

TABLE OF CONTENTS

TITLE 15: CIVIL PROCEDURE

- 15-1. General Provisions
- 15-2. Limitation of Actions
- 15-2A. Suits Involving Improvements to Real Estate
- 15-3. Actions for the Recovery of Real Property – Adverse Possession
- 15-4. Survival of Actions
- 15-5. Venue
- 15-5A. Interactive Audiovisual Device Use in Court Proceedings
- 15-6. Circuit Court Rules of Procedure
- 15-7. Personal Jurisdiction
- 15-8. Remedies on Joint Liability
- 15-9. Service of Process and Commencement of Actions
- 15-10. Lis Pendens
- 15-11. Circuit Court Calendars
- 15-12. Change of Circuit Judge or Magistrate
- 15-13. Proceedings Before a Referee
- 15-14. Jury Trials
- 15-15. Record and Exhibits
- 15-15A. Unified Judicial System Court Records Rule
- 15-16. Judgments
- 15-16A. Uniform Enforcement of Foreign Judgments Act
- 15-17. Recovery of Disbursements
- 15-18. Execution of Judgments
- 15-19. Execution Sales
- 15-20. Supplementary Proceedings upon Execution
- 15-21. Civil Penalties for Public Servants
- 15-22. Arrest and Bail in Civil Cases, Repealed
- 15-23. Discharge from Imprisonment on Civil Process, Repealed
- 15-24. Supreme Court Procedure
- 15-24A. Certification of Questions of Law to Supreme Court
- 15-25. Original Proceedings in Supreme Court
- 15-26. Procedure for Taking Appeal to Supreme Court, Repealed
- 15-26A. Rules of Civil Appellate Procedure
- 15-26B. Supreme Court Electronic Filing Rules [Repealed]
- 15-26C. Supreme Court Electronic Filing Rules
- 15-27. Stay of Execution on Appeal to Supreme Court, Repealed
- 15-28. Undertakings and Deposits on Appeal to Supreme Court, Repealed
- 15-29. Record and Briefs on Appeal to Supreme Court, Repealed
- 15-30. Disposition of Appeals to Supreme Court
- 15-31. County Court Procedure, Repealed
- 15-32. Municipal Court Procedure, Repealed
- 15-33. General Powers and Process of Justices' Courts, Repealed
- 15-34. Attachment and Garnishment in Justices' Courts, Repealed
- 15-35. Pleadings and Trial in Justices' Courts, Repealed

- 15-36. Judgments and Execution in Justices' Courts, Repealed
- 15-37. Records, Dockets and Accounting by Justices, Repealed
- 15-38. Appeals from Magistrate Court
- 15-39. Procedure for Small Claims in Circuit and Magistrate Courts

TITLE 16: COURTS AND JUDICIARY

- 16-1. The Supreme Court
- 16-1A. Commission on Judicial Qualifications
- 16-2. The Unified Judicial System
- 16-3. Supreme Court Rules
- 16-4. Supreme Court Reports
- 16-5. Judicial Circuits and Terms of Court
- 16-6. Circuit Courts
- 16-7. Circuit Court Bailiffs, Reporters, and Interpreters, Repealed
- 16-8. Supreme and Circuit Court Judges' Retirement Program, Repealed
- 16-9. District County Courts, Repealed
- 16-10. County Clerk of Courts, Repealed
- 16-11. Municipal Courts, Repealed
- 16-11A. District County Court and Municipal Court Judges' Retirement, Repealed
- 16-12. Justices of the Peace and Police Magistrates, Repealed
- 16-12A. Magistrate Courts
- 16-12B. Magistrate Judges
- 16-12C. Clerk Magistrates
- 16-13. Selection of Juries
- 16-14. Judicial Conference of the State of South Dakota
- 16-15. Contempt and Offenses Against the Judiciary
- 16-16. Licensing of Attorneys and Admission to Practice
- 16-17. State Bar of South Dakota
- 16-17A. Assistance to Impaired Lawyers and Judges
- 16-18. Powers and Duties of Attorneys
- 16-19. Discipline of Attorneys
- 16-20. Expanded Media Coverage of Trial Court Proceedings
- 16-21. Electronic Document System – Court Record
- 16-21A. Circuit Court Electronic Filing Rules
- 16-22. Drug Court and Other Public Safety Programs
- 16-23. Rural County Attorney Recruitment Pilot Program

TITLE 19: EVIDENCE

- 19-1. Competency of Witnesses
- 19-2. Privileged Communications
- 19-3. Taking Testimony

- 19-4. Affidavits and Certified Writings
- 19-5. Subpoena of Witnesses
- 19-6. Expert Witnesses and Reports, Repealed
- 19-7. Records, Documents and Judicial Proceedings
- 19-8. Proof of Foreign Law
- 19-9. General Rules of Evidence [Transferred]
- 19-10. Judicial Notice [Transferred]
- 19-11. Presumptions [Transferred]
- 19-12. Relevancy [Transferred]
- 19-13. Privileges [Transferred]
- 19-13A. Uniform Mediation Act
- 19-14. Witnesses [Transferred]
- 19-15. Opinions and Expert Testimony [Transferred]
- 19-16. Hearsay [Transferred]
- 19-17. Identification and Authentication [Transferred]
- 19-18. Recordings, Writings and Photographs [Transferred]
- 19-19. South Dakota Rules of Evidence

TITLE 23A: CRIMINAL PROCEDURE

- 23A-1. Purpose and Scope of Title
- 23A-2. Summons, Complaint and Warrant
- 23A-3. Arrest
- 23A-4. Preliminary Proceedings Before Magistrate
- 23A-5. (Rule 6) Grand Jury
- 23A-6. Information and Indictment
- 23A-7. Arraignment and Pleas
- 23A-8. (Rule 12) Pleadings and Pretrial Motions
- 23A-9. (Rule 12.1) Notice of Alibi
- 23A-10. (Rule 12.2) Notice of Mental Illness Defense
- 23A-10A. Defendant's Mental Competency to Proceed
- 23A-11. Joinder for Trial
- 23A-12. (Rule 15) Depositions
- 23A-13. (Rule 16) Discovery
- 23A-14. (Rule 17) Subpoena and Attendance of Witnesses
- 23A-14A. Uniform Rendition of Prisoners as Witnesses in Criminal Proceedings Act
- 23A-15. (Rule 17.1) Pretrial Conference
- 23A-16. Jurisdiction and Venue of Offenses and Proceedings
- 23A-17. Transfer of Proceedings from County
- 23A-18. (Rule 23) Trial by Jury or Court
- 23A-19. Jury Panel
- 23A-20. (Rule 24) The Trial Jury
- 23A-21. (Rule 25) Disability or Disqualification of Judge
- 23A-22. Evidence
- 23A-23. (Rule 29) Motion for Acquittal
- 23A-24. Conduct of Trial

23A-25. Jury Instructions and Deliberations
23A-26. (Rule 31) Verdict
23A-27. Sentence and Judgment
23A-27A. Capital Punishment
23A-28. Restitution to Crime Victims
23A-28A. Profits from Crime
23A-28B. Crime Victims' Compensation Program
23A-28C. Crime Victims' Act
23A-29. (Rule 33) New Trial
23A-30. (Rule 34) Arrest of Judgment
23A-31. Correction of Proceedings
23A-32. Appeals to Supreme Court
23A-33. Relief Pending Appeal
23A-34. Repealed
23A-35. (Rule 41) Search and Seizure
23A-35A. Interception of Wire or Oral Communications
23A-35B. HIV Testing of Sexual Assault Suspects & Prostitutes
23A-36. Seizure and Disposition of Obscene Material
23A-37. Seized Property
23A-38. (Rule 42) Contempt
23A-39. (Rule 43) Presence of the Defendant
23A-40. (Rule 44) Counsel for Indigent Defendant
23A-41. (Rule 45) Time Allowed
23A-42. Limitation of Criminal Prosecutions
23A-43. (Rule 46) Bail
23A-44. Other Administrative Provisions
23A-45. Definitions and General Provisions
23A-46. Mental Examinations and Hearings
23A-47. Administrative Financial Accountability System
23A-48. Probation Supervision, Discharge and Violation of Conditions
23A-49. Civil Forfeiture for Crime
23A-50. Mental Health Procedures

Volume 2

APPENDIX

Tribal Court Handbook

FEDERAL LAWS AND RULES

Indian Child Welfare

Indian Child Welfare Act of 1978

Appendix: Guidelines for Implementing the Indian Child Welfare Act

Guidelines for State Courts: Indian Child Custody Proceedings, Department of the

Interior, Bureau of Indian Affairs
Civil – Local Rules of Practice of the United States District Court for the District of South Dakota
Criminal – Local Rules of Practice of the United States District Court for the District of South Dakota
Local Bankruptcy Court for the District of South Dakota
Index of Appendices
Rules Governing Section 2254 Cases in the United States District Courts
Appendix of Forms
Rules Governing Section 2255 Proceedings for the United States District Courts
Appendix of Forms
Federal Rules of Appellate Procedure
Forms
Rules for the United States Court of Appeals for the Eighth Circuit
Plan of the United States Court of Appeals for the Eighth Circuit to Expedite Criminal Appeals
Rules Governing Complaints of Judicial Misconduct and Disability [Effective March 12, 2019]
Rules Governing Complaints of Judicial Misconduct and Disability [Effective until March 12, 2019]
Complaint Form
Internal Operating Procedures of the United States Court of Appeals for the Eighth Circuit
Appendix A: Chronology of Events for A Typical Civil Appeal in the Eighth Circuit
Appendix B: Chronology of Events for A Typical Criminal Appeal in the Eighth Circuit
Rules for Judicial-Conduct and Judicial-Disability Proceedings
Complaint Form
Federal Rules of Civil Procedure
Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions
Supplemental Rules for Social Security Actions under 42 U.S.C. Sec. 405(g)
Federal Rules of Criminal Procedure
Federal Rules of Evidence
Federal Rules of Bankruptcy Procedure
Official Forms
Index—State Court Rules
Index—Federal Court Rules

[For SDCL Titles 15 and 16, see Volume 1A]

[For SDCL Titles 19 and 23A, see Volume 1B]