

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION OF A)
NEW RULE TO BE ADDED TO SDCL 15-14)

RULE 99-3

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A hearing having been held on February 25, 1999, at Pierre, South Dakota, relating to the adoption of a new rule relating to challenges for cause in a civil case, and the Court having considered the proposed new rule, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that the following new rule, to be added to SDCL 15-14, be and it is hereby adopted to read in its entirety as follows:

15-14- . Challenges for cause in a civil case.

- (1) The prospective juror does not meet one of the qualifications required by § 16-13-10 or is disqualified under that section.
- (2) The prospective juror is related by consanguinity or affinity within the fourth degree, as defined by § 23A-20-30, to a party in the case.
- (3) The prospective juror is a member of the family of a party or one of the attorneys in the case.
- (4) The prospective juror has a relationship of guardian and ward, master and servant, employer and employee, landlord and tenant, or principal and agent with an attorney or a party in the case.
- (5) The prospective juror is a partner or associate in business with an attorney or a party in the case.

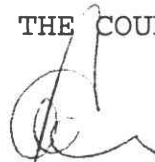
Rule 99-3

- (17) If a talesman, the prospective juror applied directly or indirectly to a sheriff, deputy sheriff, or coroner of the county to be summoned for jury duty.
- (18) A challenge for actual bias showing the existence of a state of mind on the part of a prospective juror, in reference to the case or to a party, that satisfies the court, in the exercise of sound discretion, that the juror cannot try the issue impartially, without prejudice to the substantial rights of the party challenging.

IT IS FURTHER ORDERED that this rule shall become effective
July 1, 1999.


DATED at Pierre, South Dakota, this 15th day of March,
1999.

BY THE COURT:



Robert A. Miller, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

**SUPREME COURT
STATE OF SOUTH DAKOTA
FILED**

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Clerk