

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1591

Amending Civil Rule 90.6(d)
concerning Child Custody
Investigator Reports and
adding a Note to Civil Rule
90.6.

IT IS ORDERED:

Civil Rule 90.6 is amended to read as follows:

Rule 90.6. Appointment of Child Custody Investigator.

* * * *

(d) Report.

(1) *Deadline for Filing and Contents.* The court shall specify the date by which the custody investigator must file and serve a written report. The report must describe the investigation, including who was interviewed and what records were reviewed, summarize the information obtained, and explain the custody investigator's conclusions and recommendations utilizing the applicable statutory factors.

(2) *Admission of Report into Evidence.* Unless otherwise ordered, the custody investigator's report is deemed to be admitted into evidence upon filing and may be reviewed by the court before the hearing or trial. A party may require the custody investigator to appear at a hearing or trial to testify about the report. To preserve this right, the party must include the custody investigator on the party's final witness list. The party must also take appropriate steps to ensure the custody investigator's

presence at the hearing or trial, which may include requesting the issuance of a subpoena.

(3) *Confidentiality*. The custody investigator's report is confidential unless otherwise ordered by the court. However, it may be disclosed to a party's expert for the purpose of consultation for trial.

(4) *Meeting with Parties*. The custody investigator may meet with the parties jointly or separately at any time to discuss the investigation and the investigator's conclusions in order to facilitate a voluntary resolution of the issues.

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2. The following note is added at the end of Civil Rule 90.6:

Note to SCO 1591: "Confidential" in Civil Rule 90.6(d)(3) has the meaning set out in Administrative Bulletin No. 48, Standard 6.F.2.

DATED: December 8, 2005

EFFECTIVE DATE: January 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti