

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

INTERIM PROCEDURES FOR
NORTHERN DIVISION PROCEEDINGS

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STANDING ORDER

In consultation with Judge Kornmann the following procedures are in place until the United States District Court for the Northern Division returns to the Aberdeen courthouse and has an operational courtroom available for use in that building. For purposes of this order references will be made to the "western counties of the northern Division" and to the "eastern counties of the Northern Division." For purposes of this order the counties referred to as the western counties will be Corson, Campbell, Walworth, McPherson, Edmunds, Brown and Spink Counties and those counties referred to as the eastern counties will be Marshall, Roberts, Day, Grant, Codington, Clark, Hamlin and Deuel Counties.

In the interim period, criminal trials that would have been held in Aberdeen will be held either in Pierre or in Sioux Falls. Cases where the offense allegedly occurred in one of the western counties of the Northern Division will be held in Pierre. Judge Kornmann has agreed to reassign those western cases to Judge Lange for trial where a trial will be required. Criminal cases where the offense allegedly occurred in one of the eastern counties of the Northern Division will be held in Sioux Falls. Judge Kornmann will reassign those eastern cases to Judge Piersol for trial where a trial will be required.

In the interim period, proceedings in the Northern Division that require the use of a court interpreter will be held in Pierre or Sioux Falls. Proceedings where the alleged offense occurred in one of the western counties of the Northern Division will be held in Pierre. Proceedings where the alleged offense occurred in one of the eastern counties of the Northern Division will be held in Sioux Falls.

Proceedings in criminal cases held in the Brown County courthouse or at another

Aberdeen location will be scheduled to limit the need for court security, but subject to the needs of state court judges. While some proceedings such as initial appearances cannot be scheduled in advance, those proceedings which can be scheduled in advance, e.g., change of plea hearings, sentencing hearings, and revocation proceedings, shall be scheduled on a hearing day held every two weeks in the Brown County courthouse to limit the need for Court Security Officers and Deputy Marshals. However, state court proceedings have priority. Dated this 26th day of August, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'J. Viken', written over a horizontal line.

Jeffrey L. Viken
Chief Judge