

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION OF)
A NEW RULE TO BE DESIGNATED AS) RULE 91-14
SDCL 15-6-5(f))

Pursuant to a hearing held on February 14, 1991, at Pierre, South Dakota, relating to the adoption of a new rule to be designated as SDCL 15-6-5(f), the Court having considered the proposed new rule, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that the following new rule, to be designated as SDCL 15-6-5(f), be and it is hereby adopted to read in its entirety as follows:

15-6-5(f). Whenever under these rules service is required or permitted to be made upon a party represented by an attorney, such service may be made by facsimile transmission pursuant to the following conditions:

- (1) The attorney upon whom service is made has the necessary equipment to receive such transmission;
- (2) The attorney has agreed to accept service by facsimile transmission, or has served the serving party in the same case by facsimile transmission; and
- (3) The time and manner of transmission comply with the requirements of § 15-6-6(a), unless otherwise established by the Court.

The signature on the facsimile shall constitute a signature under § 15-6-11(a).

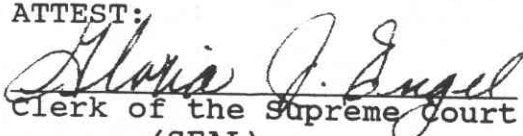
Rule 91-14

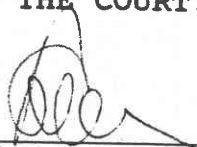
IT IS FURTHER ORDERED that this rule shall become effective July 1, 1991.

DATED at Pierre, South Dakota, this 26th day of February, 1991.

BY THE COURT:

ATTEST:


Clerk of the Supreme Court
(SEAL)


Robert A. Miller, Chief Justice

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 26 1991


Clerk