

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 17 2006

Shirley A. Johnson Long
Clerk

* * * *

IN THE MATTER OF THE AMENDMENT)
SDCL 15-6-51(c))

RULE 06-50

A hearing was held on February 16, 2006, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-51(c), and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-51(c), be and it is hereby amended to read in its entirety as follows:

SDCL 15-6-51(c). Objections.

- (1) A party who objects to an instruction or the failure to give an instruction must do so on the record, stating distinctly the matter objected to and the grounds of the objection.
- (2) An objection is timely if:
 - (A) a party that has been informed of an instruction or action on a request before the jury is instructed and before final jury arguments, as provided by § 15-6-51(b) (1), objects at the opportunity for objection required by § 15-6-51(b) (2); or
 - (B) a party that has not been informed of an instruction or action on a request before the time for objection provided under § 15-6-51(b) (2) objects promptly after learning that the instruction or request will be, or has been, given or refused.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2006.

DATED at Pierre, South Dakota, this 17th day of March, 2006.

BY THE COURT

David Gilbertson
David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)