

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 598

Order Adopting
Civil Rule 43.1
on Exhibits

IT IS ORDERED:

Civil Rule 43.1 is added and adopted to read:

Section 1.

PARTIES MARK EXHIBITS. All intended exhibits shall be marked by the parties for identification prior to trial. At the beginning of trial an exhibit list shall be filed with the clerk of court and all identified exhibits shall be placed in the clerk's custody.

Section 2.

PROCEDURE. Parties shall obtain an exhibit list form and exhibit identification stickers from the clerk of court prior to trial. The identified exhibits shall be listed on the exhibit form in the order of their expected use at trial. A brief typed description of each identified exhibit shall be given in the space provided. The completed list shall be filed with the clerk of court along with the identified exhibits.

The exhibit identification stickers are color-coded as follows: Plaintiffs - YELLOW; Defendants - BLUE; Grand Jury or Coroner Hearings - RED; and Miscellaneous - GREEN. Each sticker shall be marked with a full case number and an exhibit identification number or letter. Plaintiff's exhibits must be marked in numerical order. Defendant's exhibits must be marked in alphabetical order. In cases with more than two parties, parties shall precede their exhibit identification numbers or letters with the first letter of their last name. All exhibit identification numbering shall be consecutive. Parties shall not reserve numbers for intended exhibits not available at the beginning of trial. Exhibits marked for identification during trial shall receive the next consecutive number on the exhibit list. Only original exhibits shall receive an exhibit identification sticker. Parties shall not place stickers on copies of exhibits.

Section 3.

ADMISSION. Exhibits properly marked for identification may be admitted into evidence upon the motion of a party, or upon the court's own motion. After an identified exhibit is received by the court, the clerk shall mark the exhibit "admitted" in a manner prescribed by the Administrative Director. When an exhibit is admitted into evidence, the fact of its admission shall be noted immediately on the exhibit list. The form of the exhibit list shall also be prescribed by the Administrative Director.

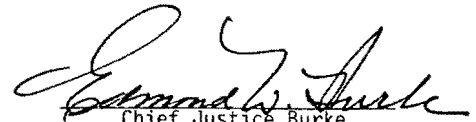
Section 4.

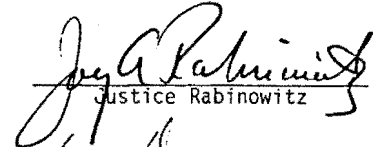
FINAL CHECK. Prior to final argument or submission of the case without argument, the court shall require counsel and those parties not represented by counsel to examine all intended, identified, offered, or admitted exhibits. Upon a proper motion or the court's own motion, the court may order additional exhibits marked for identification and/or admitted into evidence. Identified exhibits which have not been offered for admission shall be returned to the appropriate party forthwith, unless otherwise ordered by the court.

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Section 5.

ADMINISTRATIVE BULLETIN. The Administrative Director shall establish standards and procedures by appropriate bulletin consistent with these rules governing the marking, handling, storage, safekeeping, and disposal of all exhibits coming into the court's custody. Unless otherwise ordered by the court, such standards and procedures are controlling.

DATED: July 19, 1984
EFFECTIVE DATE: Sept. 1, 1984


Chief Justice Burke


Justice Rabinowitz


Justice Matthews


Justice Compton


Justice Moore