



LAWS OF ALASKA

1971

Source

CSSB 153 am

Chapter No.

126

AN ACT

Relating to the place of trial; and changing Rule 18, Rules of Criminal Procedure.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 22.10.030 is amended to read:

Sec. 22.10.030. WHERE ACTIONS ARE TO BE BROUGHT.

(a) All actions in ejectment or for the recovery of the possession of, quieting title to, for the partition of, or the enforcement of liens upon, real property shall be commenced in the superior court in the judicial district in which the real property, or any part of it affected by the action, is situated.

(b) If, in a civil action other than one specified in (a) of this section, a defendant can be personally served within a judicial district of the state, the action against that defendant shall be commenced in that judicial district or in the judicial district in which the claim arose.

(c) All prosecutions for crimes and offenses shall be commenced in the judicial district in which the crime or offense was committed.

(d) Subject to sec. 40 of this chapter, a trial and any precedent or antecedent hearings in an action shall be conducted in an election district within the judicial district at a location which would best serve the convenience of the parties and witnesses.

(e) Actions in cases not covered by this section may be commenced in any judicial district of the state.

(f) Failure to make timely objection to improper

venue waives the requirements of this section.

* Sec. 2. In sec. 1 of this Act, AS 22.10.030(d) has the effect of changing Rule 18, Rules of Criminal Procedure, by requiring criminal prosecutions to be had not only in the judicial district in which the crime or offense was committed, but in the election district within that judicial district at a location convenient to the parties and witnesses.

* Sec. 3. It is the intent of this Act to make the administration of justice more accessible to the people of rural areas of the state. In conjunction with the amendments in this Act, it is the legislative intent that AS 22.10.140, providing for the temporary assignment of superior court judges anywhere in the state, be fully implemented.