

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 80
(Amended Effective December 1, 2016)

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SUBJECT: Arrest Warrants and Bench Warrants

This bulletin is adopted pursuant to Administrative Rule 1(b)¹ to standardize procedures for issuing, recalling, and returning warrants. In many courts, the practice has been to require warrants to be issued by the court where the case was originally filed. When a case originates in another court, this practice results in extra clerical work and may delay delivery of warrants to law enforcement agencies. Fortunately, because all courts now use the CourtView case management system, it is possible to adopt more efficient procedures for issuing warrants, while still maintaining the control and accountability that is important to clerks of court.

The new procedures described in this bulletin reflect the general policy that a warrant should be issued by the court that ordered it and distributed to the law enforcement agency serving that court. This applies both to warrants that are ordered in local cases and warrants that are ordered in cases from other courts.

These procedures apply to all warrants issued by the trial courts.

December 1, 2016 changes to this bulletin include:

- Minor Offense Rule 9(d) effective April 15, 2013, removes the applicability of these procedures for minor offense cases.
- Effective January 1, 2015, adds underage consuming cases.

¹ Administrative Rule 1(b) authorizes the administrative director to “establish the administrative methods and systems to be employed in the offices of the clerks and other offices of the courts.”

1. **Issuance of Warrants and Delivery to Law Enforcement.**

a. State Cases

When a judicial officer orders a warrant to be issued in a State case, a clerk in that court (the issuing court) must:

- (1) Deliver the original warrant to the local office of the Alaska State Troopers (AST) or the local police if that procedure has been agreed to by AST (usually because the local AST office is not staffed around the clock).

If there is no local AST office (and AST has not agreed that the original may be delivered to the local police), the issuing court must fax and then mail the original warrant to the AST office that serves the issuing court and deliver a copy to the issuing court's local police.

- (2) File a copy of the warrant in the case file. The copy of the warrant must remain on top of all other documents until the original warrant is returned to the court.
- (3) If the warrant was issued in a case from another court, fax² a copy of the warrant to that court.

This step is not necessary if the issuing court has assumed jurisdiction over the case and a new volume of the original case file has been opened in the issuing court.³

b. Municipal Cases

(1) Local Municipal Case

When a judicial officer orders a warrant to be issued in a local municipal case, a clerk in that court (the issuing court) must:

- (a) Deliver the original warrant to the municipal police agency.

² Wherever the clerk is directed to fax a document, emailing a scanned copy of the document is also acceptable.

³ See Presiding Judges' Order on Felony PTRP Procedure: Presiding Judge Administrative Order 10-2 (First District), 2010-2 (Second District), 3AO-10-17 (Third District), 10-4 (Fourth District).

- (b) File a copy of the warrant in the case file. The copy of the warrant must remain on top of all other documents until the original warrant is returned to the court.

(2) Municipal Case from Another Court

When a judicial officer orders a warrant to be issued in a municipal case from another court:

- (a) A clerk in the ordering court must
 - i. Prepare a "Notice to Issue Warrant" (form CR-703) to accompany the log notes containing the judge's order.
 - ii. Fax the notice and log notes to the other court (the issuing court).
 - iii. File a copy of the entire fax transmission in the local case file.
- (b) A clerk in the issuing court must:
 - i. Immediately prepare and sign the warrant and deliver the original warrant to the municipal police agency. **The clerk must deliver the warrant the same day the fax is received.**
 - ii. File a copy of the warrant in the case file. The copy of the warrant must remain on top of all other documents until the original warrant is returned to the court.
 - iii. File a copy of the Notice to Issue Warrant and attached log notes in the case file.

2. Warrant Form

- a. Contents. A warrant must clearly (1) list the name of the judicial officer who ordered the warrant, (2) identify the court that issued the warrant (that is, the court that delivered the original warrant to law enforcement), (3) state that the warrant must be returned to the issuing court, and (4) identify by name and location the law enforcement agency to which the original warrant was delivered.

- b. Multiple Cases. Each warrant should list only one case number. When warrants are ordered for the same individual involving multiple cases, a separate original warrant must be prepared for each case. The warrant must indicate if the bail is concurrent with other cases and list those case numbers.

3. **Warrant Tracking**

All warrants must be tracked in CourtView. A clerk in the issuing court must enter the following information: the date the warrant was issued, the name (including location) of the agency to which the original warrant was delivered, and the date the warrant was served, quashed or recalled.

4. **Quashing and Recalling Warrants**

- a. A warrant may be quashed by any court.
- b. When a judicial officer (or clerk under authority of Criminal Rule 43.1) orders a warrant to be quashed, a clerk at that court must:
 - (1) Phone the law enforcement agency holding the original warrant.
 - (2) Deliver a copy of the recall notice to that law enforcement agency.

If the law enforcement agency is located in another community, the clerk must deliver the notice by faxing a copy to the agency.

- (3) If the original case file is located in another court, fax a copy of the order (or log notes) quashing the warrant and the recall notice to that court.

However, if jurisdiction of a probationer has been transferred to another court, a copy of the order must instead be sent to the supervising court for filing in the volume of the case file maintained by the supervising court.⁴

⁴ See Presiding Judges' Order on Felony PTRP Procedure: Presiding Judge Administrative Order 10-2 (First District), 2010-2 (Second District), 3AO-10-17 (Third District), 10-4 (Fourth District).

- c. Recall Notice. The recall notice must clearly identify the law enforcement agency to which the recall notice was delivered.

5. **Return of Original Warrants**

After service or recall, the law enforcement agency holding the original warrant must return the original warrant to the issuing court. The issuing court must be clearly identified on the warrant.

Dated: November 23, 2016
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/s/
Christine E. Johnson
Administrative Director

Original bulletin was issued on November 25, 2010; amended January 25, 2011; amended March 1, 2015; amended December 1, 2016.