

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1121

Amending Civil Rule 77 and  
Criminal Rule 44 concerning  
filings in microfilmed cases.

IT IS ORDERED:

1. New paragraph (m) is added to Civil Rule 77 to provide:

(m) Filings in Microfilmed Cases. If a motion, petition or request is filed in a case that has been microfilmed and destroyed pursuant to the Records Retention Schedule, the attorney or party must attach (1) a copy of any relevant orders, judgments and other documents necessary for the court's ruling, and (2) either proof of notice pursuant to Civil Rule 5(g) or an affidavit that Rule 5(g) is not applicable. If such documents are not attached, the clerk will notify counsel that such documents must be submitted before the court will consider the motion, petition or request.

2. New paragraph (g) is added to Criminal Rule 44 to provide:

(g) Filings in Microfilmed Cases. If a motion, petition or request is filed in a case that has been microfilmed and destroyed pursuant to the Records Retention Schedule, the attorney or party must attach (1) a copy of any relevant orders, judgments and other documents necessary for the court's ruling, and (2) either proof of notice pursuant to Civil Rule 5(g) or an affidavit that Rule 5(g) is not applicable. If such documents are not

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attached, the clerk will notify counsel that  
such documents must be submitted before the  
court will consider the motion, petition or  
request.

DATED: February 19, 1993

EFFECTIVE DATE: July 15, 1993

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Chief Justice Moore

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Justice Rabinowitz

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Justice Burke

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Justice Matthews

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Justice Compton