

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 902

Amending Criminal Rule 3(a) concerning
notarization of citations

IT IS ORDERED:

Criminal Rule 3(a) is amended to provide:

(a) The complaint is a written statement of the essential facts constituting the offense charged. A citation issued for the commission of a misdemeanor or a violation shall have the same force and effect as a complaint and shall be filed as a complaint; provided, that the citation satisfies the requirements of a valid complaint as provided by these rules. A complaint or citation shall be made upon oath or affirmation before any judge or magistrate, except that the following complaints and citations may be signed before any person authorized by law to administer oaths or affirmations, or signed with a certification under penalty of perjury that the complaint or citation is true [CERTIFIED AS AUTHORIZED BY AS 09.63.020]:

(1) A complaint or citation for a traffic infraction as defined in Title 28 of the Alaska Statutes.

(2) A complaint or citation for a misdemeanor where arrest has been made without a warrant.

(3) A citation which the defendant has signed thereby promising to appear.

DATED: May 18, 1988

EFFECTIVE DATE: July 15, 1988

Chief Justice Matthews

Justice Rabinowitz

Justice Burke

Justice Compton

Justice Moore