

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 187

Amending Rule 39, Rules of
Criminal Procedure; and
amending Rule 15, Rules
Governing the Administra-
tion of All Courts

IT IS ORDERED:

1. Rule 39(b)(1), Rules of Criminal Procedure, is amended to read as follows:

- (1) If
 - (i) the defendant states that
 - (aa) he desires the aid of counsel, and
 - (bb) he is financially unable to employ counsel, and
 - (ii) the court determines after inquiring of the defendant under oath as to his financial status that he is an "indigent person" as defined by statute, then the defendant is entitled to have counsel provided at public expense, and the court shall immediately notify the Alaska Public Defender Agency that the Agency has been appointed to represent the defendant and immediately appoint the Public Defender to represent the defendant. As a condition of receiving the services of counsel at public expense, the defendant shall execute a general waiver authorizing release of income information to the court as required by statute.

2. Rule 15, Rules Governing the Administration of All Courts, is amended to read as follows:

Appointment and Compensation of
Court Appointed Attorneys in
Criminal Cases.

(a) The presiding superior court judge shall designate a clerk of court or trial court administrator for each court location in his district to keep and make available to the court in each location a list of attorneys eligible to receive court appointments to represent indigent persons in criminal cases.

(b) The lists of eligible attorneys shall be compiled and provided to the courts by the Alaska Bar Association.

(c) The presiding superior court judge may in his discretion order that all attorneys residing

For a court location within his district be placed on the list of eligible attorneys if the presiding judge determines that the number of attorneys on the list is inadequate to provide equitable distribution of appointments among available attorneys.

(d) Appointments shall be made from the list on a rotating basis as far as is practical and possible.

(e) All claims for compensation shall be submitted on forms provided by the court within 30 days following the disposition of a case. Claims shall be submitted for approval to the assigned trial judge and shall be subject to final approval by the Administrative Director.

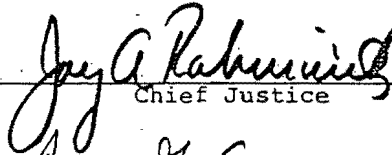
(f) Attorneys shall be compensated at the rate of \$35.00 per hour; provided that the assigned trial judge may award compensation at a higher rate in unusually complex or protracted cases. The rate of compensation may be modified by the Administrative Director as necessary to meet budgetary limitations.

EFFECTIVE DATE: July 2, 1974.

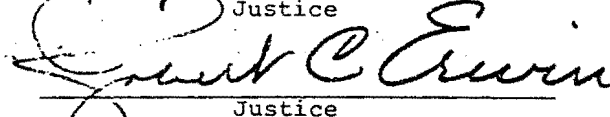
DATED this 30 day of June, 1974.

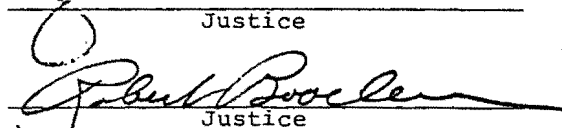
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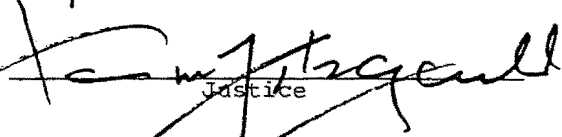
S/C Justices
Sup/Ct Judges
Dist/Ct Judges
Magistrates
Mag/Supr
Clks/Ct
Law Librarian
Probate Masters
Adm/Dr
All Members ABA
Gov
Dep/Law
Legs/Affairs
Pub Def Agency
Dept/Pub Safety
Alaska Legal Serv


Chief Justice


Justice


Justice


Justice


Justice