

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1499

Amending Administrative Rule 24(c) concerning appointments of pro tempore appellate jurists in the event of the death or incapacity of supreme court justices or court of appeals judges.

**IT IS ORDERED:**

Administrative Rule 24(c) is amended to add a new subparagraph (b) as follows:

**(c) Assignment of Appellate Judicial Officers.**

(1) The chief justice may assign a justice of the supreme court or a judge of the court of appeals, with the consent of the justice or judge, to serve pro tempore as a judge of the superior court or a district court in any judicial district of the state under the same circumstances as the administrative director may assign a judge under paragraph (b) of this rule.

(2) Death or Incapacity.

(A) If the chief justice dies, or is incapacitated, the most senior member of the supreme court becomes acting chief justice.

(B) If all members of the supreme court die or are incapacitated, the chief judge of the court of appeals becomes the acting chief justice and may appoint up to four justices to serve pro tempore to create a functioning supreme court of not more than five members.

(C) If the chief judge of the court of appeals is unable to act as chief justice within the meaning of subpart (B), the next most senior member of the court of appeals becomes the chief justice for purposes of that subpart. If no member of the court of appeals is able to act as chief justice, the most senior presiding judge who is also a superior court judge becomes the acting chief justice for the purposes of subpart (B).

DATED: November 21, 2002  
EFFECTIVE DATE: April 15, 2003

/s/  
Chief Justice Fabe

/s/  
Justice Matthews

/s/  
Justice Eastaugh

/s/  
Justice Bryner

/s/  
Justice Carpeneti