

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1571

Amending Civil Rule 15(c) concerning
Relation Back of Amendments

IT IS ORDERED:

Civil Rule 15(c) is amended to read as follows:

Rule 15. Amended and Supplemental Pleadings

(c) **Relation Back of Amendments.** Whenever the claim or defense asserted in the amended pleading arose out of the conduct, transaction or occurrence set forth or attempted to be set forth in the original pleading, the amendment relates back to the date of the original pleading. An amendment changing the party against whom a claim is asserted relates back if the foregoing provision is satisfied and, within the period provided by Rule 4(j) for service of the summons and complaint, that party (1) has received such notice of the institution of the action that the party will not be prejudiced in maintaining a defense on the merits, and (2) knew or should have known that, but for a mistake concerning the identity of the proper party, the action would have been brought against the party.

DATED: April 21, 2005

EFFECTIVE DATE: October 15, 2005

Chief Justice Bryner

Justice Matthews

Justice Eastaugh

Justice Fabe

Justice Carpeneti