IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1196

Amending Civil Rule 42(c) concerning timeliness of a notice of change of judge.

IT IS ORDERED:

- 1. Civil Rule 42(c) is amended to read:
 - (3) Timeliness. Failure to file a timely notice precludes change of judge as a matter of right. Notice of change of judge is timely if filed before the commencement of trial and within five days after notice that the case has been assigned to a specific judge. Where a party has been served or enters an action after the case has been assigned to a specific judge, a notice of change of judge shall also be timely if filed by the party before the commencement of trial and within five days after the party appears or files a pleading in the action.

DATED: <u>March 30, 1995</u>

EFFECTIVE DATE: July 15, 1995

Chief Justice Moore

Justice (Rabihowitz

Justice Compton

Justice Eastaugh