

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 349

Amending Alaska Bar Rule  
39, Relating to Written  
Affidavits by Witnesses.

IT IS ORDERED:

Rule 39, Alaska Bar Rules, is amended by adding a new section (f) to read as follows and the remaining sections are renumbered accordingly:

(f) Either party may submit written affidavits by witnesses on their behalf in lieu of or in addition to presenting evidence at the hearing. Such written affidavits must be filed with the executive director and served on the other party at least 10 days before the date set for hearing. The other party may require the witness filing the affidavit to appear at the hearing and be subject to cross-examination by filing with the committee and mailing to the person on whose behalf the witness would appear a notice of intention to cross-examine that witness within five days prior to the date set for hearing. It shall be the responsibility of the person upon whose behalf the witness is appearing to insure the appearance of the witness. Such notice must be made in good faith and not with an intention to cause delay or inconvenience. The committee may award expenses of appearance if it determines that the notice was filed solely for the purpose of causing delay or inconvenience.

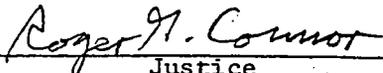
DATED: December 18, 1978

EFFECTIVE DATE: April 1, 1979

Distribution:

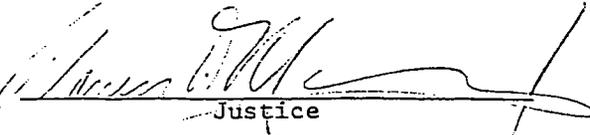
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