

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

JUN 08 1998

*Shirley A. Smith*  
Clerk

\* \* \* \*

IN THE MATTER OF THE AMENDMENT  
OF SDCL 15-39-48

RULE 98-29

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A hearing having been held June 1, 1998, at Pierre South Dakota, relating to the amendment of SDCL 15-39-48, 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 15-39-48 be and it is hereby amended to read in its entirety as follows:

15-39-48. Plaintiff's statement of claim to clerk--Entry in docket--Signature--Contents--Beginning of action. The plaintiff initiating the action or the plaintiff's attorney shall complete the information on the small claims form available in the clerk of courts office, and provide a written and signed statement of the cause of action to the clerk who shall docket the action. The statement shall contain the facts upon which the claim is based and be accompanied by supporting documents. A cause of action is defined as only those claims arising out of the same transaction or incident. However, for purposes of a cause of action to recover sums arising from the writing of an insufficient funds check, the action may include a claim for recovery of all insufficient funds checks written to the plaintiff on the same account. The docketing by the clerk shall be deemed the beginning of the action.

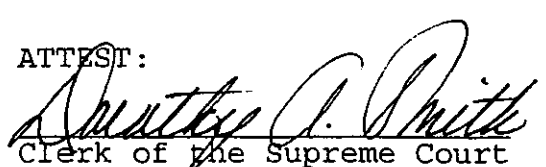
IT IS FURTHER ORDERED that this rule shall become effective July 1, 1998.

DATED at Pierre, South Dakota, this 8th day of June, 1998.

BY THE COURT:

  
Robert A. Miller, Chief Justice

ATTEST:

  
Clerk of the Supreme Court  
(SEAL)