

IN THE SUPREME COURT FOR THE STATE OF ALASKA

No. 586

Amending Administrative
Rule 37, relating to
records retention

IT IS ORDERED:

Administrative Rule 37 is amended to read:

RULE 37. RECORDS RETENTION.

- (a) ~~[(d)]~~ The administrative director may adopt a schedule for the retention, destruction, and microphotographic reproduction of any records, papers, or documents maintained by the Alaska Court System [FOR ADMINISTRATIVE PURPOSES].
- (b) ~~[(a)]~~ Each presiding judge or area court administrator shall, upon approval by the administrative director, destroy or provide for the destruction of all pleadings, papers, instruments, depositions, and transcripts filed in any action or proceeding in the superior or district court if all of the following conditions exist:
- (1) The action or proceeding is no longer pending or on appeal in any court and all appeal periods have elapsed [A PERIOD OF TWO YEARS HAS ELAPSED SINCE THE FILING OF ANY PAPER];
 - (2) The presiding judge or area court administrator has certified that the destruction of the records is permitted by the Records Retention Schedule;
 - (3) ~~[(2)]~~ There is maintained for the use of the public a microphotographic film print or copy of each document required by the Records Retention Schedule to be permanently retained [PLEADING PAPER, INSTRUMENT, DEPOSITION, OR TRANSCRIPT SO DESTROYED] together with a mechanical device by which such film may be conveniently examined;
 - (4) ~~[(3)]~~ At least one original negative of each microphotographic film is stored in such a manner and place as will reasonably assure its preservation indefinitely against loss, theft, defacement, or destruction;
 - (5) At the time of the taking of the microphoto-

Effective Date: April 4, 1984

graphic reproduction, the person under whose supervision [AND CONTROL] the same was taken has attached to or incorporated in the microphotographic reproduction a certification that the copy is a correct copy of the original or of a specified part hereof, as the case may be, the date or dates on which it was taken and the fact that it was taken under that person's [HIS] direction [AND CONTROL]; and

(6) [(4)] The records have been reviewed under (d) of this rule and have been determined to have no historical or archival value.

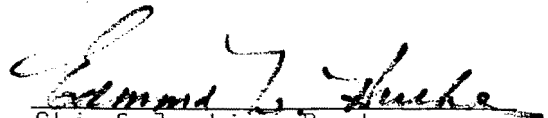
(c) The administrative director shall prescribe the microphotographic processes and procedures to be used under (b) [(a)] of this rule and the methods of destruction of records described in [OF RECORDS MEETING THE CONDITIONS OF] (b)[(a)](1) through (6) [(5)] of this rule.


(d) [(b)] On or before January 15th of each year each judicial officer shall, regarding the cases that were assigned to that judicial officer [HIM] and closed during the preceding calendar year, provide the administrative director with a list identifying and designating any original case documents or records contained in those cases which have present or potential historical or archival value. The administrative director shall provide for the microphotographing and safekeeping of all original case documents and records so identified.


(e) A photographic reproduction of any of the records described in this rule, the negative or film of which has been certified by the person in charge of such reproduction as a correct copy of the original, shall be received in evidence in all courts in like manner as the original.

DATED: November 21, 1983

EFFECTIVE DATE: April 4, 1984


Chief Justice Burke


Justice Rabinowitz


Justice Matthews


Justice Compton


Justice Moore