

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1453

Amending District Court Criminal Rules to add a new Rule 8.1 concerning electronic judgments in minor offense cases.

IT IS ORDERED:

The District Court Criminal Rules are amended to add a new Rule 8.1 to read as follows:

Rule 8.1. Judgments in Minor Offenses

(a) Electronic Judgments.

(1) In those courts with an electronic case management system, the official judgment in a minor offense case is the electronic record in the case management system. The clerk will provide a printout of the electronic judgment upon request.

(2) An electronic judgment must contain the following information:

- (A) the case number,
- (B) the date of the offense,
- (C) the defendant's full name,
- (D) the following information if it appears on the citation:
 - (i) the defendant's date of birth,

(ii) the defendant's address, and

(iii) the defendant's driver's license or ID number.

(E) the name of the offense and number of the statute, regulation or ordinance of which the defendant is charged or convicted,

(F) the DMV code of the offense if it appears on the citation,

(G) the defendant's plea, and

(H) the final disposition (including sentence).

(b) **Paper Judgments.** In those courts without an electronic case management system, the judgment must be entered on the back of or attached to the original citation.

(c) **Distribution and Time for Appeal.**

(1) *Judgment Based on No Contest Plea.* When a defendant mails or delivers a no contest plea, a copy of the judgment will not be distributed to the parties, except upon request. To appeal a judgment based on a no contest plea, other than an appeal of the penalty, the defendant must first move to withdraw the plea under Criminal Rule 11. Appeal may be taken from an order denying (or granting) the motion. The appeal must be filed within 30 days after the date shown in the clerk's certificate of distribution on the order.

(2) *Default Judgment.* When a judgment of conviction is entered under District Court Criminal Rule 8(d)(5), (d)(6), or (e)(2), a copy of the judgment will not be distributed to the parties, except upon request. To appeal a default judgment, the defendant must first move to vacate or modify the judgment

under District Court Criminal Rule 8(i). Appeal may be taken from an order denying (or granting) the motion. The appeal must be filed within 30 days after the date shown in the clerk's certificate of distribution on the order.

(3) *Judgment Entered in Open Court.* When judgment of conviction is entered in open court, parties who are present will be given written notice of the terms of the judgment. Any appeal must be filed within 30 days from the date the judgment is announced in court. This rule also applies to an order of dismissal entered in open court.

(4) *Matters Taken Under Advisement.* When a court takes a matter under advisement, the court will reduce its decision to writing. A copy of the written order or judgment will be distributed to the parties. Any appeal must be filed within 30 days from the date of distribution of the order or judgment.

(d) *Execution.* Writs of execution may be issued to enforce minor offense judgments, including electronic judgments, as provided in Civil Rule 69.

DATED: October 23, 2001

EFFECTIVE DATE: April 15, 2002

/s/ _____

Chief Justice Fabe

/s/ _____

Justice Matthews

/s/ _____

Justice Eastaugh

/s/ _____

Justice Bryner

/s/ _____

Justice Carpeneti