

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1618

Amending Criminal Rule 6
concerning potential grand
juror bias.

IT IS ORDERED:

Criminal Rule 6 is amended to read as follows:

Rule 6. The Grand Jury.

* * * *

(s) **Excusing Grand Jurors.** A seated juror may be excused for a particular case, permanently excused, or temporarily excused under the following circumstances:

(1) The prosecutor shall excuse a juror for a particular case when the juror informs the prosecutor that the juror cannot be fair or impartial in deciding that case. The prosecutor may ask the presiding judge to impanel an alternate.

(2) ~~The prosecutor may challenge a juror for cause by presenting the challenge to the presiding judge. If the prosecutor is made aware of a grand juror's potential prejudice or bias that could affect the grand jury's impartial deliberations, or if the prosecutor seeks to challenge a juror for cause, the prosecutor shall present the information as to prejudice or bias or the challenge to the presiding judge.~~ The judge shall provide the juror with notice of the prosecutor's action request and shall question the juror concerning the potential bias or challenge request. After hearing from the juror, the judge may request additional information from the prosecutor, other jurors, or other sources. If potential bias or cause is shown, the judge may excuse the juror permanently or for a particular case. The judge

may impanel an alternate juror in place of the juror excused. If no potential bias or cause is shown, the judge shall allow the juror to remain and may take other appropriate action.

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DATED: June 1, 2006

EFFECTIVE DATE: October 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti