

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1898

Amending Criminal Rule 5(a)(1) to provide for citations for C felonies; and amending Adoption Rule 5 subsection (a) to acknowledge subsection (d) and amending subsection (d) to add a subheading.

IT IS ORDERED:

1. Criminal Rule 5 is amended to read as follows:

Rule 5. Proceedings Before the Judicial Officer.

(a) Appearance Before Judicial Officer After Arrest.

(1) Except when the person arrested is issued a citation for a class C felony, misdemeanor, or a violation and immediately thereafter released, the arrested person shall appear before a judicial officer without unnecessary delay and in any event within 48 hours after arrest, including weekend days and holidays.

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2. Adoption Rule 5 is amended to read as follows:

Rule 5. Venue.

(a) **Venue.** Except as provided in subsection (d), adoption proceedings must be brought in superior court in the judicial district or venue district in which, at the time of filing the petition, the petitioner or the person to be adopted resides or is in military service, or in which the agency having the care, custody, or control of the person to be adopted is located.

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(d) **Venue for Proceedings Involving a Child in State Custody.** A petition to adopt a child in state custody under AS 47.10 must be brought in the superior court where the child-in-need-of-aid proceeding is pending or in the judicial district in which the petitioner resides as provided under AS 47.10.111 and AS 25.23.030(d).

DATED: December 14, 2016

EFFECTIVE DATE: January 1, 2017

/s/
Chief Justice Stowers

/s/
Justice Winfree

/s/
Justice Maassen

/s/
Justice Bolger

/s/
Justice Carney