

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT OF)

SDCL 19-15-1)

RULE 10-10

A hearing was held on February 17, 2010, at Pierre, South Dakota, relating to the amendment of SDCL 19-15-1 and the Court having considered the proposed amendment and correspondence relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 19-15-1 be and it is hereby amended to read in its entirety as follows:

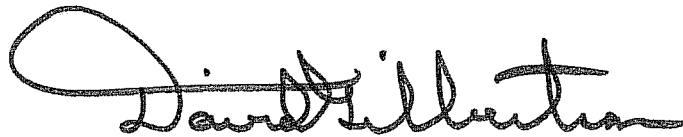
SDCL 19-15-1. (Rule 701) Opinion testimony by lay witnesses. If the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which are:

- (a) rationally based on the perception of the witness,
- (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue, and
- (c) not based on scientific, technical or other specialized knowledge within the scope of § 19-15-2.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2011.

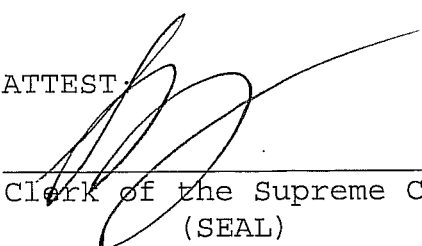
DATED at Pierre, South Dakota, this 15th day of March, 2011.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 15 2011


Clerk