of official opinions of the Supreme Court.

(1) The initial citation of any published opinion of the Supreme Court released prior to January 1, 1996, in a brief, memorandum, or other document filed with the court and the citation in the table of cases in a brief shall include a reference to the volume and page number of the South Dakota Reports or North Western Reporter in which the opinion is published. Subsequent citations within the brief, document, or memorandum shall include the page number and sufficient references to identify the initial citation.

(2) The initial citation of any published opinion of the Supreme Court released on or after January 1, 1996, in a brief, memorandum, or other document filed with the court and the citation in the table of cases in a brief shall include a reference to the calendar year in which the decision was announced, the court designation of "S.D.", and a sequential number assigned by the clerk of the Supreme Court. Citation to specific portions of the opinion shall be made to the paragraph number assigned by the clerk of the Supreme Court. A paragraph citation should be placed immediately following the sequential number assigned to the case. Subsequent

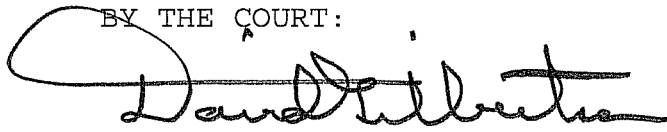
citations within the brief, document, or memorandum shall include the paragraph number and sufficient references to identify the initial citation.

When available, initial citations shall include the volume and initial page number of the North Western Reporter in which the opinion is published.

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

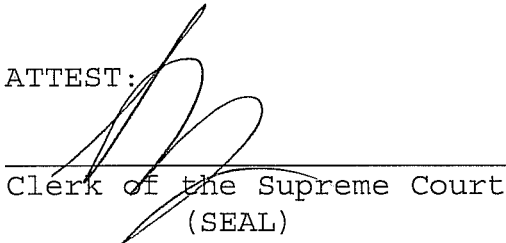
DATED at Pierre, South Dakota, this 30th day of August, 2010.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

AUG 30 2010



Clerk

APPENDIX
- -NOT PART OF SDCL 15-26A-69.1- -
PRINTED FOR ILLUSTRATIVE PURPOSES ONLY

Examples of an initial citation of a South Dakota Supreme Court Opinion published prior to January 1, 1996, would be as follows:

Smith v. Jones, 500 N.W.2d 600 (S.D. 1994)

Black v. Black, 90 S.D. 100, 400 N.W.2d 500 (1976)

Examples of a spot citation of a South Dakota Supreme Court Opinion published prior to January 1, 1996, would be as follows:

Smith v. Jones, 500 N.W.2d 600, 601 (S.D. 1994)

Smith, 500 N.W.2d at 601

Black v. Black, 90 S.D. 100, 101, 400 N.W.2d 500, 501 (1976); or

Black v. Black, 400 N.W.2d 500, 501 (S.D. 1976); or

Black v. Black, 90 S.D. 100, 101 (1976).

Black, 90 S.D. at 101, 400 N.W.2d at 501; or

Black, 400 N.W.2d at 501.

Idem references for pre-January 1, 1996, opinions should be to the page number of the reporter cited immediately proceeding:

Id. at 601.

Examples of an initial citation of a South Dakota Supreme Court Opinion published after January 1, 1996 would be as follows:

Before publication in North Western Reporter:

Smith v. Jones, 1996 S.D. 15, ___ N.W.2d ___

After publication in North Western Reporter:

Smith v. Jones, 1996 S.D. 15, 600 N.W.2d 900.

Examples of a spot citation of a South Dakota Supreme Court Opinion published after January 1, 1996, would be as follows:

Before publication in North Western Reporter:

Smith v. Jones, 1996 S.D. 15, ¶ 21, ___ N.W.2d ___, ___;
Smith, 1996 S.D. 15, ¶¶ 21-25, ___ N.W.2d at ___.

After publication in North Western Reporter:

Smith v. Jones, 1996 S.D. 15, ¶ 21, 500 N.W.2d 900, 901;
Smith, 1996 S.D. 15, ¶¶ 21-25, 600 N.W.2d at 901.

Idem references for post January 1, 1996, opinions should be to the paragraph number:

Id. ¶ 15.

The use of the ¶ symbol in spot citations is not mandatory, however, its use is encouraged to distinguish paragraph numbers from page numbers.