

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 456

Amending Paragraph (b) of Rule 17,  
Alaska Rules of Criminal Procedure,  
Relating to the Payment of Costs and  
Fees of Witnesses in Public Defender  
Conflict Cases.

IT IS ORDERED:

Paragraph (b) of Rule 17, Alaska Rules of Criminal Procedure,  
is amended to read:

(b) Defendants Unable to Pay. A subpoena shall be issued by the clerk as provided in section (a) for a defendant financially unable to pay the fees of the witness. The determination of financial inability shall be made in accordance with the criteria provided under Rule 39(b) of these rules, and if counsel was previously appointed for defendant pursuant to said Rule 39, or the defendant is represented by the Alaska Public Defender Agency, no further showing of financial inability shall be required. Subpoenas issued under this section (b) shall contain an order to appear without the prepayment of any witness fee. The cost incurred by the process and the fees of the witness so subpoenaed shall be paid by the Alaska Public Defender Agency[.] except that in cases where a substitute defender is appointed by the court,

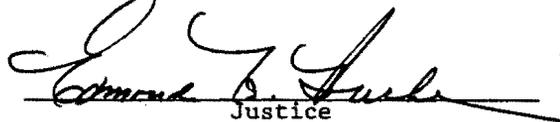
such costs and fees shall be paid by the court system.

DATED: March 15, 1981

EFFECTIVE DATE: March 15, 1981

  
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Chief Justice

  
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Justice

  
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Justice

  
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Justice

  
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Justice

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