

Chapter 229

SCR 23-12

SUPREME COURT RULES AND ORDERS

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE AMENDMENT SDCL 15-26C-3	RULE 23-12
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A hearing was held on February 16, 2023, at Pierre, South Dakota, relating to the amendment to SDCL 15-26C-3, and the Court having considered the proposed amendment and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL 15-26C-3 is amended to read in its entirety as follows:

SDCL 15-26C-3. Time of filing.

~~(Text of section effective as to Supreme Court cases numbered 30000 and above on September 1, 2022.)~~

(1) A document in compliance with the Rules of Appellate Procedure and this rule and submitted electronically to the supreme court clerk by 11:59 p.m. central standard time or daylight savings time as applicable shall be considered filed on that date.

(2) After reviewing an electronically filed document, the supreme court clerk must inform the filer, through an e-mail generated by the Odyssey® system, whether the document has been accepted or rejected. A document may be rejected (a) if it is filed in the wrong court; (b) applicable filing fees are not paid or waived; (c) the document is incomplete or contains missing information; (d) or fails to comply with applicable statutory requirements or these rules.

(3) Parties filing briefs electronically must also submit an original to the supreme court clerk. For any brief filed in an appeal from a judgment or order pursuant to chapter 26-8A, the appellant shall also file a redacted brief in compliance with subdivision 15-26A-60(9).

(4) The Supreme Court may also order any party to provide additional hardcopies of any documents electronically filed.

~~(Text of section effective as to Supreme Court cases numbered 29999 and below.)~~

~~(1) A document in compliance with the Rules of Appellate Procedure and this rule and submitted electronically to the supreme court clerk by 11:59 p.m. central standard time or daylight savings time as applicable shall be considered filed on that date.~~

~~(2) Upon receiving an electronic document, the supreme court clerk will issue an e-mail confirmation that the document has been received.~~

~~(3) Parties filing electronically must also submit an original and two hardcopies of any document to the supreme court clerk. For any brief filed in an appeal from a judgment or order pursuant to chapter 26-8A, the appellant shall also file two hardcopy redacted briefs in compliance with subdivision 15-26A-60(9).~~

~~(4) The Supreme Court may also order any party to provide additional hardcopies of any documents electronically filed.~~

~~(5) A party must pay all required fees and payments within five days of submitting a document filed electronically. If fees and payments are not received within five days of submission, the document will not be filed and will be returned by the supreme court clerk and the party will be required to re-file the document.~~

IT IS FURTHER ORDERED that this rule shall become effective April 1, 2023.

DATED at Pierre, South Dakota, this 27th day of February, 2023.
