

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1959

Amending Administrative Rule 9(f) concerning paying filing fees, commencing a civil action, and assessing a credit card convenience fee; amending Administrative Rule 9.1 eliminating payment by electronic fund transfer; amending Civil Rule 3(a) concerning return envelope requirement; amending Civil Rule 5.3(b)(4) concerning e-mail distribution to self-represented party.

IT IS ORDERED:

1. Administrative Rule 9 is amended to read as follows:

Rule 9. Fee Schedule

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

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(f) General Provisions:

- (1) No filing, writ, certifying, or copying fee will be charged to any person determined to be indigent under Administrative Rule 10.
- (2) No filing, writ, certifying, mail process, or research fees will be charged to any agency of the State of Alaska. State agencies will not be charged copying fees except for copies of law library materials.

(3) Notarization required in an action by a person represented in such action by an attorney furnished to the person by an organization authorized to provide legal services to indigents is exempted from notary public fees provided under this schedule.

(4) A civil action or proceeding may be accepted for filing at the time of or prior to payment of the filing fee in the amount prescribed by this rule. The clerk may not issue a summons or otherwise proceed with the case until the filing fee is paid or the court grants a filing fee waiver. The civil case or proceeding will be dismissed without prejudice and without notice if, within 30 days from the date of filing, the filing fee has not been paid or a fee waiver has not been requested. Further or additional court fees may be charged only as specified in this rule. 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 judge with respect to such action or proceeding only for additional services as specified in this rule.

(5) 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 appointed as marriage commissioner shall deposit such fee in accordance with Administrative Rule 5(b).

(6) The administrative director may, by administrative bulletin, exempt particular categories of parties from any fees specified in subsections (d) and (e). The administrative director may also enter into special payment agreements for subsection (d) and (e) fees with government agencies or other entities.

- (7) A convenience fee may be assessed for payments made by credit or debit card. The administrative director may, by administrative bulletin, determine the categories of charges that may be paid by credit or debit card, the types of credit and debit cards that can be accepted for payment, whether a convenience fee should be assessed, and the amount of the convenience fee considering the processing costs.
2. Administrative Rule 9.1 is amended to read as follows:
- Rule 9.1. Form of Payment.**
- (a) Bail.** Bail for criminal offenses may be posted in cash, through a surety as authorized by law, or in another form of payment authorized by the court in the case. ~~During business hours, bail may also be posted with the clerk of the court by electronic fund transfer.~~
- (b) Other Payments to the Court.** Unless otherwise ordered by the court in the case, other payments to the court, including but not limited to fines, bail forfeiture amounts authorized by supreme court order, appellate bonds, filing fees and other court fees, may be paid by cash, ~~electronic fund transfer~~, certified check, cashier's check, money order, traveler's check or personal check.
- (c) Other Forms of Payment.** The administrative director may authorize other forms of payment in specific court locations. In these locations, bail and other payments may be paid in the forms authorized by the administrative director and the forms listed in (a) or (b) above unless otherwise ordered by the court.

3. Civil Rule 3(a) is amended to read as follows:

Rule 3. Commencement of Action and Venue.

(a) A civil action is commenced by filing a complaint with the court. The complaint, in order to be accepted for filing, must be accompanied by a completed case description on a form provided by the clerk of court. Unless filing by fax or electronic mail where authorized, the ~~The~~ complaint shall also be accompanied by an envelope addressed to the plaintiff with sufficient postage to mail the envelope and all summonses that will be issued in the case.

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4. Civil Rule 5.3 is amended to read as follows:

Rule 5.3 Electronic Distribution by the Court.

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(b) E-Mail Addresses.

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(4) *Self-Represented Parties.* Self-represented parties may file a notice in their case requesting e-distribution of court documents to a specified e-mail address. Absent a request to use a different service address, self-represented parties who file documents by e-mail are deemed to have requested e-distribution of court documents to that same e-mail address.

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DATED: May 14, 2020

EFFECTIVE DATE: May 14, 2020

/s/
Chief Justice Bolger

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Carney