

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

FEB 26 2004

*Shirley A. Johnson Long*  
Clerk

IN THE MATTER OF AN AMENDMENT )  
TO SDCL 15-6-30(c) )

RULE 04-02

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A hearing having been held on February 19, 2004, at Pierre, South Dakota, relating to an addition to SDCL 15-6-30(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 15-6-30(c) be and it is hereby amended to read in its entirety as follows:

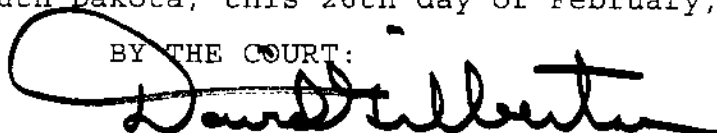
**15-6-30(c). Examination and cross-examination - Record of examination - Oath - Objections.** Examination and cross-examination of witnesses may proceed as permitted at the trial as provided by law. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with subdivision 15-6-30(b)(4). If requested by one of the parties, the testimony shall be transcribed.

All objections made at time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2004.

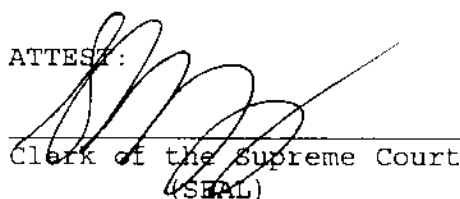
DATED at Pierre, South Dakota, this 26th day of February, 2004.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:

  
Clerk of the Supreme Court  
(SEAL)