

jurisdiction is not available, a superior court, district court, or magistrate may designate any other peace officer to serve and execute process. A state peace officer shall serve process in any area that is not within the jurisdiction of a peace officer of a municipality or unincorporated community. A peace officer shall use every reasonable means to serve process issued under this chapter. **A judge may not order a peace officer to serve a petition that has been denied by the court.**

* Sec. 23. The uncoded law of the State of Alaska is amended by adding a new section to read:

DIRECT COURT RULE AMENDMENT. Rule 5(a)(1), Alaska Rules of Criminal Procedure, is amended to read:

(a) **Appearance Before the Judge or Magistrate.**

(1) Except when the person arrested is issued a citation for a misdemeanor or a violation and immediately thereafter released, the arrested person shall be taken before the nearest available judge or magistrate without unnecessary delay. This appearance may be accomplished by the use of telephonic or television equipment pursuant to Criminal Rules 38.1 and 38.2. **Necessary** [UNNECESSARY] delay within the meaning of this paragraph (a) is defined as a period not to exceed **forty-eight** [TWENTY-FOUR] hours after arrest, including Sundays and holidays.

* Sec. 24. The uncoded law of the State of Alaska is amended by adding a new section to read:

DIRECT COURT RULE AMENDMENT. Rule 5(a)(2), Alaska Rules of Criminal Procedure, is amended to read:

(2) If

(i) The judge or magistrate commits the arrested person to jail for a purpose other than to serve a sentence, and

(ii) The jail is situated in a different community from the place where the judge or magistrate committed the arrested person to jail, and

(iii) The arrested person is not represented by counsel, and

(iv) The arrested person has not previously had a bail

1 review, and

2 (v) The arrested person has no date, time and place
3 established for his or her next court appearance, then the arrested
4 person shall be taken before a judge or magistrate in the community
5 where the jail is located within forty-eight [TWENTY-FOUR] hours of
6 the person's detention in that jail

7 (aa) in order for bail to be reviewed, and

8 (bb) in order to determine if the person is
9 represented by counsel, and

10 (cc) in order for [THE] counsel to be appointed,
11 if appropriate.

12 * **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 DIRECT COURT RULE AMENDMENT. Rule 41(a), Alaska Rules of
15 Criminal Procedure, is amended to read:

16 (a) **Admission to Bail.** The defendant in a criminal proceeding is entitled to be
17 admitted to bail pursuant to AS 12.30.006 - 12.30.080 [AS 12.30.010 -12.30.080].

18 * **Sec. 26.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 DIRECT COURT RULE AMENDMENT. Rule 41(b), Alaska Rules of
21 Criminal Procedure, is amended to read:

22 (b) **Types of Bonds.** The court may require:

23 (1) the execution of an unsecured appearance bond in an amount
24 specified, under the criteria set forth in AS 12.30.011 [AS 12.30.010(a)];

25 (2) the execution of an appearance bond in a specified amount and the
26 deposit in the registry of the court, in cash [OR OTHER SECURITY], of a sum not to
27 exceed 10 percent of the amount of the bond;

28 (3) the execution of a bail bond with sufficient solvent sureties or the
29 deposit of cash; or

30 (4) the execution of a performance bond in a specified amount and the
31 deposit in the registry of the court of cash [OR OTHER SECURITY].