

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 244

Adding Rule 59 to the
Rules Governing the
Administration of All
Courts.

IT IS ORDERED:

The Rules Governing the Administration of All Courts are amended by adding Rule 59, to read as follows:

Rule 59. RECORDS RETENTION.

(a) Each presiding superior court judge shall, upon approval by the Administrative Director, destroy or provide for the destruction of all pleadings, papers, instruments, depositions and transcripts in any action or proceeding in the superior or district court if all of the following conditions exist:

- (1) The action or proceeding is no longer pending, or on appeal in any court, and a period of two years has elapsed since the filing of any paper;
- (2) There is maintained for the use of the public a microphotographic film print or copy of each pleading, paper, instrument, deposition or transcript so destroyed, together with a mechanical device by which such film may be conveniently examined;
- (3) At least one original negative of each microphotographic film is stored in such a manner and place as will reasonably assure

its preservation indefinitely against loss, theft, defacement, or destruction;

(4) The records have been reviewed under (b) of this rule and have been determined to have no historical or archival value; and

(5) At the time of the taking of the microphotographic reproduction, the person under whose supervision and control the same was taken has attached to or incorporated in the microphotographic reproduction a certification that the copy is a correct copy of the original or of a specified part thereof, as the case may be, the date or dates on which taken and the fact that it was taken under his direction and control.

(b) On or before January 15, of each year, each judicial officer shall, regarding the cases that were assigned to him and closed during the preceding calendar year, provide the Administrative Director with a list identifying and designating any original case documents or records contained in those cases which have present or potential historical or archival value. On or before July 1, 1976, each judicial officer shall provide, and each retired judicial officer shall be requested to provide, a list of cases heard by him and closed before January 1, 1976, which he believes to have historical or archival value. The Administrative Director shall provide for the microphotographing and safekeeping of all original case documents and records so identified.

(c) The Administrative Director shall prescribe the microphotographic processes and procedures to be used under (a) of this rule and the methods of destruction of records meeting the conditions of (a)(1)-(5) of this rule.

(d) The Administrative Director may adopt a schedule for the retention, destruction, and microphotographic reproduction of any records, papers, or documents main-


tained by the Alaska Court System for administrative purposes.

(e) A photographic reproduction of any of the records described in this rule, the negative or film of which has been certified by the person in charge of such reproduction as a correct copy of the original, shall be received in evidence in all courts in like manner as the original.

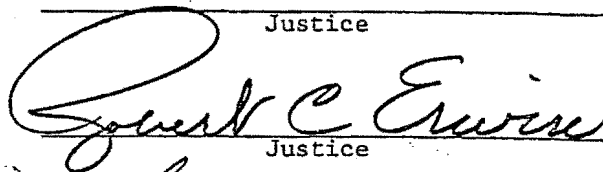
DATED: March 20, 1976

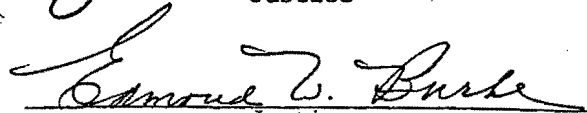
EFFECTIVE DATE: May 1, 1976


Chief Justice


Justice

Justice


Justice


Justice

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