

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1080

Amending District Court Criminal  
Rule 8 concerning minor offense  
cases.

IT IS ORDERED:

1. District Court Criminal Rule 8 is amended by adding new paragraphs (j) and (k) as follows:

(j) Temporary Transfer of Minor  
Offense Cases.

(1) For purposes of this rule, the term "original court" means the court in which a minor offense case is pending. The term "second court" means the court to which the defendant requests that the case be temporarily transferred.

(2) A minor offense case may be temporarily transferred from the original court to a second court for purposes of arraignment under the circumstances described below:

(A) If there is a mandatory court appearance for the minor offense, the defendant may request a temporary transfer from the original court to the court nearest the place where the defendant resides or is employed; or

(B) If a warrant relating to the minor offense is outstanding, the defendant may request a temporary transfer from the

original court to the nearest court; or

(C) If the defendant is arrested on a bench warrant relating to the minor offense, the defendant may request a temporary transfer from the original court to the court where the defendant was arrested.

(3) The request for temporary transfer may be made in writing or in person to the clerk of court in the original court or to the clerk of court in the second court.

(4) If the requirements of subparagraph (2) are satisfied, the clerk shall grant the request for temporary transfer. Approval of the prosecuting authority at the original court is not required.

(5) The clerk who grants the request shall immediately notify the other court of the temporary transfer. Following notification, the clerk in the original court shall quash any outstanding warrants relating to the minor offense. If the request is granted by the second court and the original court cannot immediately be contacted, the clerk in the second court shall quash any outstanding warrants relating to the minor offense.

(6) The defendant may be arraigned in the second court on a copy or facsimile of the citation.

(7) If the defendant enters a plea of guilty or no contest in the second court, the defendant shall be sentenced in the second court. If the defendant enters a plea of not guilty, the second court shall return the case to the original court for trial setting.

(8) After the plea has been entered, the second court shall, within 10 working days, return all papers to the original court.


**(k) Change of Venue.**

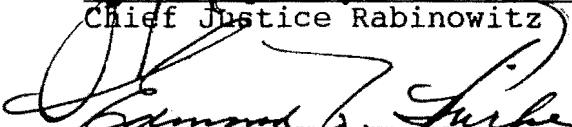
Change of venue of minor offense cases is governed by Criminal Rule 19.

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DATED: September 27, 1991

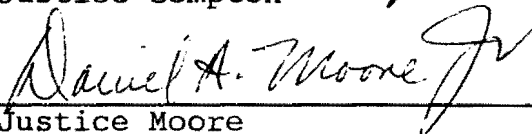
EFFECTIVE DATE: January 15, 1992

  
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Chief Justice Rabinowitz

  
\_\_\_\_\_  
Justice Burke

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Justice Matthews

  
\_\_\_\_\_  
Justice Compton

  
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Justice Moore