

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 897

Amending Criminal Rule 38.1 concerning
telephonic participation in criminal cases.

IT IS ORDERED:

Criminal Rule 38.1(a) is amended to provide:

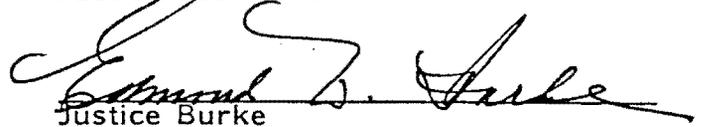
(a) In any proceeding at which the defendant's presence is required by Criminal Rule 38(a), as modified by Rule 38.2, the defendant may waive the right to be present and request to participate by telephone. The defendant's waiver of the right to be physically present may be obtained orally on the record or in writing. The court may allow telephonic participation of one or more parties, counsel or the judge at any proceeding in its discretion. The court may allow telephonic participation of witnesses at bail hearings, omnibus hearings, probation revocation hearings or at trial with the consent of the prosecution and the defendant. The court may allow telephonic participation of witnesses at other hearings in its discretion.

DATED: March 17, 1988

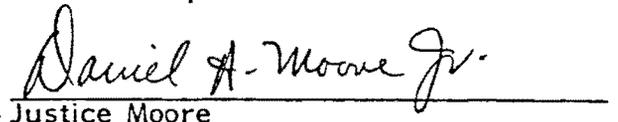
EFFECTIVE DATE: July 15, 1988


Chief Justice Matthews

Justice Rabinowitz


Justice Burke


Justice Compton


Justice Moore