

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1161

Amending Criminal Rule 38.1  
correcting a typographical  
error.

IT IS ORDERED:

1. Criminal Rule 38.1(a) is amended to provide:

(a) In any proceeding at which the defendant's presence is required under 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.

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DATED: April 20, 1994

EFFECTIVE DATE: July 15, 1994

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Chief Justice Moore

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Justice Rabinowitz

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Justice Matthews

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Justice Compton

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Justice Bryner, Pro Tem