

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

In the Matter of the Extension of the )  
Tolling of Criminal Rule 5 in the Third )  
Judicial District and the Extension of the )  
Suspension of Misdemeanor Jury Trials )  
in Anchorage and Palmer ) SECOND UPDATED  
 ) PJ ORDER # 881  
 )  
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1. Pursuant to the Special Order of the Chief Justice No. 8242 and in light of the number of Covid-19 cases per 100,000 in Anchorage (10.9 as of 12 May) and the Mat Su Valley (22.64 as of 12 May), misdemeanor jury trials in Anchorage and Palmer shall continue to be suspended. The case level in Anchorage is improving such that some jury trials could be allowed, however, the resumption of jury trials is complicated by the recent cyberattack on the court system. That has necessitated the temporary limitation of the court system's access to the internet and thus the elimination of various functionalities related to trials. The number of cases in the Mat Su Valley alone warrants a continuation of the suspension of misdemeanor jury trials.

Therefore, misdemeanor jury trials in Anchorage and Palmer shall be suspended until no sooner than **31 May 2021**. Misdemeanor jury trials in other court locations in the Third Judicial District may proceed subject to conditions presented by particular trials or difficulties caused by the cyberattack.

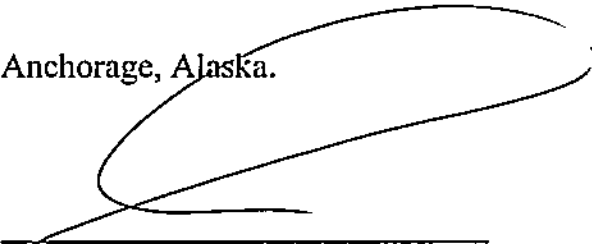
2. Jury trials have been suspended for over a year because of the pandemic. Although the pandemic has abated somewhat and persons are being vaccinated, as jury trials resume court staff will have to utilize new logistical procedures to maintain safety for participants, staff, and the public. Felony jury trials are typically more complicated than misdemeanor trials. It is prudent to delay the resumption of more serious cases until staff and participants are familiar with the new procedures from experience with misdemeanor jury trials.

Pursuant to the Special Order of the Chief Justice No. 8259 class B and class C felony jury trials will be suspended until no sooner than **14 June 2021** throughout the Third Judicial District. Class A and unclassified felony jury trials remain suspended until 6 July 2021. Parties in a specific felony case may apply to the presiding judge for permission to begin a jury trial prior to those dates.

3. Pursuant to the Special Order of the Chief Justice No. 8234 and Supreme Court Order No. 1957 the time limit for preliminary examination under Alaska

Criminal Rule 5(e) is extended through **31 May 2021** in the Third Judicial District. There are motions by the State seeking the further extension of the time limit pending in Anchorage and Palmer in 3AN-21-00001GC. Those motions are ripe. The resolution of those motions may inform the status of Criminal Rule 5 in other court locations in the Third Judicial District.

**DONE** this 13th day of May 2021, at Anchorage, Alaska.



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William F. Morse  
Presiding Judge  
Third Judicial District

Distribution

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