

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 871

Adding Appellate Rule 503.5
concerning extensions of time
for filing briefs

IT IS ORDERED:

A new Appellate Rule 503.5 is added to provide:

Appellate Rule 503.5 Extensions of Time for Filing Briefs

(a) General. A motion for extension of time for filing a brief in the supreme court or the court of appeals must comply with the requirements of Rule 503(a), (b), (c) and (d).

(b) Routine Motions.

(1) The clerk of the appellate courts may grant or deny a routine motion for extension, whether or not the motion is opposed, subject to a motion for reconsideration to be decided by a single judge or justice.

(2) Except as provided in subparagraph (b)(3), an appellant may request routine extensions for opening and reply briefs totaling not more than forty-five days in appeals from district or superior court judgments, original applications, certification of questions of state law by a federal court, or granted petitions for hearing or review where the court has directed further briefing on the merits. No routine extensions in excess of fifteen days will be granted for the filing of an appellant's reply brief. Appellees may request routine extensions not to exceed thirty days.

(3) Motions requesting routine extensions may not be filed in the following matters:

- [a] appeals filed under Rules 215-218;
- [b] appeals by the prosecution under 202(c) testing the sufficiency of the indictment;
- [c] appeals from an adjudication of juvenile delinquency; and
- [d] matters relating to attorney discipline or disability.

(4) A motion for a routine extension may only be granted for good cause. The motion must include a complete statement of the reasons in support of the motion.

(c) Non-Routine Motions. Any other motion for extension of time to file a brief will be classified as a non-routine motion and will be decided by a single appellate judge or justice. Such a motion will be granted only in extraordinary circumstances.

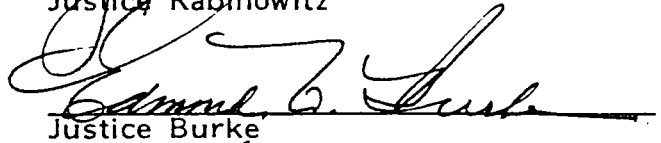
(d) Oppositions to Motions for Extension. If a timely opposition to a motion for extension is filed after the motion for extension is granted, the opposition will be treated as a motion for reconsideration and will be assigned to a justice or judge for determination pursuant to Rule 503(f). Any party objecting to the ruling on such a motion for reconsideration may move for reconsideration by the full court pursuant to Rule 503(g).

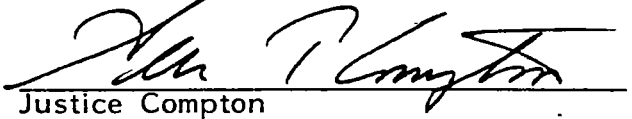
DATED: January 21, 1988

EFFECTIVE DATE: July 15, 1988


Chief Justice Matthews


Justice Rabinowitz


Justice Burke


Justice Compton


Justice Moore