

AMENDMENT #1

OFFERED IN THE HOUSE
FINANCE COMMITTEE

Offered by: Representative Stoltze
by Request of the Governor

TO: CS for Senate Bill No. 108(JUD), version "R"

Page 2, line 3, following "authority":

Insert: "and were not dismissed as part of a Rule 11, Alaska Rules of
Criminal Procedure, agreement in a separate case"

Language on page 2, lines 2-3 will then read as follows:

"(2) all criminal charges against the defendant in the case have been
dismissed by the prosecuting authority and were not dismissed as part of a
Rule 11, Alaska Rules of Criminal Procedure, agreement in a separate case;
or "

Prepared by the House Finance Committee

Daniel George

From: Chuck Kopp
Sent: Saturday, April 19, 2014 2:29 PM
To: Daniel George
Cc: Sen. Fred Dyson
Subject: Proposed Amendment #1

Follow Up Flag: Follow up
Flag Status: Completed

Hi Daniel,

Thank you for bringing us the proposed Amendment # 1. Sen. Dyson reviewed the proposed Amendment, and fully supports this Amendment being applied to the original bill (\R).

The language could read –

p.2, line 3 - dismissed by the prosecuting authority[; or] *and were not dismissed as part of a Rule 11, Alaska Rules of Criminal Procedure, agreement in a separate case.*

Our understanding from Nancy Meade of Courts is that the current CS (\G) is duplicative of the currently proposed Court Rule, and more restrictive in that it would make confidential the hard copy of case records. The proposed Court Rule only removes the types of charges proposed in the CS from CourtView, but leaves the hard copy files open to the public.

Sen. Dyson heard from Rep. Gara about a possible amendment for persons who are current candidates for public office. It seems Courts could probably figure out a process for this, and a process to remove the losing candidate post-election. We would ask the sponsor of the amendment if it is their intent that the 'winning' candidate stay up on CourtView indefinitely. This would possibly increase the Fiscal note. Sen. Dyson believes this would encourage political opponents to work to get each other up on CourtView knowing there was no process for charges to become confidential if you are a candidate running for public office.

Thank you for your help on this Daniel.

Sincerely,

Chuck

Chuck Kopp

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