

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1078

Amending Criminal Rule 6(n)
concerning Grand Jury
Proceedings.

IT IS ORDERED:

1. Paragraph (n) of Criminal Rule 6 is amended to provide:

(n) Finding and Return of Indictment.

(1) An indictment may be found only upon the concurrence of a majority of the total number of jurors comprising the grand jury when the grand jury is sworn and charged with instructions, after deducting the number not legally qualified.

(2) If an indictment is not found, the indictment shall be endorsed "not a true bill" and signed by the foreperson. If an indictment is found, the indictment shall be endorsed "a true bill" and signed by the foreperson.

(3) (i) If an indictment is endorsed "a true bill," the indictment shall be presented in open court and filed with the clerk where it shall be open to public inspection.

(ii) If an indictment is endorsed "not a true bill" and a complaint or information was previously filed in district court, the indictment shall be presented in open court and filed with the

clerk where it shall be open to public inspection.

(iii) If an indictment is endorsed "not a true bill" and no complaint or information was previously filed in district court, the indictment shall be filed with the clerk and held under seal.

(iv) The foreperson or deputy foreperson may present an indictment in open court without the presence of other grand jury members.

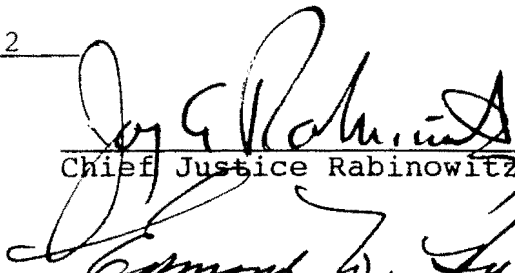
(4) If no indictment is found, the court shall hold the minutes, notes and the record of the grand jury proceeding under seal.

(5) The return of exhibits used during grand jury proceedings is governed by Criminal Rule 26.1(h).

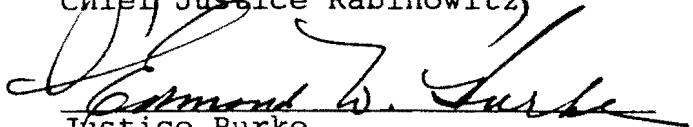
Supreme Court Order No. 1078
Effective Date: January 15, 1992
Page 3

DATED: September 27, 1991


EFFECTIVE DATE: January 15, 1992




Chief Justice Rabinowitz



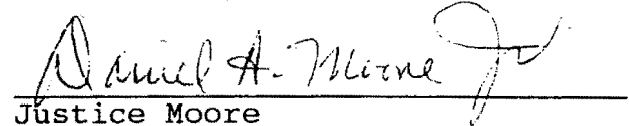
Justice Burke



Justice Matthews



Justice Compton



Justice Moore