

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1194

Amending Criminal Rule 11(e)  
concerning plea agreements.

IT IS ORDERED:

1. Criminal Rule 11(e) is amended to read:

(e) **Plea Agreement Procedure.**

(1) *Disclosure of Agreement.* If the parties reach a charge or sentencing agreement, the court shall require disclosure of the agreement in open court at the time the plea is offered. Once the agreement has been disclosed, the court may accept or reject the agreement, or may defer that decision until receipt of a presentence report.

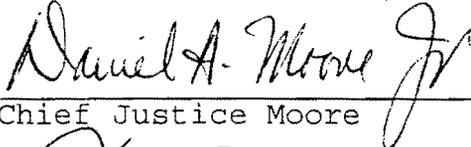
(2) *Acceptance of Agreement.* If the court accepts the agreement, the court shall impose sentence in accordance with the terms of that agreement.

(3) *Rejection of Agreement.* If the court rejects the agreement, the court shall inform the parties of this fact and advise the prosecuting attorney and the defendant personally in open court that the court is not bound by the agreement. If the court rejects the agreement as too lenient, the court shall then afford the defendant the opportunity to withdraw the plea. If the court rejects the agreement as too severe, the court shall then afford the prosecuting attorney the opportunity to withdraw from the agreement.

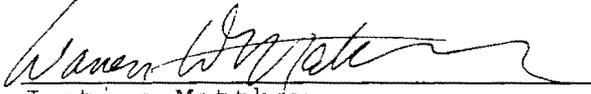
Supreme Court Order No. 1194  
Effective Date: July 15, 1995  
Page 2

DATED: March 30, 1995

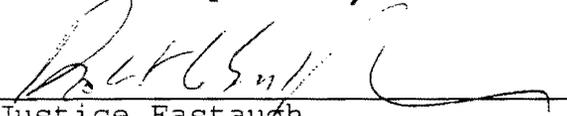
EFFECTIVE DATE: July 15, 1995

  
\_\_\_\_\_  
Chief Justice Moore

  
\_\_\_\_\_  
Justice Rabinowitz

  
\_\_\_\_\_  
Justice Matthews

  
\_\_\_\_\_  
Justice Compton

  
\_\_\_\_\_  
Justice Eastaugh