

**IN THE SUPREME COURT OF THE STATE OF ALASKA**  
**ORDER NO. 1644**

Amending Criminal Rule 18  
concerning venue, and adding a  
Note to Criminal Rule 18 to  
reference the venue map.

**IT IS ORDERED:**

1. Criminal Rule 18 is amended to read as follows:

**Rule 18. Venue: Place of Trial.**

(a) **Venue Districts.** The venue map promulgated by the supreme court establishes the district and superior court venue districts and the presumptive trial site for each district. The venue map includes a chart listing each community that appears on the map along with each community's presumptive district court trial site and presumptive superior court trial site.

(b) **Determination of Trial Location.**

(1) *Initial Assignment.* A criminal case must be initially assigned for trial at the presumptive trial site for the district or superior court venue district, as determined by reference to the venue map and community chart described in (a) of this rule, in which the crime is alleged to have occurred.

(2) *Transfer to Approved Additional Trial Site.* As provided in (e) of this rule, the defendant may cause venue to be transferred to a trial site on the list of approved additional trial sites described in (d) of this rule.

(3) *Change of Venue.* Either party may move to change venue as provided in (g) of this rule.

(c) **Additional Trial Site Standards.** Subject to supreme court approval, the administrative director shall devise and promulgate an administrative bulletin establishing minimum standards for additional trial sites, including standards for courtroom needs and standards for transportation, housing, and feeding of all trial participants.

(d) **List of Approved Additional Trial Sites.** The administrative director shall promulgate an administrative bulletin listing approved additional trial sites for six- and twelve-person juries meeting the standards established under (c) of this rule. Changes in the list may be made as follows:

(1) A presiding judge, area court administrator, town council, or similar public representative group, or the attorney general, the public defender, or the public advocate may ask the administrative director for an investigation to determine whether a community should be added to or deleted from the list.

(2) The administrative director will distribute the list of approved additional trial sites to the attorney general, the public defender, and the public advocate.

(e) **Motion To Transfer by Right.** After assignment to the presumptive trial site, a defendant may move by right for the setting of venue in an approved additional trial site within the venue district where the crime charged is alleged to have occurred if such site is the trial site nearest the place where the crime charged is alleged to have occurred. This right is waived unless the defendant requests the transfer within ten days after the defendant enters a plea, absent good cause for an extension of this time limit.

(f) **Fair Cross-Section.** If the trial location assignment under the above subsections will not provide a petit jury which is a

representative cross-section of the appropriate community, the trial court on its own motion or that of a party may change the jury selection area as provided in Administrative Rule 15(c).

(g) **Change of Venue.** Any other motion for a change of venue shall be determined under the standards listed in AS 22.10.040.

(h) **Limitations of Rule.** The presumptive trial sites established by this rule do not determine the court location where a criminal case must be filed or the court location where pretrial proceedings take place.

2. The following Note is added at the end of Criminal Rule 18:

**NOTE:** The venue map promulgated by the supreme court and the community chart referenced in subsection (a) of this rule are available on the Alaska Court System website at <http://www.state.ak.us/courts/venuemapinfo.htm>, and are also published at the end of this rule.

DATED: June 26, 2007

EFFECTIVE DATE: October 15, 2007

/s/  
Chief Justice Fabe

/s/  
Justice Matthews

/s/  
Justice Eastaugh

/s/  
Justice Bryner

/s/  
Justice Carpeneti