

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 551

Amending Appellate Rules 507
and 512 to eliminate the
issuance of mandates

IT IS ORDERED:

Appellate Rule 507 is rescinded and repromulgated
to read:

Rule 507. Judgment.

(a) The opinion of the appellate court, or
its order under Rule 214, shall constitute its judgment, and
shall contain its directions to the trial court, if any. No
mandate shall be issued.

(b) Unless the opinion or order expressly
states otherwise, the judgment of the appellate court takes
effect and full jurisdiction over the case returns to the
trial court on the day specified in Rule 512(a) for return
of the record.

(c) A motion to stay the effect of the
judgment of the appellate court beyond the day specified in
Rule 512(a) shall be made to that court.

Appellate Rule 512 is rescinded and repromulgated to read as follows:

Rule 512. Record and Other Papers after Final Disposition.

(a) (1) Unless the court otherwise orders, the clerk shall return the original record to the clerk of the trial courts on the day specified in this subsection.

(2) In a case decided by the Court of Appeals, the record shall be returned:

[a] on the day after the time for filing a petition for hearing expires, if no timely petition for hearing is filed;

[b] on the day after the petition for hearing is denied, if a timely petition for hearing is denied; or

[c] as provided in paragraph (3), if a petition for hearing is granted.

(3) In a case decided by the Supreme Court, the record shall be returned:

[a] on the day after the time for filing a petition for rehearing expires, if no timely petition for rehearing is filed; or

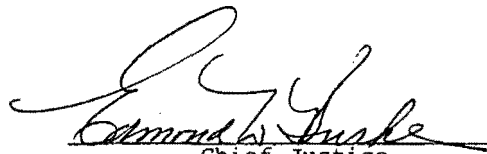
[b] on the day after the Supreme Court disposes of the case on rehearing, if a timely petition for rehearing is filed.

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(b) All documents filed with the appellate courts shall be retained by the clerk subject to Administrative Rule 37.


DATED: December 28, 1982


EFFECTIVE DATE: February 1, 1983


Edmund W. Burke
Chief Justice


Jay Rabinowitz
Justice

Justice


Justice


Allen P. Conynton
Justice

Usual distribution

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