

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1612

Amending Probate Rule 1(f)
concerning the definition of
“minor.”

IT IS ORDERED:

Probate Rule 1 is amended as follows:

**Rule 1. Title — Scope — Construction — Situations Not
Covered by the Rules.**

- (a) **Title.** These rules will be known and cited as the Probate Rules.
- (b) **Scope.** These rules govern practice and procedure in the trial courts in all phases of proceedings brought under Title 13 of the Alaska Statutes, proceedings related to the release of personal property under AS 12.65.105 and AS 22.15.110(a)(3), mental commitments under AS 47.30, and proceedings to bypass parental consent to an abortion under AS 18.16.030.
- (c) **Construction.** These rules will be construed and applied to promote fairness, accurate fact-finding, and prompt decisions.
- (d) **Legal Effect of Rules.** These rules are promulgated pursuant to Alaska constitutional authority granting rulemaking power to the Alaska Supreme Court. To the extent that the rules are inconsistent with a procedural provision of any Alaska statute not enacted for the specific purpose of changing a rule, these rules supersede the statute.

(e) **Situations Not Covered by the Rules.** Where no specific procedure is prescribed by these rules, the court may proceed in any lawful manner, including application of the Civil and Evidence Rules, applicable statutes, the Alaska and United States Constitutions or common law. Such a procedure may not be inconsistent with these rules and may not unduly delay or otherwise interfere with the unique character and purpose of probate proceedings.

(f) **Definitions.** For purposes of proceedings under AS 13.06 through AS 13.36, “minor” means a person who is under 18 years of age.

DATED: May 4, 2006

EFFECTIVE DATE: October 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti