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Press Release

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### **New Indian Law Question on South Dakota Bar Exam**

In July, law students will tackle a new subject on the South Dakota Bar Exam. For the first time in South Dakota history individuals who wish to practice law in South Dakota will have to demonstrate their knowledge on the basics of Indian Law and how the indigenous sovereigns within South Dakota interrelate with state and federal sovereigns.

Following the October 2006 Supreme Court Rules Hearing, the South Dakota Supreme Court voted to adopt Rule 06-71, which requires the bar exam to include one essay question on Indian Law.

Chief Justice David Gilbertson of the South Dakota Supreme Court stated, "In South Dakota today, one cannot enter and engage in the practice of law without knowledge of Indian Law. A client who seeks professional legal advice from an attorney should be confident the attorney is familiar with this increasingly important area of the law."

The Indian Law question will include basic principles of federal Indian law, including but not limited to, civil and criminal jurisdiction, the Indian Civil Rights Act, the Indian Child Welfare Act, or the Indian Gaming Regulatory Act. The question will not include the various tribal codes or customary laws.

South Dakota is the third state in the nation to add Indian Law to the bar exam. The Board of Bar Examiners is required to report back to the Supreme Court by January 1<sup>st</sup>, 2009, with an evaluation of this Supreme Court Rule.

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