

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 768

Amending Appellate Rule 210(h)
concerning correction or supple-
mentation of the record

IT IS ORDERED:

Appellate Rule 210(h) is amended to provide:

(h) Power of the Court to Correct, Modify or Supplement Record. It is not necessary for the record on appeal to be approved by the trial court or a judge thereof except as provided in subdivision (k) of this rule and in Rule 211, but if any difference arises whether the record truly discloses what occurred in the trial court, the difference shall be submitted to and settled by that court and the record made to conform to that court's decision. If anything material to either party is omitted from the record on appeal by error or accident by court personnel, or is misstated therein, the parties by stipulation, or the trial court either before or after the record is transmitted to the appellate court, or the appellate court, on a proper suggestion or of its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary that a supplemental record shall be certified and transmitted by the clerk of the trial courts. All other questions as to the content and form of the record shall be presented to the appellate court. On motion in the appellate court, and for cause, the record may be modified or supplemented to correct omissions by counsel.

DATED: October 30, 1986

EFFECTIVE DATE: March 15, 1987

Chief Justice Rabinowitz

Justice Burke

Justice Matthews

Justice Compton

Justice Moore