

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 807

Amending Criminal Rule 24(a),
(d) and (e) concerning
procedures for jury examination
and challenges

IT IS ORDERED:

Criminal Rule 24(a), (d) and (e) are amended to provide:

(a) Examination. The court shall require the jury to be selected in a prompt manner. The court may permit the defendant or his attorney and the prosecuting attorney to conduct the examination of prospective jurors or may itself conduct the examination. In the latter event the court shall permit the defendant or his attorney and the prosecuting attorney to supplement the examination by such further inquiry as it deems proper or shall itself submit to the prospective jurors such additional questions by the parties or their attorneys as it deems proper. The court may also require the parties to question the panel as a whole rather than individually and impose reasonable time limits on the examination of prospective jurors.

(d) Peremptory Challenges. [AFTER ALL CHALLENGES FOR CAUSE ARE COMPLETED, THE PARTIES SHALL MAKE OR WAIVE THEIR PEREMPTORY CHALLENGES. FIRST THE PLAINTIFF AND THEN THE DEFENDANT MAY EXERCISE ONE OR MORE PEREMPTORY CHALLENGES ALTERNATELY UNTIL EACH PARTY SUCCESSIVELY WAIVES FURTHER PEREMPTORY CHALLENGES OR ALL SUCH CHALLENGES HAVE BEEN EXERCISED.] A party who waives peremptory challenge as to the jurors in the box does not thereby lose the challenge but may

exercise it as to new jurors who may be called. A juror peremptorily challenged is excused without cause. If the offense is punishable by imprisonment for more than one year, the state is entitled to six peremptory challenges and the defendant or defendants jointly to 10 peremptory challenges. If the offense charged is punishable by imprisonment for not more than one year, or by fine or both, each side is entitled to three peremptory challenges. If there is more than one defendant, the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly.

(e) Procedure for Using Challenges. [REPLACEMENT OF CHALLENGED JURORS.] The court has discretion to set procedures for the exercise of challenges and for the replacement of challenged jurors. [AFTER A CHALLENGE FOR CAUSE IS SUSTAINED OR A PEREMPTORY CHALLENGE EXERCISED, ANOTHER JUROR MAY BE SELECTED AND EXAMINED BEFORE FURTHER CHALLENGES ARE MADE. SUCH JURORS SHALL BE SUBJECT TO CHALLENGE AS ARE OTHER JURORS.]

DATED: March 25, 1987

EFFECTIVE DATE: August 1, 1987

Chief Justice Rabinowitz

Justice Burke

Justice Matthews

Justice Compton

Justice Moore