

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

MAR 17 1997

* * * *

IN THE MATTER OF THE ADOPTION OF A)
NEW RULE TO BE ADDED TO SDCL 23A-20)

RULE 97-38

A hearing having been held on February 21, 1997, at Pierre, South Dakota, relating to the adoption of a new rule concerning the method of choosing and seating alternate jurors, 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 23A-20, be and it is hereby adopted to read in its entirety as follows:

In addition to the method of choosing or seating an alternate juror provided by §§ 23A-20-27 and 23A-20-28, the judge may choose the alternate jurors by lot, or by such other means as the parties agree on the record.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1997.

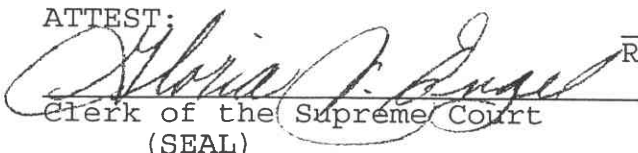
DATED at Pierre, South Dakota, this 17th day of March, 1997.

BY THE COURT:



Robert A. Miller, Chief Justice

ATTEST:



Gloria J. Engel
Clerk of the Supreme Court
(SEAL)