

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

400B0810

## SENATE BILL NO. 237

Introduced by: The Committee on Judiciary at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to revise the grounds for jury challenges for cause.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 15-14-6 be amended to read as follows:

4 15-14-6. Challenges for cause may be taken on one or more of the following grounds:

5 (1) A want of any of the qualifications prescribed by chapter 16-13 to render a person  
6 competent as a juror;

7 (2) Consanguinity or affinity, within the fourth degree, to either party;

8 (3) That the relationship of guardian and ~~ward, master and servant, employer and clerk,~~  
9 ~~or~~ minor or protected person, principal and agent, or employer and employee, except

10 for employees of the United States of America and the State of South Dakota, exists

11 between the juror and any party to the action; or that the juror is a member of the

12 family of any party to the action; or that the juror is a partner in business with any

13 party or surety on any bond or obligation for any party; that the relationship of

14 attorney and client exists between the juror and any attorney in the case; that the juror

15 is an officer, agent, or employee of any corporation between which corporation and

16 any attorney in the case the relationship of attorney and client exists; that the juror is

1 the spouse of any attorney in the case or the spouse of a person who if called as a  
2 juror in the case would be subject to challenge for cause under subdivision (2),  
3 subdivision (3), or subdivision (4) of this section;

4 (4) Having served as a juror or been a witness on a previous trial between the same  
5 parties for the same cause of action;

6 (5) Interest on the part of the juror in the event of the action, or in the main question  
7 involved in the action, except an interest as a member or citizen of a municipal  
8 corporation;

9 (6) Having an unqualified opinion or belief as to the merits of the action founded upon  
10 knowledge of its material facts, or some of them;

11 (7) The existence of a state of mind in the juror evincing enmity against, or bias to or  
12 against the other party;

13 (8) That the juror does not understand the English language as used in the courts;

14 (9) That the juror has served as a juror on the trial of a cause in any court of record in the  
15 county within four years previous to the time of being offered as a juror. However,  
16 in counties of less than five thousand population or more than one hundred thousand  
17 population, the applicable time period shall be two years rather than four years;

18 (10) Having applied directly to a sheriff or deputy sheriff of the county in which the person  
19 is drawn to be summoned as a juror at the term of court then held;

20 (11) That the juror is a party to a suit pending for trial in the court at that term.