

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 412

Rescinding All Existing
Alaska Administrative
Rules of Court and Pro-
mulgating New Alaska Ad-
ministrative Rules of
Court.

IT IS ORDERED:

1. All existing rules governing the administration of all Alaska state courts are hereby rescinded.

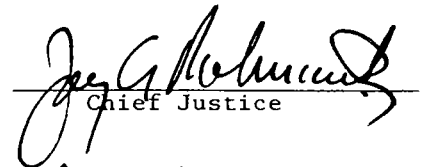
2. The attached new rules governing the administration of all Alaska state courts, numbers 1 through 40, are hereby adopted.

DATED: April 9, 1980

EFFECTIVE DATE: July 1, 1980

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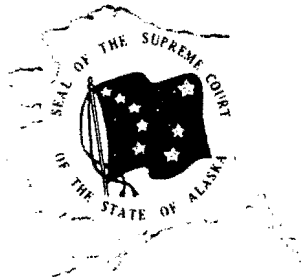

Chief Justice


Justice


Justice


Justice


Justice



Supreme Court

State of Alaska

ROBERT D. BACON
CLERK OF COURT

May 14, 1980

POUCH U
JUNEAU, ALASKA 99811
(907) 465-3410

TO: Rule Amendment Subscribers

FROM: Robert D. Bacon, Clerk of the Supreme Court

This order adopts a complete revision of the Rules Governing the Administration of All Courts ("Administrative Rules"). Because the revised rules are lengthy, and pertain chiefly to the internal operation of the Court System, they are not being sent automatically to all subscribers to the rule amendment orders of the Supreme Court.

The rules are accompanied by a commentary prepared by the Administrative Director's staff which explains the changes made from the prior rules and the derivation of each rule. While the Supreme Court has not formally adopted or approved the commentary, it has directed that it be made available along with the rules to assist users in understanding the revisions.

Court System personnel will receive copies of the revised rules and commentary from the Administrative Director's office.

Others may obtain a single copy of the rules and commentary without charge by writing:

Mr. Richard P. Barrier
Deputy Administrative Director
Alaska Court System
303 K Street
Anchorage, Alaska 99501

In due course, the revised rules will be published in the commercially-distributed sets of the Alaska Rules of Court.

RULE 1. ADMINISTRATIVE DIRECTOR OF COURTS -- DUTIES.

There shall be an administrative director of courts who shall, under policy guidelines provided by the supreme court:

(a) Supervise the administrative operation of the judicial system;

(b) Establish the administrative methods and systems to be employed in the offices of the clerks and other officers of the courts;

(c) Periodically inspect and examine the administrative methods and systems in use and make recommendations to the chief justice for the improvement of such administrative methods and systems;

(d) Establish a system of prescribed accounting practices for all courts;

(e) Examine the state of the dockets of all courts, determine the need for assistance by any court and confer with the justices and judges on the status of their calendars and administrative matters;

(f) When authorized by the chief justice, make assignments of judges to other judicial districts where the courts are in need of assistance and where the judge consents to the assignment;

(g) When directed by the supreme court, prescribe methods for the assignment and calendaring of cases in the superior or district court in any court location;

(h) Collect and compile statistical and other data and transmit copies of the same to the supreme court to the end that proper action may be taken in respect thereto;

(i) Prepare budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and submit the budget request, as approved by the supreme court, to the legislature;

(j) Draw all requisitions requiring the payment of state monies appropriated for the maintenance and operation of the judicial system;

(k) Collect statistical and other data and make reports relating to the expenditure of public monies for the maintenance and operation of the judicial system and the offices connected therewith;

(l) Obtain reports from presiding judges, area court administrators, and clerks of court in accordance with the requirements of the supreme court on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to the chief justice and the supreme court;

(m) Formulate and submit to the chief justice and the supreme court recommendations of policies for the improvement of the judicial systems; and

(n) Be legal advisor for the chief justice and the supreme court in all legal matters not adjudicatory in nature, such as:

(1) Preparation of memoranda on statutes which may affect the judiciary;

- (2) Drafting of rules of practice, procedure, and administration;
- (3) Conducting and supervising research on procedure and court administration;
- (4) Instruction of court personnel concerning rules or statutes governing ministerial and other non-adjudicatory duties;
- (5) Preparing of syllabi for the basic legal instruction of magistrates and other lay personnel;
- (6) Providing for the publication, annotation and editing of revisions and supplements to the Alaska Rules of Court; and
- (7) Rendering legal opinions in any non-adjudicatory matters as he may be directed from time to time by the chief justice.

(o) Attend to such other matters as may be assigned by the chief justice.

COMMENTARY

Rule 1. Administrative Director of Courts - Duties.

The revision updates the duties of the Administrative Director to reflect more accurately the present duties.

The phrase "under the supervision and direction of the chief justice..." has been replaced with "under policy guidelines provided by the supreme court," as this better reflects existing practice.

Since the original adoption of this rule, the Judicial Council has engaged its own staff. The new rule therefore deletes all duties to be performed by the director on behalf of the Judicial Council.

A new paragraph (d) has been added requiring the establishment of prescribed accounting practices. This duty was essentially contained in former Rule 6(d), and was transferred to Rule 1 in order to have all duties contained in the same rule. A new paragraph (g) has also been added. This provision is taken from former Rule 58.

The other major substantive change is to permit the administrative director to make assignment of judges between judicial districts upon a delegation of authority from the chief justice. Existing practice reflects such a heavy reliance by the chief justice on the administrative director's recommendations in these assignments as to render the chief justice's involvement a mere formality.

Rules of administration have been added to the rule-drafting duties of paragraph (n) (2), and paragraph (n) (6) has been amended to reflect the fact that the annotation, editing, and so forth of the Rules of Court is performed under contract with a publisher.

RULE 2. APPOINTMENT AND COMPENSATION OF EMPLOYEES -- PRACTICE
OF LAW BY PERSONNEL PROHIBITED.

(a) The supreme court shall promulgate personnel rules governing all personnel employed by the Alaska Court System. No employee may be exempt from the personnel rules except as specifically set forth in those rules. The personnel rules have the same force and effect as a rule of administration.

(b) The administrative director shall receive an annual compensation in an amount equal to \$2,000.00 less than the annual compensation provided by law for a justice of the Alaska Supreme Court. Employees in the partially exempt and classified service are entitled to receive compensation in accordance with the salary and classification plan adopted by the administrative director under the personnel rules. The administrative director with the approval of the chief justice shall appoint and fix the compensation of such assistants as are necessary to enable him to exercise and perform the powers and duties vested in him.

(c) No employee of the court system may be hired without the prior approval of the administrative director of the Court System or his designee nor may an employee be hired except in accordance with the personnel rules.

(d) During his term of office or employment, neither the administrative director nor any other employee of the Alaska Court System may engage directly or indirectly in the practice of law in any of the courts of this state.

COMMENTARY

Rule 2. Appointment and Compensation of Employees -- Practice of Law by Personnel Prohibited.

The amendment to Rule 2 retains most of the material contained in the former rule, but with the following changes:

- (1) Paragraphs (a) and (b) have been put in reverse order. New paragraph (a) now provides that the supreme court rather than the administrative director shall promulgate personnel rules. This is reflective of the fact that the supreme court, and not the administrative director, has promulgated such rules. The paragraph also adds a sentence making it clear that the personnel rules have the same force in effect as a rule of administration, thus providing the same constitutional limitations on legislative amendment.
- (2) Paragraph (b) incorporates the provisions of Supreme Court Order No. 394, which amended former paragraph (a) of the rule. Further amendments have been made to reflect current practice in accordance with the personnel rules.
- (3) The former provisions of paragraph (c) are contained in the personnel rules. There was no reason to repeat the particular provisions in the Administrative Rules. Therefore, a general cross-reference to the personnel rules is made with respect to hiring of employees.

(4) Paragraph (d) has been amended technically, to reflect a drafting preference on the part of the reporter.

RULE 3. INFORMATION AND DATA TO BE FURNISHED TO ADMINISTRATIVE
DIRECTOR AND PRESIDING JUDGES.

(a) Justices, judges, masters, magistrates, clerks of the courts, and all other officers and employees of the court system shall comply with all requests made by the administrative director for information and statistical data bearing on the state of the dockets of such courts and such other information as may reflect the business transacted by them.

(b) Each area court administrator, or the presiding judge in those judicial districts not having an area court administrator, shall maintain a current list of all matters under advisement in the superior and district courts in his judicial district. The clerk of the supreme court shall maintain a list of all matters under advisement in the supreme court. Such lists shall contain the following information:

(1) The name of the justice, judge or master having such matter under advisement;

(2) The date upon which each matter was referred to the justice or judge for decision or, in the case of a master, for preparation of report;

(3) The nature of the decision or matter under advisement;

(4) The title of the action; and

(5) The court's file number.

(c) In each judicial district such lists shall be circulated on a weekly basis among the judges and masters regularly assigned to that judicial district, and a copy thereof

sent to any other judge or master whose name appears thereon, and to the administrative director. The clerk of the supreme court shall circulate the list maintained for the supreme court on a weekly basis among the justices and to the administrative director.

(d) Each judge of the superior and district courts and each master under continuing appointment shall submit a weekly report to his area court administrator or presiding judge, identifying the matters that he has under advisement, and providing the information required by paragraphs (b) (1)-(5) of this rule.

(e) Any judge or master having a motion under advisement more than 10 calendar days from the date submitted, or having a decision following trial of a case under advisement more than 30 calendar days from the date submitted, shall submit in writing to the presiding judge an explanation of the circumstances justifying the delay and the date on or before which such motion or case shall be decided.

(f) A justice or judge who disqualifies himself for cause shall set forth the specific reasons for the disqualification in writing. A superior court judge or a district court judge shall send his statement of reasons to the presiding judge of his judicial district and a copy of the statement to the administrative director. A presiding judge shall send his statement of reasons to the chief justice and a copy of his statement to the administrative director. A supreme court justice shall send his statement to the other justices and to the clerk of the supreme court.

COMMENTARY

Rule 3. Information and Data to be Furnished to Administrative Director and Presiding Judges.

The only amendment to Rule 3 is a technical amendment to paragraph (a), deleting the reference to "state and local" officials. The former language of the rule could be interpreted as an attempt to require executive and legislative officers of state and local governments to comply with requests made by the administrative director for information. The reference to "state and local" therefore has been replaced with "other officers and employees of the court system."

RULE 4. SEALS OF COURT.

(a) Seal of the Superior Court. The seal of the superior court is a vignette of the official flag of the state with the words "Seal of the Superior Court of the State of Alaska" and a designation of the district surrounding the vignette.

(b) Seal of the District Court. The seal of the district court is a vignette of the official flag of the state with the words "Seal of the District Court of the State of Alaska" and a designation of the district surrounding the vignette.

(c) Seal of Consolidated Trial Courts. In those court locations where the superior and district courts have been consolidated for administration and when ordered by the presiding judge of the district, the seal for the superior and district courts is a vignette of the official flag of the state with the words "Seal of the Trial Courts of the State of Alaska" and a designation of the district surrounding the vignette.

(d) Possession of Seals. The clerk of the court, or if there is no clerk, the judge or magistrate, shall keep possession of the seal of the court.

COMMENTARY

Rule 4. Seals of Court.

Former Rule 5 has been renumbered as Rule 4. No changes have been made in the text.

RULE 5. DISPOSAL OF MONEY PAID TO OR DEPOSITED WITH THE COURT.

(a) The administrative director shall designate, in accordance with written procedures established by him, the banking institutions to serve as depositories for all monies paid to, or deposited with, the courts. Certain accounts in the designated banks shall be the depositories for trust funds held by the various courts. Monies may be withdrawn from the accounts in accordance with procedures established by the administrative director.

(b) The proceeds of all fees, forfeitures, penalties and all other monies (except trust funds) collected by or deposited with the courts shall be deposited in the appropriate bank account for transfer to the general fund of the state in accordance with procedures established by the administrative director.

COMMENTARY

Rule 5. Disposal of Money Paid to or Deposited With the Court.

The former provisions of this rule were unnecessarily detailed with respect to accounting procedure. Therefore, the rule was amended to incorporate a general reference to procedures established by the administrative director. (Cf. Rule 1(d)).

RULE 6. FEES OF INTERPRETERS AND TRANSLATORS.

(a) Amount. The fee for an interpreter or translator for attendance in any court or at a coroner's inquest shall be set by that court. The fee shall be subject to the following limitations:

(1) For time spent in actual performance of interpreter or translator services during the proceedings, the fee shall not exceed \$30.00 per hour; and

(2) For standby time during which the interpreter or translator is required by the court to be in attendance at the court facility, the fee shall not exceed \$15.00 per hour.

The court shall not authorize the maximum hourly rate unless the interpreter or translator has had formal training in court interpreting or has demonstrated specialized language skills beyond mere bilingual ability.

(b) Payment. Interpreters' and translators' fees shall be paid:

(1) In criminal cases and in coroners' inquests from the appropriation to the judiciary of the state.

(2) In civil cases, by the litigants, in such proportions as the court may direct, to be taxed and collected as other costs.

COMMENTARY

Rule 6. Fees of Interpreters and Translators.

This rule is identical to former Administrative Rule 8 except for an increase in the monetary amounts to be paid for the services of interpreters and translators.

RULE 7. WITNESS FEES.

(a) Amount. A witness attending before any court, referee, master, grand jury or coroner's jury or upon a deposition in a discovery proceeding, whose testimony is necessary and material to the action, shall receive a witness fee of \$12.50 if such attendance, including the time necessarily occupied in traveling from his residence to the place of his attendance and returning from that place, requires not more than three consecutive hours. If such attendance requires more than three consecutive hours, the witness shall receive a witness fee of \$25.00 for each day of attendance. Any witness who attends at a point so far removed from his residence as to necessarily prohibit return thereto from day to day shall receive per diem at the rate allowed for state employees.

(b) Travel Expense. Every witness who is required to travel in excess of 30 miles from his residence is entitled to receive reimbursement for round-trip travel from the witness' residence to the place of court at the rate allowed for state employees.

(c) Expert witnesses. A witness called to testify as an expert shall receive additional compensation to be fixed by the judge with reference to the value of the time employed and the degree of learning or skill required; but such additional compensation shall not exceed \$25.00 per hour while so employed and testifying, except as otherwise provided in these rules. No more than 3 expert witnesses shall be allowed to testify on each side as to the same issue in any given case, unless the judge

trying the case, in his discretion, permits an additional number of witnesses to testify as experts.

(d) Payment. Witness fees, travel expense and per diem shall be paid from the appropriation to the judiciary only for witnesses called or appointed by the court or in coroners' cases. In all other cases, these fees and expenses shall be paid by the parties, and in civil cases, shall be taxed and collected as other costs.

(e) Demand of Payment in Advance in Civil Cases.

Witnesses in civil cases, except when subpoenaed by the state or an officer or agency of the state, may demand the payment in advance of their travel expense and their per diem fee for one day, and when so demanded shall not be compelled to attend until the allowances are paid.

(f) Parties and Attorneys as Witnesses. A party to the action or hearing, if a witness, is entitled to receive the same witness fees, per diem and travel expense as any other witness. A person appearing as an attorney for any party to an action or hearing, who also testifies as a witness therein, is not entitled to receive any witness fee, per diem or travel expenses.

COMMENTARY

Rule 7. Witness Fees.

Witness fees were previously governed by Rule 9, which has been renumbered as Rule 7.

The title of former Rule 9 was unnecessarily detailed and has been amended simply to read "Witness Fees."

The primary amendment in paragraph (a) is to increase the witness fee to a more realistic amount. This fee has not been amended since 1968. \$25.00 was chosen as the basic full day rate, as the Federal District Court for Alaska now pays witnesses at the rate of \$24.00 per day. Per diem allowance has been raised from \$21.00 per day to an amount equal to the applicable rate for state employees. (This has been the "subsistence" rate for jurors for some time).

Paragraph (b) has similarly been amended to provide travel expenses for witnesses equal to the travel allowance for state employees.

Paragraph (d) of the former rule has been deleted. Those provisions related only to civil cases and the taxing of costs following trial, and will be included in amendments to Civil Rule 79, with appropriate technical amendments as may be necessary.

New paragraph (d) amends existing paragraph (e) first by rearranging the sentence structure somewhat and second by deleting the reference to the attorney general's appropriation. This former subparagraph, when literally read, would appear to

require the attorney general to pay witness fees for witnesses called by the defendant in a criminal case. Such a reading was not considered consistent with sound public policy. Finally, this paragraph has been amended to make it clear that witness fees will also be paid by the judiciary when the court has called or appointed the witness.

The remaining paragraphs of the rule have been redrafted only to improve the clarity and intent of the rule.

RULE 8. PHYSICIANS' FEES.

Physicians shall be allowed a fee not to exceed \$60.00 per hour for performing the following services:

(a) An examination under order of court pursuant to AS 47.30.070, an autopsy or post mortem examination under order of the coroner pursuant to AS 12.65.020, or such other examination as may be ordered by the court upon its own motion;

(b) Giving medical expert testimony at a hearing when ordered by the court in relation to such examination.

Fees for such services shall be paid from funds appropriated to the judiciary. Claims for compensation shall be submitted for approval to the judicial officer ordering the examination or testimony, subject to final approval by the administrative director. In all other cases, physicians' fees shall be paid by the requesting party or parties.

The administrative director may authorize a fee under (a) of this rule to be computed other than on an hourly basis, provided that such computation results in a fee that is substantially the same as if computed hourly.

COMMENTARY

Rule 8. Physicians' Fees.

This rule embodies the provisions of former Rule 10. In addition, the hourly fee has been increased to \$60.00 as recommended by the Manager of Fiscal Operations.

RULE 9. FEE SCHEDULE

The fees specified in this rule shall be charged for the services designated herein:

(a). IN THE SUPREME COURT:

(1) Filing Fees:

- (i) Upon filing a written notice of appeal or cross-appeal (Appellate Rule 7(b) and Appellate Rule 19) . . . \$50.00
- (ii) Upon filing a petition for review or cross-petition for review (Appellate Rule 24(b)). 50.00
- (iii) Upon filing original proceedings (Appellate Rule 25). 50.00

(2) Miscellaneous Fees:

- (i) For preparation of case record for review by the Supreme Court of the United States. 50.00
- (ii) For copies of records on file with the Supreme Court, whether or not certified:
 - First page or fraction thereof 1.00
 - Each additional page or any fraction thereof25
- (iii) For copies of court opinions, per opinion. 1.00
- (iv) For annual subscription to court

opinions 100.00

(b). FILING FEES -- SUPERIOR COURT:

- (1) Upon filing any civil case, including
a petition for deposition before action . . . 50.00
- (2) For probate matters:
 - (i) Initial filing fee 50.00
 - (ii) For depositing a will with the
court for safe keeping 10.00
 - (iii) For registration of a trust document . 10.00
 - (iv) Upon filing a petition for court
approval of a minor's settlement, when
it involves opening a new file 30.00
- (3) Upon filing of an adoption proceeding,
without regard to the number of minors
involved. 30.00
- (4) Upon filing any guardianship, conservator-
ship or other protective proceedings to
include all services in the first year. . . . 30.00
- (5) Upon filing annual guardianship reports
in each succeeding year 10.00
- (6) Upon filing an appeal or petition for
review from district court, except in
forma pauperis cases. 15.00
- (7) Upon filing an action to enjoin or enforce
orders of the Alaska Workmen's Compensa-
tion Board. 50.00

- (8) Upon filing an action for review of a decision by the Department of Labor under AS 23.20 (Employment Security Act), except as exempted by AS 23.20.460 50.00
- (9) Upon filing an appeal or petition for review from an administrative order (AS 44.62.560). 50.00
- (10) In cases arising under the Uniform Reciprocal Enforcement of Support Act, all ordinary fees shall be charged, subject to the waiver provisions of Supreme Court Order No. 19.

(c). FILING FEES -- DISTRICT COURT:

- (1) Filing fees, District Court jurisdiction 25.00
- (2) Filing fees, Small Claims actions. 5.00
- (3) Filing fees where magistrates accept for filing civil cases beyond their jurisdiction, but within the jurisdiction of the District Court (Rule 30(a) Administrative Rules). 25.00

(d). TRANSCRIPT AND RELATED FEES:

- (1) For preparation of any transcript of proceedings, whether or not an appeal is taken:
 - (i) Original, per page or fraction thereof 2.00

(ii)	Each additional copy, per page or fraction thereof.75
(2)	For any transcript during trial or other- wise for which immediate priority in preparation is requested:	
(i)	Original, per page or fraction thereof	3.00
(ii)	Each additional copy, per page or fraction thereof.	1.00
(3)	For recording depositions with court recording equipment, per each 1/2 hour, or fraction thereof	5.00
(4)	Cassette transcripts, each 90 minute tape. .	5.00
(e).	<u>MISCELLANEOUS FEES:</u>	
(1)	For certifying or conforming a copy of any document of record, where copy is furnished.	1.00
(2)	For copying any document, (except vital statistics records) by photocopy process or other means, whether or not certifying is required:	
(i)	First page or fraction thereof.	1.00
(ii)	Each additional page or fraction thereof25
	(When more than one copy of a document is requested, the "first page" fee applies	

only to the first copy; the "each additional page" fee applies to all pages of the additional copies. A "page" means one side of a sheet.)

- (3) For photocopying or otherwise preparing and certifying a copy of a vital statistics record (birth, death, marriage certificates):
 - 1. Each document 3.00
 - 2. For each additional copy of the document requested at the same time 1.00
- (4) For issuing a certificate of office to a notary public. 5.00
- (5) For issuing exemplifications 5.00
- (6) For filing or recording certificates of license to practice in learned professions. 5.00
- (7) For notary public services:
 - (i) For certifying and taking an affidavit and affixing the court seal 3.00
 - (ii) For taking acknowledgment of any instrument in writing 3.00

(This fee shall not apply to acknowledgments of documents that are to be filed in a pending action.)
- (8) For filing articles of incorporation

as required by law	10.00
(9) For filing oaths of office as required by law	2.00
(10) For providing in writing requested informa- tion from search of records, per page or fraction thereof	2.00
(11) For service of process:	
(i) By certified mail (not including postage).	2.00
(ii) By registered mail (not including postage).	3.00
(iii) By certified mail in small claims actions (including postage)	3.00
<u>(Except in small claims actions, necessary postage, an addressed envelope for mailing, and completed postal forms for the delivery receipt and the record of mailing must be supplied by the party requesting service by mail.)</u>	
(12) For issuing marriage license	6.00
(13) For performing marriage ceremony	10.00

(f). GENERAL PROVISIONS:

(1) No filing, certifying, or copying fee shall be charged to any agency of the State of Alaska or to a person determined to be indigent under Rule 10.

- (2) Notarization required in an action by a person represented in such action by an attorney furnished to him by an organization authorized to provide legal services to indigents are exempted from notary public fees provided under this schedule.
- (3) Before accepting any civil action or proceeding for filing, a filing fee in the amount prescribed in this rule shall be collected. Further or additional fees or charges shall be made by the clerk or magistrate with respect to such action or proceeding only for additional services as specified in this rule.
- (4) The fee received by a marriage commissioner for issuance of a marriage license shall be remitted to the appropriate recording magistrate or judicial employee. The fee for performance of a marriage ceremony shall be retained by the marriage commissioner as compensation for that service. A judicial officer or employee acting as marriage commissioner shall deposit such fee in accordance with Rule 5(b).

COMMENTARY

Rule 9. Fee Schedule.

Recently the Supreme Court rescinded existing Rule 11 and substituted the actual fee schedule as Rule 11. This rule is renumbered here as Rule 9. Paragraph (f)(1) has been amended to add a reference to indigent persons as exempt from filing fees. Paragraph (f)(4) is new, and incorporates all of the provisions of former Rule 55. Finally, the \$3.00 fee for filing a marriage certificate has been deleted and the \$3.00 added to the fee for issuing the marriage license. The practice has developed to collect the \$3.00 fee for filing the certificate at the same time the \$3.00 fee is collected for issuing the license in order to reduce the number of accounting transactions. This change has been recommended by the Accounting Office.

RULE 10. EXEMPTION FROM PAYMENT OF FEES -- DETERMINATION OF
INDIGENCY.

(a) The determination of a person's indigency for purposes of exemption from payment of fees under Rule 9 shall be made by the court in which the action is filed as soon as practicable after the date the action is filed, but in no event more than 60 days after that date.

(b) A person represented by an attorney furnished to him by an organization authorized to provide legal services to indigents, or any other person who requests an exemption of fees, shall file an indigency statement on a form prescribed by the administrative director of courts. In the case of a person represented by an attorney furnished to him by an organization authorized to provide legal service to indigents, that organization shall also file, when appropriate, attorney rejection letters with the court.

(c) If a person files the documents required by section (b) of this rule, the clerk or magistrate shall accept the action for filing without payment of the filing fee.

(d) If the court finds that the person is not indigent, it shall order the person to pay the filing fee. The court may continue the action until such payment is made. If payment is not made within 30 days after notice of the order, the court may dismiss the action.

COMMENTARY

Rule 10. Exemptions From Payment of Fees -- Determination of Indigency.

This rule outlines the separate steps in the determination of indigency for purposes of fee exemptions. This matter was formerly governed by Rule 13.

Paragraph (a) requires that the determination be made "by the court". This means that the determination will not be made by the clerk at the time of filing. Under former Rule 13 it was not clear when or by whom the determination was made. The new rule specifies that this determination is to be made as soon as practicable but imposes a 60 day maximum time limit.

Paragraph (b) incorporates verbatim the text of former Rule 13(b). This section sets forth the showing which must be made by the person claiming the exemption.

Paragraph (c) is new. It authorizes the clerk or other appropriate official to accept the action for filing, although the filing fee has not been paid, once the statement of indigency and supporting documents have been filed. This rule thus places no responsibility on the clerk to examine the merits of that statement.

Paragraph (d) pertains to those cases in which a statement of indigency is filed with the clerk but the judge later determines that the person is not indigent. Under the new rule the judge has discretion to continue the case pending payment or to dismiss the case if payment is not made within 30 days.

RULE 11. FEES -- SERVICE OF CIVIL PROCESS.

(a) The following schedule establishes the maximum fee applicable for the services designated. The Commissioner of Public Safety shall establish fees for the services described herein performed by a member of the Alaska State Troopers. Other persons authorized by rule, statute, or order to perform such services may establish and charge such fees as are reasonable. In no event, however, shall the fee charged for any of the designated services by a member of the Alaska State Troopers or any other person exceed the fee as set forth below:

1. Service of Process

- (a) For service of any summons or subpoena - each person on whom service is made.....\$17.50
- (b) For service of any warrant, attachment, notice of execution following default judgment, execution or other writ - each person on whom service is made.....\$20.00
- (c) For each hour in excess of two actually and necessarily spent to obtain service under (a) or (b) above.....\$10.00

2. Sales of Property Pursuant to Final Process

For advertising and disposing of property by sale, set-off, or otherwise, according to law, pursuant to a writ of possession, partition, execution, or any final process and for receiving and paying over money on account of property sold - on any sum not exceeding \$500.00.....7 percent

And on any excess over five hundred dollars and not exceeding ten thousand dollars.....4 percent
 And on any excess over ten thousand dollars and not exceeding fifty thousand dollars.....2 1/2 percent
 And on any excess over fifty thousand dollars1 1/4 percent

PROVIDED, that when the officer disposes of property by sale, set-off, or otherwise, according to law, but does not receive and pay over money on account of such sale, he shall receive one-half of the commission allowed in this subdivision.

3. Deeds

For executing a deed prepared by a party or his attorney.....\$10.00

4. Copies

For copies of writs or papers furnished at the request of any party:

 First page or fraction thereof.....\$ 1.00

 Each additional page or fraction thereof.. .25

5. Inventories

For making inventory of unclaimed property, for each hour actually and necessarily spent.....\$10.00

6. Keeping Personal Property

For keeping of personal property attached on mesne process, such compensation as the court, on petition setting forth the facts under oath, may allow.

7. Mileage

For mileage actually and necessarily travelled in going to serve, and in returning to the place of service, of any process described in Paragraph (1), above, whether or not service was obtained, for the first 25 total miles of any portion thereof.....\$2.50

And for each mile in excess of 25 actually and necessarily traveled..... .20

8. No fee shall be charged under this schedule for any service rendered to the State or any agency or department thereof.

(b) Within the boundaries of the Municipality of Anchorage, of the Fairbanks North Star Borough, and of other municipalities as may be designated by the administrative director, all service of civil process and duties ancillary thereto under the Rules of Civil Procedure and applicable statutes shall be performed by private process servers appointed under Civil Rule 4(c)(3); PROVIDED, that a member of the Alaska State Troopers or other peace officer may render assistance to a process server as provided in Civil Rule 4(c)(3). In this paragraph, "civil process" includes any summons, subpoena, attachment, notice of execution following default judgment, execution, or other writ in a civil action, but does not include any process, civil or criminal, served on behalf of the State of any department or agency thereof.

COMMENTARY

Rule 11. Fees -- Service of Civil Process.

The fees for service of civil process previously contained in the various amendments to Supreme Court Order 16 have been included here as Rule 11.

The provisions of Supreme Court Orders 248 and 272 have also been added in paragraph (b). This requires the use of private process servers in Anchorage and Fairbanks. In addition, the Administrative Director has been given authority to designate other municipalities to be governed by paragraph (b).

RULE 12. APPOINTMENT AND COMPENSATION OF COURT APPOINTED
ATTORNEYS IN CRIMINAL CASES.

(a) The presiding judge shall designate the area court administrator and a clerk of court for each court location in his district to keep and make available to the court in each location a list of attorneys eligible to receive court appointments to represent indigent persons in criminal cases.

(b) The lists of eligible attorneys shall be compiled and provided to the courts by the Alaska Bar Association.

(c) The presiding judge may in his discretion order that all attorneys residing near a court location within his district be placed on the list of eligible attorneys if the presiding judge determines that the number of attorneys on the list is inadequate to provide equitable distribution of appointments among available attorneys.

(d) Appointments shall be made from the list on a rotating basis as far as is practical and possible, and the court may, in departing from a strict rotation basis, take into account the complexity of the case and the level of experience required by counsel.

(e) All claims for compensation shall be submitted on forms provided by the court within 30 days following the disposition of a case. Claims shall be submitted for approval to the assigned trial judge and shall be subject to final approval by the administrative director.

(f) Attorneys shall be compensated at the rate of \$40.00 per hour; PROVIDED, that total compensation for any case shall not exceed the following schedule:

- (1) Misdemeanor disposed of following a plea of guilty or nolo contendere, or by dismissal . . . \$ 250
- (2) Misdemeanor disposed of following trial. . . . \$ 500
- (3) Felony disposed of following a plea of guilty or nolo contendere, or by dismissal. . . . \$1,250
- (4) Felony disposed of following trial \$2,500
- (5) Probation or parole revocation proceeding or a proceeding under Criminal Rule 35(b)
 - (i) Misdemeanor. \$ 350
 - (ii) Felony \$1,000
- (6) Appeal, including combined sentence and merit appeals:
 - (i) From the district court. \$ 500
 - (ii) From the superior court. \$1,500
- (7) Sentence appeal:
 - (i) From the district court. \$ 250
 - (ii) From the superior court. \$ 750
- (8) Petition for review, including any additional or successive petitions in the same case:
 - (i) From the district court. \$ 350
 - (ii) From the superior court. \$1,000

Multiple counts or charges in an indictment or information are to be considered as a single case for purposes of compensation under this rule, but in the discretion of the presiding judge, they may be treated as separate cases if separate trials have been ordered under Criminal Rule 14. Additional compensation for proceedings not specifically listed in this schedule may not be awarded except under (h) of this rule.

(g) Extraordinary expenses will be reimbursed only if prior authority has been obtained from the assigned trial judge, from the presiding judge, or from the administrative director. The assigned trial judge may authorize extraordinary expenses up to a total amount not to exceed \$1,000.00, and the presiding judge may authorize an amount not to exceed an additional \$1,500.00. Extraordinary expenses exceeding \$2,500.00 may be authorized only in extremely complex cases by the administrative director upon the recommendation of the

presiding judge. In this paragraph, "extraordinary expenses" are limited to expenses for:

- (1) investigation;
- (2) expert witnesses; and
- (3) necessary travel and per diem by the defendant, appointed counsel, and witnesses. Travel and per diem may not exceed the rate authorized for state employees.

(h) If necessary to prevent manifest injustice, the administrative director may authorize payment of compensation or expenses in excess of the amounts allowed under this rule.

(i) The administrative director may enter into agreements to provide for the legal representation of indigent defendants in criminal cases if he determines that the best interests of the Court System would be thereby served. The provisions of an agreement entered into under this paragraph supersede the other provisions of this rule.

COMMENTARY

Rule 12. Appointment and Compensation of Court Appointed
Attorneys in Criminal Cases.

Former Rule 15 has been renumbered as Rule 12. Technical amendments in paragraphs (a) (c) and (i) have been made. Additionally, paragraph (d) has been amended to make it clear that strictly rotating appointments from the appointed counsel list need not be followed if a complex case requires a more experienced attorney than the one whose name is next on the list.

RULE 13. COMPENSATION OF ATTORNEYS AND GUARDIANS AD LITEM
IN CHILDREN'S CASES.

(a) Attorneys appointed by the court to represent persons under the Rules of Children's Procedure or pursuant to statute, shall be compensated at the rate of \$40.00 per hour. The maximum compensation for any one case shall not exceed \$1,500.00 unless excess compensation is approved by the presiding judge of the judicial district and authorized by the administrative director.

(b) Guardians ad litem appointed by the court under the Rules of Children's Procedure or pursuant to statute, shall be compensated as follows:

(1) An attorney appointed as guardian ad litem shall receive \$40.00 per hour; PROVIDED, that if the attorney has been appointed to act as both counsel and as guardian ad litem, he shall be compensated only as an attorney.

(2) A person other than an attorney appointed as guardian ad litem shall receive compensation if the court deems it appropriate, not to exceed \$25.00 per hour.

(c) Claims for compensation shall be submitted, on forms provided by the court, within 30 days following disposition of the case. Claims shall be submitted for approval to the judge assigned to hear the case, and shall be subject to final approval by the administrative director.

(d) If the assigned judge determines that the party or parties having legal responsibility for the support of a child for whom an attorney or guardian ad litem has been appointed are

able, without undue financial hardship, to pay the costs of such services, the judge shall:

(1) Order that all or an equitable portion of the costs be paid by such party or parties directly to the person providing the services; or

(2) Assess as costs to such party or parties all or an equitable portion of the cost to the state of providing such services.

(e) The assigned judge may award compensation at a higher rate than provided in this rule in unusually complex or protracted cases. The rates of compensation may be modified by the administrative director as necessary to meet budgetary needs.

(f) Reimbursement for costs and expenses incurred shall not exceed \$250.00 unless prior authorization has been obtained from the assigned trial judge or the presiding judge.

COMMENTARY

Rule 13. Compensation of Attorneys and Guardians Ad Litem in Children's Cases.

Former Rule 15.1, relating to compensation of attorneys and guardians ad litem in children's cases, has been renumbered as Rule 13. A provision has been added limiting reimbursement for costs and expenses to \$250.00 unless prior authorization has been obtained from the assigned trial judge or the presiding judge. Another change is to provide a maximum level of compensation of \$1,500.00 that may be paid in any one case unless excess compensation is approved by the presiding judge of the judicial district and authorized by the administrative director.

RULE 14. JURORS' AND GRAND JURORS' FEES.

(a) Petit jurors summoned, who qualify for service on the venire, shall be paid at the rate of \$20.00 per day for every full day spent as a member of the venire and \$10.00 for a half day or less spent as a member of the venire, except that petit jurors who without inconvenience are able to return to their homes each evening shall receive such payment only for the days actually required to report to the court or while serving as a member of a panel.

(b) Jurors summoned from places more than 30 miles distant from the place of court shall receive reimbursement for round-trip travel from the juror's residence to the place of court for the total distance actually and necessarily traveled at the rate per mile allowed to state employees. If air transportation is used, the actual cost of such transportation shall be paid in lieu of mileage.

(c) If it is impracticable for a juror to return to his home each evening, subsistence at the per diem rate allowed to state employees shall be allowed for each day of his term of service on the venire.

(d) If a jury is convened in a remote area, and if food or lodging is provided by the court, the administrative director may provide for direct payment of the cost of food and lodging in lieu of payment of a subsistence allowance to the jurors. The administrative director shall determine which method of payment is to be utilized.

(e) The provisions of this rule govern the payment of fees, travel and subsistence to grand jurors.

(f) All payments under the provisions of this rule shall be made from the appropriation to the state judiciary.

(g) The administrative director may authorize different payment schedules when circumstances dictate.

COMMENTARY

Rule 14. Jurors' and Grand Jurors' Fees.

This rule corresponds to former Rule 17.

Paragraph (g) has been added to permit the administrative director to authorize different payment schedules as may be appropriate. This is intended to permit the director, for example, to provide for a \$3.00 per day fee in courts where "one-day-one-trial" has been instituted. This formerly required a supreme court order.

The other paragraphs contain only technical amendments.

RULE 15. JURORS - PREDETERMINATION OF QUALIFICATIONS - SERVICE
OF SUMMONS - SELECTION OF JURY PANEL - PERIODS OF JURY
SERVICE.

(a) Jury panels shall be chosen by random computer selection performed under the supervision of the administrative director. The administrative director may authorize random selection other than by computer when circumstances warrant.

(b) The administrative director shall be responsible for mailing a questionnaire to all prospective jurors to determine if they are qualified to serve and if there are valid grounds to be excused from service. The response shall be mailed back to the court for which the juror will serve. If a prospective juror's response to the questionnaire indicates that he or she is not qualified for service, or in the opinion of the judge or magistrate the prospective juror has stated grounds sufficient to be excused, no summons shall be issued or, if already issued, the summons shall be quashed.

(c) If a juror appears in court after having responded to the questionnaire and is then found to be disqualified or is excused at his or her request, the juror may be denied reimbursement for travel expense incurred and subsistence, in the discretion of the judge or magistrate.

(d) Clerks and magistrates shall send a periodic listing of persons permanently disqualified for jury service to the administrative director. This listing shall be used to update the master venire list to ensure that these persons are not again selected for jury service.

(e) Summons of persons for jury duty may be served by regular mail.

(f) Except as otherwise provided by the administrative director, citizens selected for petit jury service in cities with population in excess of 5,000 may not be required to serve for more than 30 consecutive days with actual court attendance not to exceed 15 full calendar days during this period. In cities with a population less than 5,000 but greater than 2,500, jury service shall be for 90 consecutive days with actual court attendance not to exceed 15 full calendar days. In communities with a population less than 2,500, jury service may be for one year but in no event shall actual court attendance exceed 15 full calendar days. A juror who commences sitting in a trial within the 15 day, 30 day, 90 day or one year period shall continue to serve in that matter until discharged by the trial judge.

COMMENTARY

Rule 15. Jurors -- Predetermination of Qualifications --
Service of Summons -- Selection of Jury Panel --
Periods of Jury Service.

Rule 15 incorporates and updates the provisions of former Rule 20 by establishing computer random selection as the primary method rather than an alternative method of selection. The provisions of former Rule 20 have been reorganized and redrafted slightly to reflect the existing centralization of juror selection operations.

A new paragraph (f) is added to this rule, containing revisions to the provisions of the last portion of former Rule 17(a). The administrative director has been given the authority to alter the maximum periods of time allowed for jury service. Additionally, the maximum number of days of actual court attendance by jurors has been reduced to 15 days and made applicable to service in any city in the state, regardless of population.

RULE 16. JUDICIAL HOLIDAYS -- TRANSACTION OF BUSINESS.

(a) Judicial Holidays. Subject to the provisions of AS 22.10.050 and AS 22.15.090, no court shall be open for the transaction of business on any judicial holiday as defined herein unless ordered by the presiding judge for good cause shown.

Judicial holidays are:

- (1) Every Sunday;
- (2) The first of January, known as New Year's Day;
- (3) The 12th of February, known as Lincoln's Birthday;
- (4) The third Monday in February, known as Washington's Birthday;
- (5) The last Monday of March, known as Seward's Day;
- (6) The last Monday in May, known as Memorial Day;
- (7) The fourth of July, known as Independence Day;
- (8) The first Monday in September, known as Labor Day;
- (9) The 18th of October, known as Alaska Day;
- (10) The 11th of November, known as Veteran's Day;
- (11) The fourth Thursday in November, known as Thanksgiving Day;
- (12) The 25th of December, known as Christmas Day;
- (13) Every day designated by public proclamation by the President of the United States or the

Governor of the state as a legal holiday.

If any day specified or provided for as a holiday in this rule falls on a day appointed for the holding or sitting of a court, or to which it is adjourned, it shall be deemed appointed for or adjourned to the next day not a judicial holiday.

(c) Holidays Falling on Sunday or Saturday. If any holiday designated in Rule 16(a) 2 through 12 falls upon a Sunday, the Monday following is a holiday and if it falls on a Saturday, the Friday preceding is a holiday.

(d) Special or Limited Holidays. On any special or limited holiday, all courts shall be open and function in their normal and usual manner. A special or limited holiday is a holiday applying only to a special class or classes of business, or a special class or classes of persons, and not appointed to be generally observed throughout the state by all classes of business and all classes of persons.

COMMENTARY

Rule 16. Judicial Holidays -- Transaction of Business.

This rule incorporates the provisions of former Rule 23.

RULE 17. SESSIONS OF THE SUPREME COURT -- HEADQUARTERS AND OFFICES.

(a) Sessions of the Supreme Court. Sessions of the supreme court shall be held at such locations and times as may be designated by the chief justice, after consultation with the supreme court.

(b) Headquarters -- Offices. The headquarters of the supreme court shall be at Juneau, Alaska. The chief justice or an associate justice may maintain his office at a place other than the court headquarters as designated by order of the court or of the chief justice.

(c) When Clerk's Office Is Open. The clerk's office with the clerk or a deputy in attendance shall be open during business hours from 8:00 a.m. until 4:30 p.m. on all days except judicial holidays and Saturdays.

COMMENTARY.

Rule 17. Sessions of the Supreme Court -- Headquarters and
Offices.

Rule 17 combines the provisions of former Rule 18, dealing with terms and sessions of the supreme court, and the provisions of former Rule 27, dealing with the chief clerk of the supreme court.

Paragraph (a) now provides that sessions of the court shall be held at times and places designated by the chief justice in consultation with the supreme court. This is to reflect actual practice.

Paragraph (c) is taken from paragraph (c) of former Rule 27. The only change to that paragraph is to make clear the hours during which the office must be open.

RULE 18. SUPERIOR AND DISTRICT COURTS -- TIME AND PLACE OF SITTING.

(a) Superior and District Courts -- When Open for Business. The superior and district courts shall be open for the transaction of business during business hours from 8:00 a.m. until 4:30 p.m. on all days except judicial holidays and Saturdays; PROVIDED, however, that the courts may at any time extend these hours as circumstances may require or as may be ordered by the presiding judge.

(b) Magistrates -- Time of Sitting -- Office Hours. Magistrates shall sit in the conduct of trials and hearings as the business of their courts and the status of their calendars require. Offices of magistrates in salary levels III, as specified by supreme court order, shall be open to the public for the transaction of business during business hours from 8:00 a.m. until 4:30 p.m. on all days except judicial holidays and Saturdays. Offices of magistrates in salary levels I and II shall be open to the public for the transaction of business as prescribed by the presiding judge. In addition, magistrates shall be available at all times (1) to issue warrants of arrest, search warrants, and summonses in criminal cases; (2) to set bail; (3) as may be necessary to conduct proceedings required under Criminal Rule 5, District Court Criminal Rule 1 and Children's Rule 2; and (4) to perform coroner's duties. During such times as a district or superior court judge may be holding court in the same community, the magistrate may be required to act as clerk of the district court.

COMMENTARY

Rule 18. Sessions of the Superior and District Courts.

Rule 18 is taken from former Rule 32 which applied only to the district court.

Paragraph (a) of former Rule 32 has been deleted as it was merely descriptive; it did not require or proscribe any actions nor did it provide any guidance.

Paragraph (a) is taken from former Rule 32(b) and has been slightly amended to be more in line with existing practice; that is, the amendment does not require trial courts to be "always" open for business. The new rule requires that the trial courts maintain office hours from 8:00 to 4:30, and permits the courts to conduct business and exercise any judicial power at any other time as may be required. Finally, the application of this paragraph has been extended to apply to the superior court as well as the district court.

Paragraph (b) is taken from former Rule 32(d), with technical amendments to reflect changes in Rule 20. It distinguishes between magistrates whose volume of business requires the maintenance of office hours from 8:00 a.m. to 4:30 p.m. and the magistrates whose volume of business is not sufficient to warrant keeping those hours every working day. All magistrates, however, are required at all times to be available to perform various "emergency" duties.

Former paragraph (c) of former Rule 32 has been deleted in its entirety. As a practical matter, trial court judges do (or should) conduct trials and hearings between 8:00 a.m. and 4:30 p.m., and sometimes beyond that if necessary.

RULE 19. NUMBER AND LOCATION OF DISTRICT JUDGES AND
MAGISTRATES.

(a) District Judges. The district court in each judicial district shall have the number of judges as set forth below:

First Judicial District -- 3
Second Judicial District -- 1
Third Judicial District -- 9
Fourth Judicial District -- 5

The number of district judges may be changed from time to time by the supreme court as circumstances require.

(b) Magistrates. Each judicial district shall have no more than the number of magistrates set forth below:

First Judicial District -- 12
Second Judicial District -- 18
Third Judicial District -- 18
Fourth Judicial District -- 16

The number and location of magistrates may be changed from time to time by the supreme court as circumstances require.

COMMENTARY

Rule 19. Number and location of District Judges and
Magistrates.

Former Rule 31 has been renumbered as Rule 19.

RULE 20. MAGISTRATE SALARIES.

(a) Magistrate salaries shall be established by supreme court order.

(b) When any magistrate position becomes vacant, the salary for that position shall be reevaluated. The administrative director may provide for a salary higher than that provided by supreme court order for that position for an appointee whom he determines possesses extraordinary qualifications or when he determines other special circumstances exist justifying a departure from the salary provided herein for that position. The administrative director shall keep a written record of the reasons for such action.

(c) The administrative director shall conduct a periodic review of magistrate salaries.

COMMENTARY

Rule 20. Magistrate Salaries

Salaries for magistrate positions have traditionally been set by supreme court order and have not appeared in the Rules of Court. Although it has been suggested that orders of this kind be included in the Administrative Rules, it was determined, due to the large number of magistrates, the variety of salary levels, and the relative frequency with which these change, that the salary schedule not be included in the rule.

In addition to minor technical amendments, the rule has an added provision allowing the administrative director to depart from the salary schedule when the appointee possesses "extraordinary qualifications." A paragraph also has been included which requires a periodic review of magistrate salaries.

RULE 21. CONDUCT OF PROCEEDINGS.

(a) Proceedings on the Record and in Open Court. So far as practicable, all judicial business involving the trial of causes and conferences with members of the Bar or litigants shall be on the record and transacted in open court.

(b) Judicial Robes. All justices of the supreme court, all judges of the superior court, all district court judges, and all magistrates, while presiding in a public session of court, shall wear a suitable black judicial robe.

COMMENTARY

Rule 21. Conduct of Proceedings.

Former Rules 25 and 46 have been combined into a single rule and renumbered as Rule 21. The provisions of former Rule 46, dealing with judicial robes, have been amended to include magistrates. The former language appeared to be somewhat confusing, since justices and judges do not sit as "magistrates."

RULE 22. PLACES FOR HOLDING COURT IN TIME OF WAR,
INSURRECTION, PESTILENCE, OR OTHER PUBLIC DANGER.

When it appears necessary because of actual or threatened war, insurrection, pestilence, or other public calamity, or because of actual or threatened destruction of, or danger to the building or the occupants of the building appointed for holding court in any judicial district, the presiding judge of the district may by order direct that the court be held or continued at any other place or facility in the judicial district. The order shall be filed with the clerk of the supreme court and a copy provided to the administrative director. The order shall be published as the presiding judge prescribes.

COMMENTARY

Rule 22. Places for Holding Court in Time of War,
Insurrection, Pestilence, or Other Public Danger.

Former Rule 23 has been renumbered as Rule 22. It has been rewritten to include danger to occupants of a court facility among the reasons for changing the regular place for holding court. The last sentence of the former rule has been deleted, since the power to revoke an order of the kind described in this rule is implied in the power to issue one. Other changes in the rule reflect technical drafting preferences.

RULE 23. APPOINTMENT OF RETIRED JUSTICES OR JUDGES PRO TEMPORE
-- COMPENSATION -- EXPENSES.

(a) Appointment Pro Tempore. The chief justice may by special assignment appoint a retired justice or a retired judge of the superior court to sit pro tempore as a senior justice or judge in any court of this state, and a retired judge of the district court to sit as a judge of the district court pro tempore where such assignment is deemed necessary for the efficient administration of justice.

(b) Compensation. The retired justice or judge is entitled to receive compensation for judicial service pro tempore in an amount equal to the salary of a justice or a judge of the court to which he was assigned pro tempore for the period of such service diminished by the amount of retirement pay received by him for such period.

(c) Additional Service Credit. A retired justice or judge who has not accrued the maximum service credit for retirement benefits under AS 22.25.020 is entitled to receive additional service credit for each day of pro tempore service until the maximum is reached.

COMMENTARY

Rule 23. Appointment of Retired Justices or Judges Pro
Tempore -- Compensation -- Expenses.

Former Rule 24 is renumbered as Rule 23. Paragraphs (a) and (b) have been deleted as these matters are adequately dealt with in new Rule 18. Paragraph (e) has also been deleted as this is adequately covered in new Rule 25. A technical change is included in paragraph (b), and a new reference to "senior justice or judge" has been added. Additionally, a new paragraph (c) has been added to provide clear authority for retired justices and judges to accrue additional service credit toward retirement benefits for pro tem service if the justice or judge does not already receive maximum benefits.

RULE 24. ASSIGNMENT OF JUDICIAL OFFICERS.

(a) Assignments Within Judicial Districts. Assignment of a judicial officer from the court location of his or her residence to locations within the same judicial district shall be made by the presiding judge of the judicial district or by his designee. In making such assignments, due regard shall be had of the status of accumulated calendars of the courts in the district to the end that judicial officers are assigned to such courts as needed in order to keep the calendars current.

(b) Temporary Assignments in Other Judicial Districts.

(1) When the volume of judicial business in the superior or district court in any judicial district warrants the temporary assignment thereto of one or more judicial officers from another judicial district, the presiding judge in the judicial district requiring such temporary assignment shall so advise the administrative director, giving details as to the reasons for the assignment, the length of time and the location of the temporary assignment.

(2) The administrative director shall thereupon determine the availability of judicial officers in other judicial districts and make such assignments as may be necessary.

(c) Length of Assignment. A single temporary assignment of a judicial officer to another judicial district may not exceed 90 days, unless the judicial officer consents to the additional assignment. Assignments in excess of 90 days or any assignment made without the consent of the assigned judicial officer may be made only by special order of the chief justice.

(d) Recommendations. The administrative director and the presiding judge in each judicial district shall, after consideration of the state of the superior and district court dockets from time to time, submit joint recommendations to the supreme court as to methods of improving the administration of justice in such courts.

(e) In this rule, "judicial officer" means a superior court judge, district court judge, or magistrate.

(f) When a superior court judge hears a matter that is pending in the district court, that judge sits as a district court judge, and a specific assignment to the district court is not required.

COMMENTARY

Rule 24. Assignment of Judicial Officers.

Former Rule 33, dealing with the assignment of district judges and magistrates, has been renumbered Rule 24.

The rule has been amended to cover the assignment of all judicial officers within the same judicial district and assignment to other judicial districts. The changes are reflective of existing practice. Paragraph (f) has been added to "codify" and clarify the holding in Stephens v. Hammersley, 550 P.2d 1268 (Alaska 1976). See also, Commentary to Rule 1, relating to assignments of judges outside their districts of residence by the administrative director.

RULE 25. TRAVELING EXPENSES OF JUDICIAL OFFICERS AND
EMPLOYEES.

Each supreme court justice, superior court judge, district court judge and magistrate, and each employee of the Court System is entitled to receive travel expenses and per diem as provided by law for state employees; PROVIDED, that the travel has been approved by the appropriate administrative supervisor of the justice, judge, magistrate or employee.

COMMENTARY

Rule 25. Traveling Expenses of Judicial Officers and Employees.

Former Rule 28, providing for traveling expenses of superior court judges, has been renumbered as Rule 25. Additionally, it has been expanded to govern traveling expenses of all judicial officers and employees. This rule has been substantially redrafted. Specific provisions governing travel and per diem are adequately dealt with in statute and regulation and therefore have been deleted from the rule. A further provision has been added to ensure that only expenses for approved travel will be paid.

RULE 26. POWER OF COURT TO PROVIDE PROPER FACILITIES FOR
TRANSACTION OF BUSINESS IN COURT -- PAYMENT OF
EXPENSES.

If the state does not provide proper rooms in which to hold the court and for the accommodation of the officers of the court, together with attendants, furniture, fuel, lights, and stationery, suitable and sufficient for the transaction of business, the chief justice may direct the administrative director of courts to provide them. The expenses thereof, certified by the chief justice to be correct, shall be paid out of the state treasury.

COMMENTARY

Rule 26. Power of Court to Provide Proper Facilities for
Transaction of Business in Court -- Payment of
Expenses.

Former Rule 26 has been incorporated without change into
the new rules.

RULE 27. PRESIDING JUDGE.

(a) The chief justice shall designate one judge from each judicial district to be presiding judge of that district. A judge designated as presiding judge shall hold office as such for a term of one year and shall be eligible to succeed himself thereafter.

(b) In addition to regular judicial duties a presiding judge shall, within his or her judicial district:

- (i) supervise the assignment of cases pending to the judges;
- (ii) supervise the administrative actions of judges and court personnel;
- (iii) expedite and keep current the business of the courts;
- (iv) review and recommend budgets; and
- (v) review the operations of all trial courts to assure adherence to statewide court objectives and policies.

(c) A presiding judge may:

- (i) Assign judges and magistrates to locations within their district of residence as necessary to maintain balanced workloads or to expedite the business of those courts;
- (ii) Appoint a classified or partially exempt employee as acting magistrate to perform the duties of magistrate when the magistrate is unavailable;
- (iii) Perform any other duties and exercise any other powers as may be provided by law or by these rules.

COMMENTARY

Rule 27. Presiding Judge.

Former Rule 37 has been renumbered as Rule 27. A change has been made in the title to delete the reference to the superior court. Since the rule providing for presiding district court judges has been rescinded, the distinction in the title no longer was necessary.

Former paragraph (b) has been deleted. It permitted the presiding judge to assign superior court judges to hear children's and domestic relation cases. There was no reason to single out this type of case since the authority to assign all cases has been included in new paragraph (b).

The new paragraphs (b) and (c) are taken in part from AS 22.10.130 and in part from the 1974 Final Report of the Committee on Duties and Powers of Presiding Superior and District Court Judges. (This report was adopted officially in Supreme Court Order No. 183). One of the recommendations in the report (at Page 5) was that the Administrative Rules be amended to include a more detailed listing of the powers and duties of the presiding judges. The new paragraphs are intended to provide that detail.

Finally, specific authority has been included for the appointment of "acting" magistrates. These types of appointments have become fairly common, but formerly there was no authority for them in the statutes or rules.

RULE 28. JUDICIAL VACATIONS AND JUDICIAL LEAVE.

(a) Vacation Leave. Each supreme court justice and superior court judge shall be entitled to an annual vacation of not more than 30 working days. It shall be taken at such time or times as may be prescribed by the chief justice of the supreme court or the presiding judge of his or her judicial district. Vacation time not taken in any calendar year may be accumulated. However, no more than 15 working days' vacation time may be accumulated in any one year, and no judge may carry over more than 30 working days' unused vacation time in the aggregate. In addition, each supreme court justice and superior court judge shall be entitled to sick leave with respect to any period of illness necessitating absence from his or her judicial duties, which sick leave shall not be charged against his or her vacation time. Annual vacation leave accrues as of January 1 of each year except for the year during which a justice or judge is appointed or retires. During the year of appointment, resignation, or retirement, annual vacation leave accrues at the rate of 2.5 days per month of service. Annual vacation time accrued but not taken at the time of resignation or retirement is forfeited.

(b) District Judges and Magistrates. Each district court judge and each magistrate serving the state on a full-time basis shall be entitled to annual vacation in accordance with and limited by the provisions of AS 39.20.200-.330. Such vacation shall be taken at the time or times prescribed by the presiding judge of his or her judicial district. Each district court

judge and each full-time magistrate shall be allowed sick leave in accordance with and limited by the provisions of AS 39.20.200-.300. Each magistrate serving the state on less than a full-time basis shall be entitled to an annual vacation of not more than fifteen working days. It shall be taken at such time or times as may be prescribed by the presiding superior court judge of his or her judicial district. Vacation time not taken in any calendar year may not be accumulated. Each part-time magistrate shall be entitled to ten days' sick leave with respect to illness necessitating absence from his or her judicial duties, which sick leave shall not be charged against his or her vacation time. Sick leave time not taken in any calendar year may not be accumulated.

(c) Discretion of Supreme Court Chief Justice or Presiding Judge of a Judicial District. In determining whether a justice or judge shall take a vacation, and the length thereof, the chief justice of the supreme court or the presiding judge of a judicial district exercising authority under this rule shall be mindful of the necessity of retention of sufficient judicial manpower in the court or courts under his or her supervision to permit at all times the prompt and effective disposition of the business of such court or courts. Requests for judicial vacations and judicial leave of one week or more must be submitted for approval at least four months in advance.

(d) Administrative Leave. The chief justice of the supreme court may assign one or more justices, judges, or magistrates to attend conferences, seminars, or schools to further legal education or professional qualifications. Such

assignment shall be made in consultation with the justice, judge, or magistrate concerned and with the presiding judge for judges and magistrates. Travel expenses and per diem may be provided. Administrative leave authorized for such purpose shall not be counted as vacation leave. Nothing in this rule shall prevent a justice, judge, or magistrate not so assigned from attending conferences, seminars, or schools for this purpose at his or her own expense during his or her annual vacation. In addition, a justice, judge or magistrate not so assigned during a calendar year may receive administrative leave during that year not to exceed five working days to attend conferences, seminars or schools when authorized by the administrative director. The administrative director may authorize such administrative leave in excess of five working days upon a delegation of authority from the chief justice. Administrative leave may not be accrued.

COMMENTARY

Rule 28. Judicial Vacations and Judicial Leave.

Former Rule 48 has been renumbered as Rule 28. The changes in this rule are primarily technical. The only substantive changes are in paragraph (d) dealing with "administrative" leave. Since the chief justice may (and sometimes does) make attendance at certain judicial conferences mandatory, the former language "with the consent of" the judicial officer involved has been deleted and replaced with "in consultation with...." In addition, language has been added to reflect a policy approved by the Supreme Court to limit administrative leave for attending professional development conferences and seminars during any year when a justice, or superior or district court judge is not scheduled for the regular judicial education now assigned on a rotation basis.

RULE 29. TRIAL COURT CLERKS -- APPOINTMENT AND DUTIES.

(a) Appointment. Clerks of court and deputy clerks of court for the superior and district courts shall be employed and appointed in accordance with the personnel rules.

(b) Powers and Duties. A clerk or deputy clerk of court shall perform such duties as are or may be required by the presiding judge, by the rules of the supreme court, and by law. A clerk or deputy clerk of court shall issue all process and notices required to be issued except as otherwise provided by rule or statute and may (1) administer oaths; (2) take and certify proofs or acknowledgements of documents, affidavits, or depositions; and (3) exercise other powers as may be permitted by law or by the rules of the supreme court.

COMMENTARY

Rule 29. Trial Court Clerks -- Appointment and Duties.

Former Rule 30 governed only the appointment and duties of superior court clerks. Since the trial courts have been administratively consolidated, there was no reason to continue a distinction between superior court and district court clerks. Additionally, the duties listed in the former rule seemed to be unnecessarily detailed in many respects. The existing job descriptions for the various levels of court clerk seem to be working adequately to outline job duties. Further, duties may differ somewhat from location to location, depending on the size of the court and the volume of cases. It did, however, appear advisable to include in the rule specific authority to perform certain functions -- issuing process, administering oaths, and so forth -- so that the power to perform the functions would not be open to question. Some of these powers are currently listed in statute.

RULE 30. POWERS AND DUTIES OF MAGISTRATES IN CASES BEYOND
THEIR JURISDICTION.

(a) A magistrate may accept for filing a civil or criminal case beyond a magistrate's jurisdiction but within the jurisdiction of a district court judge. Such cases will be tried by a superior or district court judge on periodic visits to the area.

(b) A magistrate shall immediately notify the presiding judge in writing as soon as any case beyond magistrate jurisdiction becomes at issue. Such notification shall contain a brief description of the case, whether jury or non-jury, and an estimate of the length of time required for trial.

(c) If in the course of any preliminary proceedings connected with a case, or during the trial, or after judgment, a magistrate determines that he or she is for any reason unqualified to proceed further, he or she shall, without prejudicing the rights of the parties, postpone the proceedings and proceed under (a) and (b) of this rule as if the case were one beyond his or her jurisdiction.

COMMENTARY

Rule 30. Powers and Duties of Magistrates in Cases Beyond Their Jurisdiction.

Former Rule 40 has been renumbered as Rule 30. The changes in this rule are intended to clarify the applicable procedures and to reflect the existing practice of utilizing superior court as well as district court judges to handle district court cases in these circumstances. Additionally, some minor technical amendments have been adopted.

RULE 31. ADDITIONAL DUTIES OF JUDICIAL OFFICERS AND EMPLOYEES.

(a) Judicial officers and employees shall, without additional compensation, perform all functions and render all services for executive departments and agencies of the state, when required by law or prescribed by the administrative director.

(b) A district judge or magistrate may, with the approval of the presiding judge of the district and the chief justice, serve as a part-time United States Magistrate, when so designated by a United States District Judge for District of Alaska. A district judge or magistrate may retain any compensation paid to him or her by the United States for such services and shall submit to the administrative director such reports concerning this additional activity as may be required by him. When acting in the capacity of a United States Magistrate, the district judge or magistrate shall be governed in all respects by the United States law and instructions from federal officials or agencies.

(c) Where judicial officers and employees are employed collaterally as provided in this rule, they shall be held accountable by their superiors in the state judicial system for the efficient performance of such collateral duties.

COMMENTARY

Rule 31. District Judges and Magistrates -- Performing Functions for the State.

Rule 31 combines provisions of former Rule 53, Rule 42, and Rule 52. Paragraph (a) of the rule embodies the provisions of former Rule 53. The language of Rule 53 has been amended to reflect the statutory provisions regarding land recording and the handling of absentee ballots; that is, judicial officers and employees under these statutes may perform functions relating to these matters "with the approval of the administrative director."

Paragraph (b) makes it clear that district judges and magistrates may accept appointments as United States Magistrates. The provisions of former Rule 42 made this mandatory when so designated. It appeared preferable to permit a district judge or magistrate to accept or decline such appointments. It was also determined that such appointments should be subject to the approval of the presiding judge and the chief justice.

Paragraph (c) embodies the provisions of former Rule 52. It makes clear that when collateral duties have been taken on by judicial officers or employees, those duties are part of their overall work, and that they will be held accountable for the performance of such work in their capacity as judicial officers or employees.

RULE 32. DUTIES OF A MAGISTRATE IN LOCATION WHERE EITHER
A DISTRICT COURT JUDGE OR A SUPERIOR COURT JUDGE
REGULARLY PRESIDES.

In any judicial location where either a district court judge or a superior court judge, or both, regularly sit, a magistrate may not conduct any judicial proceedings except to hear bail matters, conduct arraignments in criminal proceedings, or act as a master. This general prohibition is not applicable when all judges at that location are actually presiding over other judicial proceedings, or are absent from duty because of vacation, sick leave, or temporary assignment to duty stations away from their permanent work location. Specific exception can be made by order of the chief justice.

COMMENTARY

Rule 32. Duties of a Magistrate in Location Where Either
a District Court Judge or a Superior Court Judge
Regularly Presides.

Former Rule 41.1 has been renumbered as Rule 32. The only
change is to allow exceptions to the rule by order of the chief
justice, rather than the entire supreme court.

RULE 33. MAGISTRATE TRAINING JUDGES.

The chief justice shall appoint one or more judges in each judicial district to be a training judge in that district. The training judge shall keep himself and the presiding judge of his district regularly informed as to the status of the calendars in the magistrate locations in the district assigned to him and shall visit these magistrate locations in the district as often as required by the presiding judge or the chief justice for the purpose of providing such training and assistance to the magistrates as may be necessary. The training judge shall make such examinations, inspections and reports on the functions performed by the magistrates as may be required by the presiding judge or the administrative director.

COMMENTARY

Rule 33. Magistrate Training Judges.

Former Rule 39 has been renumbered as Rule 33. In addition to technical amendments, this rule has been amended to delete reference to the "traveling district judge" and substitute the concept of training judges. This is reflective of the current practices of appointing training judges and of not designating a particular judge to be the "traveling" judge.

RULE 34. BONDING OF ALL JUSTICES, JUDGES, MAGISTRATES AND
JUDICIAL EMPLOYEES.

The administrative director shall insure that the blanket position bond covering all state employees also covers all justices, judges, magistrates and all employees of the state judicial system. Such bond shall protect the state as to the honesty and faithful performance of duty of all court system positions covered and shall extend coverage to protect the state from loss by reason of the illegal act of any person not an employee of the state judicial system.

COMMENTARY

Rule 34. Bonding of All Justices, Judges, Magistrates and
Judicial Employees.

Former Rule 50 has been renumbered as Rule 34. It has been amended to reflect the existing practice of the Department of Administration to include judicial officers and employees in the blanket position bond of the Executive Branch.

RULE 35. ELECTRONIC RECORDING EQUIPMENT -- OFFICIAL COURT
RECORD -- RESPONSIBILITY FOR RECORD.

(a) Electronic recording equipment shall be installed in all courts for the purpose of recording all proceedings required by rule or law to be recorded. Such electronic recordings shall constitute the official court record. It shall be the responsibility of each judge or magistrate to require that the electronic recording equipment in his court be operated only by qualified personnel in such manner and under such conditions as to insure the production of a readable record of all proceedings.

(b) Before commencing any proceedings required to be recorded the judge shall satisfy himself that the electronic recording equipment is functioning properly and during all proceedings shall require the clerk or deputy clerk to supervise the operation of and constantly monitor the input to the equipment and immediately notify him when the quality of the recording is doubtful. Where extraneous noises, interference, poor enunciation or other factors create doubt that the electronic record is sufficiently clear to permit full transcription, it shall be the responsibility of the judge to cause the doubtful proceeding to be repeated.

(c) The courtroom clerk or deputy clerk shall be responsible for maintaining a detailed, accurate and thoroughly legible written record of all proceedings recorded on each magnetic tape. The maintenance of such record shall be according to instructions of the administrative director of courts.

(d) The administrative director of courts shall issue specific instructions to court personnel regarding proper monitoring and transcription and providing for a uniform safe method of permanent preservation of magnetic tapes and logs.

(e) The administrative director may authorize the use of video tape equipment to record any trial where the recordation of such proceedings is feasible. The video tape will constitute the official court record.

COMMENTARY

Rule 35. Electronic Recording Equipment -- Official Court
Record -- Responsibility for Record.

Former Rule 47 has been renumbered as Rule 35. No changes
have been made in the text of the rule.

RULE 36. TRANSCRIPTS -- FEES -- PREPARATION.

(a) The administrative director shall prescribe procedures for the preparation of transcripts for appeal or other official purposes. Such transcripts shall be prepared only by an employee of the Alaska Court System or by a person authorized by the Court System under standards and procedures prescribed by the administrative director. Each transcript prepared under this rule must be certified and shall be certified only by the person who prepared it.

(b) When a transcript is to be prepared by a person other than a court employee, the court shall provide that person with a copy of the electronic recording of the proceedings to be transcribed, a copy of the log notes, and other information necessary for preparation of the transcript. No fee shall be collected by the court from the transcriber or the appellant for providing this material.

(c) A person other than a court employee who prepares a transcript shall be solely responsible under this rule for collection of the transcript fees.

COMMENTARY

Rule 36. Transcripts -- Preparation -- Fees.

Former Rule 49 has been renumbered as Rule 36. No substantive changes have been made.

RULE 37. RECORDS RETENTION.

(a) Each presiding judge shall, upon approval by the administrative director, destroy or provide for the destruction of all pleadings, papers, instruments, depositions and transcripts filed in any action or proceeding in the superior or district court if all of the following conditions exist:

(1) The action or proceeding is no longer pending, or on appeal in any court, and a period of two years has elapsed since the filing of any paper;

(2) There is maintained for the use of the public a microphotographic film print or copy of each pleading, paper, instrument, deposition or transcript so destroyed, together with a mechanical device by which such film may be conveniently examined;

(3) At least one original negative of each microphotographic film is stored in such a manner and place as will reasonably assure its preservation indefinitely against loss, theft, defacement, or destruction;

(4) The records have been reviewed under (b) of this rule and have been determined to have no historical or archival value; and

(5) At the time of the taking of the microphotographic reproduction, the person under whose supervision and control the same was taken has attached to or incorporated in the microphotographic reproduction a certification that the copy is a correct copy of the original or of a specified part thereof, as the case may be, the date or dates on which it was taken and the fact that it was taken under his direction and control.

(b) On or before January 15, of each year, each judicial officer shall, regarding the cases that were assigned to him and closed during the preceding calendar year, provide the administrative director with a list identifying and designating any original case documents or records contained in those cases which have present or potential historical or archival value. The administrative director shall provide for the microphotographing and safekeeping of all original case documents and records so identified.

(c) The administrative director shall prescribe the microphotographic processes and procedures to be used under (a) of this rule and the methods of destruction of records meeting the conditions of (a)(1) through (5) of this rule.

(d) The administrative director may adopt a schedule for the retention, destruction, and microphotographic reproduction of any records, papers, or documents maintained by the Alaska Court System for administrative purposes.

(e) A photographic reproduction of any of the records described in this rule, the negative or film of which has been certified by the person in charge of such reproduction as a correct copy of the original, shall be received in evidence in all courts in like manner as the original.

COMMENTARY

Rule 37. Records Retention.

Former Rule 59 has been renumbered as Rule 37. One change is in the text of the introductory language to paragraph (a). First, a technical amendment deleting the reference to presiding "superior court" judge has been adopted. Further, the amendments make it clear that only papers and documents filed in an action are governed by the records retention rule. In other words, depositions and transcripts that have merely been lodged with the court or placed in a file for purposes of convenience, and not actually file-stamped, need not be microfilmed or retained under this rule. This is consistent with the provisions of the civil rules permitting the court to return to the parties, after an action has been disposed of, such things as depositions and exhibits.

The only other technical change was to delete that portion of paragraph (b) in the former rule which required judicial officers to provide lists of cases heard by them and closed before January 1, 1976, which may have been of historical or archival value.

RULE 38. REPORTS TO BUREAU OF VITAL STATISTICS -- SUPERIOR
COURTS.

(a) Divorce -- Annulment -- Adoption. Before judgment or decree is entered in any action for divorce or annulment or proceeding for adoption, the court shall require the parties or their counsel to submit such personal particulars and other information necessary to enable the clerk to prepare a record of such divorce, annulment or adoption in accordance with law and the regulations and instructions of the Bureau of Vital Statistics. Every such record shall be prepared by the clerk and filed in the manner and within the time prescribed by law and the regulations and instructions of the Bureau of Vital Statistics.

(b) Change of Name -- Delayed Birth Certificate -- Legitimation. In the following actions and proceedings, the court shall file with the Bureau of Vital Statistics such reports, information and copies of judgments and orders as may be required and in the manner provided by law and the regulations and instructions of the Bureau:

- (1) A proceeding for change of name;
- (2) A proceeding to establish a public record of the time and place of birth and parentage;
- (3) An action or proceeding for legitimation.

Before entering any order or judgment in any of the above mentioned actions or proceedings, the court shall require the parties or their counsel to submit such information as may be necessary to enable the court to comply with this rule.

COMMENTARY

Rule 38. Reports to Bureau of Vital Statistics -- Superior
Courts.

Former Rule 43 has been renumbered as Rule 38. No changes
have been made in the text of that rule.

RULE 39. VITAL STATISTICS.

The presiding judge shall designate district judges, magistrates, or judicial employees to perform all of the functions and duties with respect to the preparation, filing and recording of vital statistics, and the maintaining of records incident thereto, as provided by law and in accordance with the regulations and instructions of the Bureau of Vital Statistics.

COMMENTARY

Rule 39. Vital Statistics.

Former Rule 44 has been renumbered as Rule 39. The amendment reflects existing practice in urban locations, where employees rather than judicial officers are performing vital statistics functions. The amendment also gives the presiding judge authority to designate the particular judicial officers or employees within his district who will be performing such functions.

RULE 40. TITLE.

These rules shall be known and cited as the "Rules
Governing the Administration of All Courts."

COMMENTARY

Rule 40. Title.

Former Rule 56 has been renumbered as Rule 40. No changes have been made in the text of that rule.

- 413 - Amending Subparagraphs (a) and (d) of Rule 16, Alaska Rules of Civil Procedure, Relating to Settlement Conferences
- 414 - Amending Subsection (3) of Paragraph (d), Rule 72, Alaska Rules of Civil Procedure, Relating to Service of Notice in Eminent Domain Proceedings
- 415 - Amending Paragraph (f) of Rule 77, Alaska Rules of Civil Procedure, Relating to Hearings on Motions for Attachment and Motions of Delivery
- 416 - Amending Paragraph (e) of Rule 88, Alaska Rules of Civil Procedure, Relating to Procedures Upon Court Order of Seizure of Property
- 417 - Recinding Paragraph (k) of Rule 89, Alaska Rules of Civil Procedure, and Redesignating Subsequent Paragraphs of the Rule Accordingly
- 418 - Amending Subsection (a) of Rule 32, Alaska Rules of Criminal Procedure, Relating to Bail Following Judgment of Conviction and Prior to Sentencing
- 419 - Recinding Subsection (d) of Rule 1, District Court Rules of Criminal Procedure, and Redesignating the Remaining Subsections of the Rule
- 420 - Amending Personnel Rule 4.10.02, Relating to Partially Exempt Employees
- 421 - Amending Appellate Rule 2(a) to transfer the Office of the Clerk of the Supreme Court.
- 422 - Adding new paragraph(d) to Rule 31, relating to appointment and duties of magistrates as U.S. passport agents.
- 423 - Amending paragraph (e), Rule 9, Rules Governing the Administration of all Courts, Relating to miscellaneous Fees.
- 424 - Amending Administrative Rule 9, Relating to the fee for annual subscription to Supreme Court Opinions.
- 425 - Amending paragraph (i) of Rule 1, Alaska District Court Rules of Criminal Procedure.
- 426 - Amending Rule 35, Alaska Rules of Criminal Procedure Relating to the Modification and Reduction of Sentences.
- 427 - Nine part Order Amending Rules 1, 3, 5, 11, 31, 45, and 56 of the Alaska Rules of Criminal Procedure.
- 428 - Amending Subsection (11) of Paragraph (c), Rule 24, Alaska Rules of Criminal Procedure, Relating to Challenges of Jurors for Cause.
- 429 - Providing Temporary Rules for the Court of Appeals.
- 430 - Providing for the Commencement of Operations of the Court of Appeals
- 431 - Amending Alaska Bar Rule 2, Section 3, Relating to Adjunct Membership in the Alaska Bar Association.
- 432 - Amending Paragraph (b) of Rule 23, Alaska Bar Rules, Relating to the Definition of the Term "Serious Crime".
- 433 - Amending Subsections (b) and (c) of Section 3, Rule 44, Alaska Bar Rules, Relating to Eligibility for Legal Intern Permits.

- 434 - Amending Paragraph (d), Recinding Paragraph (e), and Redesignating Remaining Paragraphs of Rule 77, Alaska Rules of Civil Procedure.
- 435 - Temporarily Suspending for Anchorage Only Provisions of Rule 32, Rules Governing the Administration of All Courts.
- 436 - Three-Part Order Amending Rule 32, Alaska Rules of Criminal Procedure, Relating to Sentences and Judgements.
- 437 - Authorizing Statewide Uniform Interm Procedures Relating to Presentence Reports and Sentencing Pending Decisions on Proposed Amendments to Rule 32(c), Alaska Rules of Criminal Procedure.
- 438 - Four Part Order Amending Paragraphs (a), (b), (c) and (d) of Rule 16, Alaska Bar Rules, Relating to The Appointment and Terms of Members of Conciliation Panels.
- 439 - Revising the Rules of Appellate Procedure to reflect the Organization of the Court Of Appeals.
- 440 - Amending the District Court Civil Rules And The District Court Criminal Rules, to make changes conforming to the revision of the Appellate Rules.
- 441 - Amending Civil Rule 76(a), relating to briefs in the Superior Court.
- 442 - Amending Personnel Rule 4.10.02, Relating to Partially Exempt Employees.
- 443 - Thirteen-Part Order Amending the Alaska Rules Governing the Administration of All Courts to Provide for the Alaska Court of Appeals.
- 444 - Amending Paragraph (f), Rule 1, Alaska District Court Rules of Criminal Procedure, Relating to Proceedings Before Magistrates.
- 445 - Temporarily Suspending the Provisions of Rule 32, Rules Governing the Administration of all Courts, for the Courts in Fairbanks,
- 446 - Two-Part Order Adding New Rule 26.5, Alaska Rules Governing the Administration of All Courts, Relating to the Appointment, Duties, and Term of Office for Chief Judge of the Court of Appeals.
- 447 - Two-Part Amending Paragraph (m) of Rule 77, Alaska Rules of Civil Procedure, Relating to Motions for Reconsideration and Paragraph (d) of Rule 73, Alaska Rules of Civil Procedure, Relating to Notice of Orders and Judgements.
- 448 - Amending Subsection (4) of Paragraph (c), Rule 39, Alaska Rules of Criminal Procedure, Relating to the payment of Appointed Counsel in Criminal Cases.
- 449 - Amending Paragraph (d) of Rule 20, Alaska District Court Civil Rules, Relating to Remedies in Small Claims Actions.
- 450 - Two-Part Order Amending Section 1 and Section 3 of Rule 8, Alaska Bar Rules, Relating to Supreme Court Review of Decisions of the Board of Governors of the Alaska Bar Association.