

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1848

Amending Administrative
Rule 12(e)(5) concerning
compensation for other
appointments at public expense.

IT IS ORDERED:

Administrative Rule 12(e)(5) is amended to read as follows:

**Rule 12. Procedure for Counsel and Guardian Ad Litem
Appointments at Public Expense.**

* * * *

(e) Other Appointments at Public Expense.

(1) Constitutionally Required Appointments.

If the court determines that counsel, or a guardian ad litem, or other representative should be appointed for an indigent person, and further determines that the appointment is not authorized by AS 18.85.100(a) or AS 44.21.410, but in the opinion of the court is required by law or rule, the court shall appoint an attorney who is a member of the Alaska Bar Association to provide the required services. Other persons may be appointed to provide required services to the extent permissible by law.

* * * *

(5) Compensation.

(A) All claims for compensation must be submitted monthly or at least quarterly on forms provided by the court. The final claim for compensation must be submitted within 30 days following the disposition of a case. All claims must ~~will~~ be submitted to the Fiscal Operations, Alaska Court System, 820

West 4th Avenue, Anchorage, AK, 99501. ~~assigned trial judge or master, who shall make a recommendation regarding approval and forward the recommendation to the administrative director.~~ The administrative director shall approve or disapprove the claim.

(B) Attorneys will be compensated at the rate of \$75.00 per hour; provided, that total compensation for any case will not exceed \$1,000.00 without prior approval of the administrative director. An attorney who is appointed to serve as a guardian ad litem will be compensated at the attorney rate.

(C) A person other than an attorney who is appointed to provide services will receive compensation as described below.

(i) A person appointed as a court visitor or guardian ad litem will be compensated at the rate that the Office of Public Advocacy would pay under contract for the same services; and

(ii) A person appointed to provide other required services will be compensated at a rate not to exceed \$25.00 per hour.

~~if the court deems it appropriate not to exceed \$25.00 per hour; The~~ provided, that total compensation for any case covered by this subparagraph will not exceed \$300.00 without prior approval of the administrative director.

(D) The costs of necessary interpreter services will be reimbursed at the rate that the court system would pay under Administrative Bulletin 82 for the same quality services.

(E) Extraordinary expenses will be reimbursed only if prior authority has been obtained from the administrative

director, upon recommendation by the assigned trial judge ~~or the presiding judge~~. ~~The assigned trial judge may recommend extraordinary expenses up to a total amount not to exceed \$1,000.00, and the presiding judge may recommend 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:

- (i) Investigation;
- (ii) Expert witnesses; and
- (iii) Necessary travel and per diem, which ~~expenses~~. ~~Travel and per diem may not exceed the rate authorized for state employees.~~

(~~EE~~) 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.

* * * *

DATED: December 11, 2014

EFFECTIVE DATE: January 1, 2015

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger