

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2019

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IN THE MATTER OF THE AMENDMENT)
SDCL 16-16-11)

RULE 19-08 Clerk

Shif A. Johnson Legal

A hearing was held on February 20, 2019, at Pierre, South Dakota, relating to the amendment of SDCL 16-16-11 and the Court having considered the proposed amendment, oral presentation relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-16-11 be and it is hereby amended to read in its entirety as follows:

SDCL 16-16-11. Re-examination after three failures prohibited. An applicant who fails three times to pass the bar examination in any jurisdiction or combination of jurisdictions will ~~may~~ not be permitted to take another examination in South Dakota except by permission of the Supreme Court upon a showing that the reasons for previous failures no longer exist and there is a reasonable likelihood the applicant will pass the examination if allowed to take it.

Absent a showing of exceptional circumstances, an applicant who has failed four times to pass the bar examination in any jurisdiction or combination of jurisdictions will not be granted permission to sit for the bar examination under this rule unless the applicant has obtained a scaled score of at least 125 on a prior MBE examination.

(This amendment will become effective on August 1, 2019).

DATED at Pierre, South Dakota, this 25th day of February, 2019.

BY THE COURT:

David Gilbertson

David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)