

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 834

Amending Civil Rule 41(e)
concerning dismissal for want
of prosecution

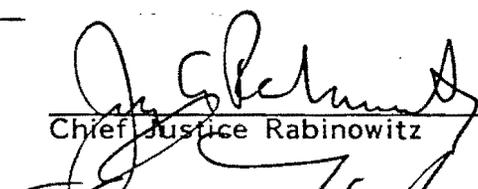
IT IS ORDERED:

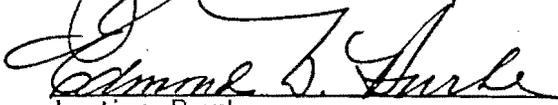
Civil Rule 41(e) is amended to provide:

(e) Dismissal for Want of Prosecution. Actions which have been pending in a court for more than one year without any proceedings having been taken may be dismissed as a matter of course, for want of prosecution, by the court on its own motion or on motion of a party to the action. The clerk shall review all pending cases semi-annually and in all cases in which no proceedings have been taken for more than one year, the court shall hold a call of the calendar or the clerk shall send notice to the parties to show cause in writing why the action should not be dismissed. If good cause to the contrary is not shown at a call of the calendar or within 30 days of distribution of the notice, the court shall dismiss the action. The clerk may dismiss actions under this paragraph if a party has not opposed dismissal. A dismissal for want of prosecution is without prejudice unless the court states in the order that the case is dismissed with prejudice.

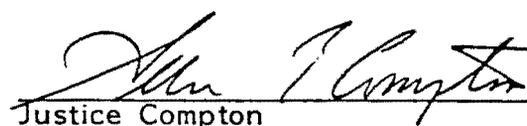
DATED: April 30, 1987

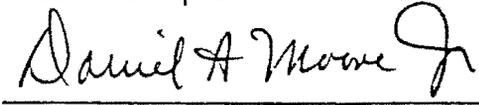
EFFECTIVE DATE: August 1, 1987


Chief Justice Rabinowitz


Justice Burke


Justice Matthews


Justice Compton


Justice Moore