

Original sponsors: Croft, Groh,
Hensley, et al

Offered: 4/25/71
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 153

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the place of trial; and changing
7 Rules 18, Rules of Criminal Procedure."

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

9 * Section 1. AS 22.10.030 is amended to read:

10 Sec. 22.10.030. WHERE ACTIONS [RELATING TO REAL PROPERTY] ARE
11 TO BE BROUGHT. (a) All actions in ejectment or for the recovery
12 of the possession of, quieting title to, for the partition of, or
13 the enforcement of liens upon, real property shall be commenced
14 [STARTED] in the superior court in the judicial district in which the
15 real property, or any part of it affected by the action, is situated.

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

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

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

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

29 (f) Failure to make timely objection to improper venue waives

1 the requirements of this section.

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

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