

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)
OF SDCL 15-14-6.1)

RULE 02-02

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A hearing was held on February 14, 2002, at Pierre, South Dakota, relating to the amendment of SDCL 15-14-6.1, 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 15-14-6.1 be and it is hereby amended to read in its entirety as follows:

15-14-6.1 Challenges for cause in a civil case. Challenges for cause may be taken on any of the following grounds:

(1) The prospective juror does not meet one of the qualifications required by § 16-13-10 or is disqualified under that section;

(2) The prospective juror is related by consanguinity or affinity within the fourth degree, as defined by § 23A-20-30, to a party in the case;

(3) The prospective juror is a member of the family of a party or one of the attorneys in the case;

(4) The prospective juror has a relationship of guardian and ward, master and servant, employer and employee, landlord and tenant, or principal and agent with an attorney or a party in the case;

(5) The prospective juror is a partner or associate in business with an attorney or a party in the case;

(6) The prospective juror is a surety on a bond or an obligation for an attorney or a party in the case;

(7) The prospective juror, presently, has a relationship of attorney and client with one of the attorneys in the case or has had such a relationship within one year previously;

(8) The prospective juror is an officer, agent, or employee of a corporation, between which corporation and an attorney in the case, the relationship of attorney and client exists;

(9) The prospective juror is the spouse of an attorney in the case;

(10) The prospective juror is the spouse of any other prospective juror who would be subject to a challenge for cause under this section;

(11) The prospective juror previously served as a juror or was a witness in a previous trial between the same parties for the same cause of action;

(12) The prospective juror has a pecuniary interest in the outcome of the case, except an interest as a member or citizen of a municipal corporation or other government unit;

(13) The prospective juror has knowledge of some or all of the material facts of the case and has an unqualified opinion or belief as to the merits of the case;

(14) The prospective juror has a state of mind evincing enmity against, or bias to or against a party in the case;

(15) Within two years prior to being summoned, the prospective juror served as a juror in the county during a prior term of jury service pursuant to § 16-13-22;

(16) The prospective juror has a civil case pending in the county exclusive of small claims actions;

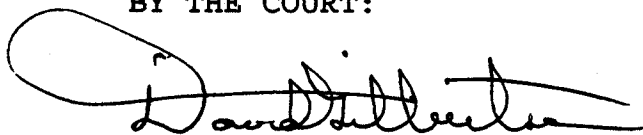
(17) If a talesman, the prospective juror applied directly or indirectly to a sheriff, deputy sheriff, or coroner of the county to be summoned for jury duty;

(18) A challenge for actual bias showing the existence of a state of mind on the part of a prospective juror, in reference to the case or to a party, that satisfies the court, in the exercise of sound discretion, that the juror cannot try the issue impartially, without prejudice to the substantial rights of the party challenging.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2002.


DATED at Pierre, South Dakota, this 27th day of February, 2002.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST



Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 27 2002



Clerk