

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1871

Adding a new subsection (h) to Civil
Rule 80 concerning cash deposited for
bail.

IT IS ORDERED:

Civil Rule 80 is amended to read as follows:

Rule 80. Bonds and Undertakings.

* * * *

(f) **Enforcement Against Sureties.** By entering into a bond or undertaking, the surety submits to the jurisdiction of the court and irrevocably appoints the clerk of court as the surety's agent upon whom any papers affecting the surety's liability on the bond may be served. The surety's liability may be enforced on motion without the necessity of an independent action. The motion and such notice of the motion as the court prescribes may be served on the clerk who shall forthwith mail copies to the surety if the surety's address is known. Every bond or undertaking shall contain the consent and agreement of the surety to the provisions of this subdivision of this rule.

(g) **Cash Deposit in Lieu of Bond.** A cash deposit of the required amount may be made with the clerk in lieu of furnishing a surety bond. At the time of such cash deposit, there shall be filed a written instrument properly executed and acknowledged by the owner of the cash, or by the owner's attorney or authorized agent, setting forth the conditions under which the deposit is being made, the ownership of the fund, and the consent and agreement to the provisions of subdivision (f) of this rule.

(h) **Cash Deposit for Bail.** A person depositing cash for bail is not subject to the requirements of subsection (f) and (g) but must agree to the terms of the Alaska Court System's cash bond agreement for bail.

Cross reference: Criminal Rule 41.

DATED: May 16, 2016

EFFECTIVE DATE: June 1, 2016

/s/
Chief Justice Stowers

/s/
Justice Winfree

/s/
Justice Maassen

/s/
Justice Bolger