

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1108

Amending Evidence Rule 504
concerning psychotherapist-
patient privilege.

IT IS ORDERED:

1. Evidence Rule 504(a)(3) is amended to provide:

(3) A psychotherapist is (A) a person authorized to practice medicine in any state or nation, or reasonably believed by the patient to be so, while engaged in the diagnosis or treatment of a mental or emotional condition, including alcohol or drug addiction, [OR] (B) a person licensed or certified as a psychologist or psychological examiner under the laws of any state or nation or reasonably believed by the patient so to be, while similarly engaged, or (C) a person licensed as a marital or family therapist under the laws of a state or nation or reasonably believed by the patient so to be, while similarly engaged.

2. A note is added following Evidence Rule 504 to provide:

SCO 1108 incorporated changes in Evidence Rule 504(a)(3) made by the legislature in ch. 129 § 12 SLA 1992. This legislation added the language in subparagraph (a)(3), "or (C) a person licensed as a marital or family therapist under the laws of a state or nation or

reasonably believed by the patient so to be, while similarly engaged."


SCO 1108 was entered for the sole reason that the legislature has mandated the above amendment. If ch. 129 § 12 SLA 1992 is invalidated by a court of competent jurisdiction, SCO 1108 shall be considered automatically rescinded.

DATED: September 17, 1992

EFFECTIVE DATE: January 15, 1993

Chief Justice Rabinowitz

Justice Burke



Justice Matthews

Justice Compton

Justice Moore