

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 653

Repealing Administrative Rule 13, and making interim provisions for payment of attorneys appointed by the court to represent persons under the Rules of Children's Procedure, pursuant to statute, or where constitutionally required.

IT IS ORDERED:

1. Administrative Rule 13 is repealed.
2. The compensation procedures and fee schedules described below will remain in effect until August 30, 1985, or until the promulgation of regulations by the Commissioner of Administration pursuant to AS 44.21.410(b)(1), whichever occurs first:

(A) Attorneys appointed by the court to represent persons under the Rules of Children's Procedure, pursuant to statute, or where the appointment of counsel is constitutionally required, 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 director of the Office of Public Advocacy.

(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.

(3) The maximum compensation for any one case shall not exceed \$1,500.00 unless excess compensation is approved by the director of the Office of Public Advocacy.

(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 director of the Office of Public Advocacy.

(D) If the assigned judge determines that the party or parties have 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.

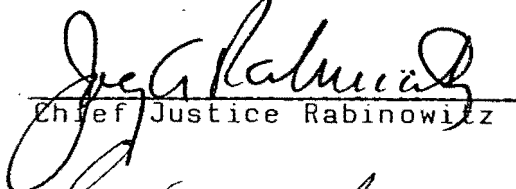
(E) The director of the Office of Public Advocacy may award compensation at a higher rate than provided in this rule in unusually complex or protracted cases.

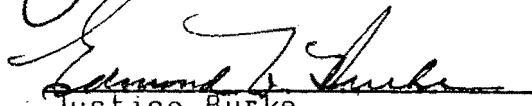
(F) Reimbursement for costs and expenses incurred shall not exceed \$250.00 unless prior authorization has been obtained from the director of the Office of Public Advocacy.

(G) All unpaid billings submitted for services described in former Administrative Rule 13 or in this order performed on or after July 1, 1984, and all unpaid billings submitted for all services described in AS 44.21.210 performed on or after July 1, 1984, will be forwarded to the Office of Public Advocacy, 900 West Fourth Avenue, Suite 525, Anchorage, Alaska 99501 for processing and payment.

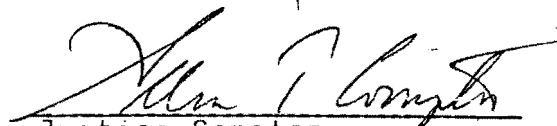
DATED: June 6, 1985

EFFECTIVE DATE: June 6, 1985


Chief Justice Rabinowitz


Justice Burke


Justice Matthews


Justice Compton

Justice Moore