

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * *

IN THE MATTER OF THE AMENDMENT)
SDCL 15-6-47(b))

RULE 06-42

- - - - -
A hearing was held on February 16, 2006, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-47(b), 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 15-6-47(b) be and it is hereby amended to read in its entirety as follows: /

42. SDCL 15-6-47(b). Alternate Juror.

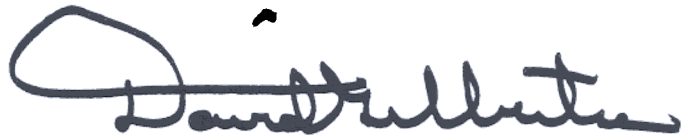
The court may direct that not more than six jurors in addition to the regular jury be called and impaneled to sit as alternate jurors. Alternate jurors in the order in which they are called shall replace jurors who, prior to the time the jury retires to consider its verdict, become or are found to be unable or disqualified to perform their duties. Alternate jurors shall be drawn in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall take the same oath, and shall have the same functions, powers, facilities, and privileges as the regular jurors. An alternate juror who does not replace a regular juror shall be discharged after the jury retires to consider its verdict. Each side is entitled to one peremptory challenge in addition to those otherwise allowed by law if one or two alternate jurors are to be impaneled, two peremptory challenges if three or four alternate jurors are to be impaneled, and three peremptory challenges if five or six alternate jurors are to be impaneled. The additional peremptory challenges may be used against an alternate juror only and the other peremptory challenges allowed by law shall not be used against an alternate juror. The court may for good cause excuse a juror from service during trial or deliberation.

Rule 06-42

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

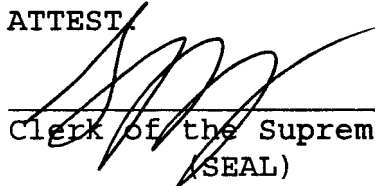
DATED at Pierre, South Dakota, this 17th day of March,
2006

BY THE COURT

A handwritten signature in dark ink, appearing to read "David Gilbertson", written over a horizontal line.

David Gilbertson, Chief Justice

ATTEST.

A handwritten signature in dark ink, appearing to read "M. J. [unclear]", written over a horizontal line.
Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 17 2006

A handwritten signature in dark ink, appearing to read "M. J. [unclear]", written over a horizontal line.
Clerk