

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1389

Amending Criminal Rule 37(e)  
concerning confidentiality of search  
warrant records.

IT IS ORDERED:

Criminal Rule 37(e) is amended to read as follows:

**(e) Confidentiality of Warrant Information.**

(1) The record of proceedings under this rule and all documents related to those ~~these~~ proceedings, including search warrants, affidavits, receipts, and inventories, ~~are confidential and~~ must be kept sealed until charges related to the warrant have been filed or four years have elapsed since the issuance of the warrant ~~before a criminal proceeding is formally initiated~~. However, the court may order prior release of these documents for good cause shown.

(2) After charges related to the warrant are filed, the record of proceedings ~~under this rule~~ and all related documents shall be ~~are~~ open to public inspection unless the court, for good cause shown, orders that the documents remain sealed for a further period ~~in which the documents shall be kept under seal~~. The initial charging document in all prosecutions must be accompanied by a listing of the numbers of all warrants issued in relation to the case unless the court waives this requirement for good cause shown.

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(3) If four years have elapsed since the issuance of the warrant and no charges related to the warrant have been filed, the record of proceedings and all related documents shall be unsealed and shall thereafter be deemed "confidential" as defined in the Administrative Rules and Bulletins. For good cause shown, the court may delay the unsealing.

~~(3) The initial charging document in all prosecutions must be accompanied by a listing of the numbers of all warrants issued in relation to the case unless the court waives this requirements for good cause shown.~~

DATED: February 3, 2000

EFFECTIVE DATE: April 15, 2000

/s/  
Chief Justice Matthews

/s/  
Justice Eastaugh

/s/  
Justice Fabe

/s/  
Justice Bryner

/s/  
Justice Carpeneti