

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 923

Amending Criminal Rule 30(a)  
concerning instructing the jury.

IT IS ORDERED:

Criminal Rule 30(a) is amended to provide:

(a) Requested Instructions - Objections. At the close of the evidence or at such earlier time [DURING THE TRIAL] as the court reasonably directs, any party may file written requests that the court give the jury specific instructions [INSTRUCT THE JURY ON THE LAW AS SET FORTH IN THE REQUESTS]. [AT THE SAME TIME COPIES OF SUCH REQUESTS] Such requests must [SHALL] be furnished to adverse parties. The court shall inform counsel of the final form of jury instructions [ITS PROPOSED ACTION UPON THE REQUESTS] prior to their arguments to the jury [, BUT THE COURT SHALL INSTRUCT THE JURY AFTER THE ARGUMENTS ARE COMPLETED]. Following the close of the evidence, before or after the arguments of counsel, the court shall instruct the jury. Additionally, the court [IN ITS DISCRETION] may give the jury such instructions as it deems necessary [,] at any stage of the trial. The instructions must [SHALL] be reduced to writing and read to the jury and must [SHALL] be taken to the jury room by the jury. No party may assign as error any portion of the charge or omission therefrom unless the party [HE] objects thereto before the jury retires to consider its verdict, stating distinctly the matter to which the party [HE] objects and the grounds of the [HIS] objections. Opportunity must [SHALL] be given to make the objection out of the hearing of the jury by excusing the jury or hearing objections in chambers.

DATED: August 18, 1988

EFFECTIVE DATE: January 15, 1989

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Chief Justice Matthews

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Justice Rabinowitz

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Justice Burke

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Justice Compton

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Justice Moore