

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 864

Amending Criminal Rule 41(d)(1)
Concerning clerk signing
judgment of forfeiture.

IT IS ORDERED:

Criminal Rule 41(d)(1) is amended to provide:

(1) Judgment of Forfeiture. If the person released on bail on the giving or pledging of security fails to appear before a court or judicial officer as required, the judge or magistrate before whom the person released was to appear shall forfeit the security. The clerk may sign the judgment of forfeiture if directed to do so on the record in the particular proceeding by the judge . However, the judgment of forfeiture may not be enforced until a hearing is held pursuant to subparagraph (d)(3) or, if no hearing is requested, until 30 days after the date of notice of the judgment of forfeiture. Nothing in this subparagraph shall interfere with the issuance of a summons or bench warrant for a person who fails to appear as required before a court or judicial officer.

DATED: December 16, 1987

EFFECTIVE DATE: July 15, 1988

Chief Justice Matthews

Justice Rabinowitz

Justice Burke

Justice Compton

Justice Moore