



LAWS OF ALASKA

1974

Source

SCS CSHB 635

Chapter No.

131

AN ACT

Relating to the postponement of civil proceedings when a party or attorney is a member of the legislature; and changing Rule 40(f) of the Alaska Rules of Civil Procedure.

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

* Section 1. AS 24.40 is amended by adding a new section to read:

Sec. 24.40.031. POSTPONEMENT OF CIVIL PROCEEDINGS WHEN A PARTY OR ATTORNEY IS A MEMBER OF THE LEGISLATURE. When it appears that a party or an attorney of record of a party to a civil action is a member of the legislature of this state, and that the legislature is in session, the action shall be continued until 10 days after the legislature has adjourned, unless the party or attorney upon the call of the action for trial waives the benefit of this section. When it appears that a party or an attorney of record of a party to a civil action is a member of the legislative council, the Legislative Budget and Audit Committee, or one of their subcommittees, the action shall be continued when the legislative council, budget and audit committee, or the subcommittee, as the case may be, is holding a meeting, unless the party or attorney upon the call of the action for trial waives the benefit of this section. When it is necessary to file a brief or memorandum of law in an action which has been continued under the provisions of this section, the action shall be continued for a time sufficient to prepare and file the brief or memorandum.

* Sec. 2. In sec. 1 of this Act, AS 24.40.031 has the effect of changing Rule 40(f) of the Alaska Rules of Civil Procedure, by providing for the continuance of a trial of a civil action or other court proceeding when a party or attorney is a member of the legislature.