

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)
OF SDCL 15-6-28(c))

RULE 00-2

A hearing having been held on February 17, 2000, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-28(c), and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-28(c) be and it is hereby amended to read in its entirety as follows:

15-6-28(c). Disqualification to take deposition for interest. No deposition shall be taken before a person who is a relative or employee or attorney or counsel of any of the parties, or is a relative or employee of such attorney or counsel, or is financially interested in the action.

An employee, as described above, includes a person who has a contractual relationship with a person or entity interested in the outcome of the litigation, including anyone who may ultimately be responsible for payment to provide reporting or other court services, and a person who is employed part-time or full-time under contract or otherwise by a person who has a contractual relationship with a party to provide reporting or other court services. Contracts for court reporting services for federal, state, or local governments and subdivisions thereof are excluded. Negotiating or bidding reasonable fees, equal to all parties, on a case-by-case basis is not prohibited.

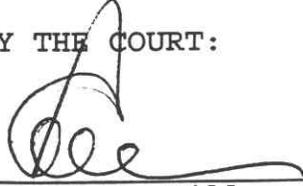
Any deposition taken by an interested person shall be considered void.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2000.

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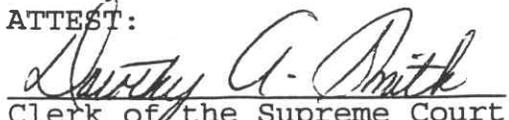
DATED at Pierre, South Dakota, this 10th day of March, 2000.

BY THE COURT:



Robert A. Miller, Chief Justice

ATTEST:


Nancy A. Smith
Clerk of the Supreme Court
(SEAL)

**SUPREME COURT
STATE OF SOUTH DAKOTA
FILED**

MAR 10 2000


Clerk