

SUPREME COURT  
STATE OF SOUTH DAKOTA  
**FILED**

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

MAR 1 1993

*Alfred J. Engel*  
Clerk

\* \* \* \*

IN THE MATTER OF THE AMENDMENT)  
OF SDCL 19-15-7 )

RULE 93-21

Pursuant to a hearing held on February 16, 1993, at Pierre, South Dakota, relating to the amendment of SDCL 19-15-7, 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 19-15-7 be and it is hereby amended to read in its entirety as follows:

**19-15-7. (Rule 705(d)) Cross-examination of person furnishing information for impartial expert report.** Any person who has furnished information on which the report or finding described in § 19-15-5.2 is based may be cross-examined by the adverse party, but the fact that his testimony is not obtainable shall not render the report or finding inadmissible, unless the trial court finds that substantial injustice would be done to the adverse party by its admission.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1993.

DATED at Pierre, South Dakota, this 1st day of March, 1993.

BY THE COURT:

ATTEST:

*Alfred J. Engel*  
Clerk of the Supreme Court  
(SEAL)

*Robert A. Miller*  
Robert A. Miller, Chief Justice