

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 991

Amending Criminal Rule 6(f)
concerning Challenging Grand
Jurors.

IT IS ORDERED:

Criminal Rule 6(f) is amended to provide:

(f) Objections to Grand Jury and to Grand
Jurors.

[(1) CHALLENGES. THE PROSECUTING
ATTORNEY OR A DEFENDANT WHO HAS BEEN HELD TO
ANSWER TO A COMPLAINT CHARGING AN INDICTABLE
OFFENSE MAY CHALLENGE THE ARRAY OF JURORS ON
THE GROUND THAT THE GRAND JURY WAS NOT
SELECTED, DRAWN OR SUMMONED IN ACCORDANCE WITH
LAW, AND MAY CHALLENGE AN INDIVIDUAL JUROR ON
THE GROUND THAT THE JUROR IS NOT LEGALLY
QUALIFIED. CHALLENGES SHALL BE MADE BEFORE THE
ADMINISTRATION OF THE OATH TO THE JURORS AND
SHALL BE TRIED BY THE PRESIDING JUDGE SUMMONING
THE GRAND JURY.

(2) MOTION TO DISMISS.] A motion to
dismiss the indictment may be based upon
objections to the array or the lack of legal
qualification of an individual juror[, IF NOT
PREVIOUSLY DETERMINED UPON CHALLENGE]. An
indictment shall not be dismissed upon the
ground that one or more members of the grand
jury were not legally qualified if it appears
from the record kept pursuant to section (j) of
this rule that a majority of the total number
of grand jurors, after deducting the number not

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legally qualified, concurred in finding the
indictment.

DATED: July 13, 1989

EFFECTIVE DATE: January 15, 1990

Chief Justice Matthews

Justice Rabinowitz

Justice Burke

Justice Compton

Justice Moore