

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

MAR 1 1993

*Howard Engel*  
Clark

IN THE MATTER OF THE AMENDMENT)  
OF SDCL 15-26A-74 )

RULE 93-13

Pursuant to a hearing held on February 16, 1993, at Pierre, South Dakota, relating to the amendment of SDCL 15-26A-74, 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 15-26A-74 be and it is hereby amended to read in its entirety as follows:

**15-26A-74. Brief and argument of amicus curiae.**

A brief of an amicus curiae may be filed only at the request of the Court or by leave of the Court granted upon motion and notice to the parties. A motion for leave shall identify the interest of the applicant and shall state the reasons why a brief of an amicus curiae is desirable. An amicus curiae shall file its brief within the time allowed the party whose position as to affirmance or reversal the amicus brief will support unless the Court for cause shown shall grant leave for later filing, in which event it shall specify within what period an opposing party may answer. An amicus curiae brief shall not exceed the page limitation set in § 15-26A-66.

Amici curiae counsel will not be entitled to participate in oral argument unless counsel for either party agrees to share his time and the Court allows the appearance of amici curiae counsel.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1993.

DATED at Pierre, South Dakota, this 1st day of March, 1993.

BY THE COURT:

ATTEST:

*Robert A. Miller*  
Robert A. Miller, Chief Justice

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)