

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1620

Implementing Chapter 36 SLA 2006 (SB 54) by adding a Note to Civil Rule 65 concerning an indirect court rule amendment;

Implementing Chapter 56 SLA 2006 (HB 441) by adding a Note to Criminal Rule 35 concerning an indirect court rule amendment; and

Implementing Chapter 20 SLA 2006 (HB 408) by adding a Note to Child in Need of Aid Rule 18 concerning an indirect court rule amendment.

IT IS ORDERED:

1. The following note is added to the end of Civil Rule 65, *effective August 16, 2006*:

Note: Chapter 36 SLA 2006 (SB 54) enacted changes to the protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse. According to section 12 of the Act, the amendments to AS 18.65.850 and AS 18.65.855 made in sections 4 through 8 of the Act have the effect of changing Civil Rule 65 by changing the method for obtaining, and the timing of, temporary restraining orders.

2. The following note is added to the end of Criminal Rule 35, *effective nunc pro tunc to June 9, 2006*:

Note: Chapter 56 SLA 2006 (HB 441) enacted changes relating to criminal sentencing and court-ordered treatment programs for certain offenses. According to section 8 of the Act, AS 28.35.028(b), added by section 3 of the Act, has the effect of amending Criminal Rule 35 by allowing a court to consider and reduce a criminal sentence outside of the time periods currently provided by that rule.

3. The following note is added to the end of Child in Need of Aid Rule 18, *effective nunc pro tunc to May 4, 2006*:

Note: Chapter 20 SLA 2006 (HB 408) enacted changes relating to the standard of proof in child in need of aid proceedings. According to section 11 of the Act, the amendments to AS 47.10.086(c), AS 47.10.088(a), and AS 47.10.088(b) in sections 1-3 of the Act have the effect of amending Child in Need of Aid Rule 18 relating to the termination of parental rights proceedings by increasing the standard of proof concerning some elements from proof by a preponderance of the evidence to proof by clear and convincing evidence.

DATED: July 13, 2006

EFFECTIVE DATE: As Provided.

/s/
Chief Justice Fabe

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Bryner

/s/
Justice Carpeneti