

STATE OF SOUTH DAKOTA
THIRD JUDICIAL CIRCUIT COURT

314 Sixth Avenue, Brookings, South Dakota 57006

RODNEY J. STEELE

Presiding Judge
(605) 688-4202

PATRICIA GARCIA DUGGAN

Administrator
(605) 688-4621

Counties

*Beadle, Brookings, Clark
Codington, Deuel, Grant
Hamlin, Hand, Jerauld
Kingsbury, Lake, Miner
Moody and Sanborn*

THIRD CIRCUIT POLICY – 04-14-P

Sitting Out Fines

It will be the policy of the Third Judicial Circuit that pursuant to SDCL 23A-27-25.5 a defendant may request the opportunity to sit out his or her fine and/or costs in jail and receive a credit of forty dollars (\$40.00) per day toward the fine or costs. If the request is made *prior* to the defendant being served with an Order to Show Cause for Failure to Pay Fine or Costs, a Petition for Revocation for Failure to Pay Fine or a Bench Warrant which has been issued for failure to pay fine or costs, the defendant may sit out his or her fine or costs without having to serve any previously suspended jail time. Defendants who do not pay their fines or costs and are brought back in front of the Court due to that failure will be required to serve any suspended jail time for being allowed to sit out the fine or costs. Restitution and court-appointed attorney fees may not be sat out in jail. Work release will not be allowed when sitting out a fine or costs.

Dated this 23rd day of July, 2004.



Rodney J. Steele
Presiding Judge
Third Judicial Circuit

Adopted 5/99
Affirmed 2/04
Amended 7/04