

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT AT FAIRBANKS

In the Matter of: )  
Documents Filed by Electronic Mail )  
 )  
In the Aniak, Bethel, Delta Junction, )  
Emmonak, Fort Yukon, Galena, Hooper Bay, )  
Nenana, St. Mary's, and Tok Courts. )  
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Presiding Judge Administrative Order No. 14-03

This administrative order applies to the filings of all pleadings, motions, affidavits, memoranda, instructions and other papers and documents presented for filing with the clerk or intended for use by the judge (hereinafter "documents"), that are filed by electronic mail in Aniak, Bethel, Delta Junction, Emmonak, Fort Yukon, Galena, Hooper Bay, Nenana, St. Mary's, and Tok Courts. This order supersedes all other policies, orders, or existing practices. It is made under the authority of Civil Rule 5.1, Filing and Service by Facsimile and Electronic Mail, as amended effective October 14, 2011.

1. Rural Courts. A party may file any documents in cases pending in the Aniak, Delta Junction, Emmonak, Fort Yukon, Galena, Hooper Bay, Nenana, St. Mary's, and Tok Rural Courts by electronic mail:
2. Bethel Court. For proceedings held at the Bethel Court, emailed documents will only be accepted by counsel not located in Bethel.
3. Requirements.
  - a. The size of any email and attachments to the Court in any one email submission may not exceed 5 MB;
  - b. All documents emailed to the Court for filing must be sent as attachments in PDF format.
  - c. The party emailing a document to the Court for filing must include a certificate form certifying service under CR 5 or CR 5.1, CrR 44(d), CINA Rule 1(e) or other applicable rule. If the parties have consented

to service by email or fax per Civil Rule 5.1(c)(3)<sup>1</sup>, (proof of service for fax or email service must comply with Civil Rule 5.1(c)(6)<sup>2</sup>), or by mail, court box, hand delivery, or by process server;

- d. No photographs may be sent through email as an attachment;
- e. Documents must contain signatures. Electronic signatures are inadequate. All documents requiring signatures filed by email must be a PDF document. Attached documents requiring signatures must be signed.
- f. The form of documents filed by email must comply with all applicable Court Rules, including Civil Rules 10 and 76, and Criminal Rule 44(d).

4. Filing Date. Documents are deemed received on the date and time of receipt displayed on the court's email inbox clock. Documents filed by email that are received by the court before 4:30 p.m., on a day that the court is open for business are deemed to have been filed on that business day. Documents filed by email that are received by the court after 4:30 p.m., are deemed to have been filed on the next business day. Parties are encouraged to utilize delivery tracking features of email programs. If an email includes a delivery request confirmation, the Clerk of Court must respond to the request.

5. Filing. Documents filed by email must be printed by Court staff. The printed paper copy of the documents must be placed in the case file and will be the official record of the document. The paper copy will be file stamped with the date of filing in accordance with section 4 above. The clerk in each filing venue must print the transmitted emails and attach to the documents that are submitted for filing. The party filing documents by email is responsible for any problems that may occur as a party attempts to transmit documents by email. For example, any emails that are

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<sup>1</sup> CR 5.1 (c)(3) *Consent to Service*. A person who is willing to accept service by fax or electronic mail in an action shall so indicate beneath the signature in the person's initial filing or by serving and filing a separate notice of consent. A party may revoke consent by serving and filing a separate notice that consent has been revoked.

<sup>2</sup> CR 5.1 (c)(6) *Proof of Service*. If service is made by fax or electronic mail, proof of service must be made by affidavit of the person making service, or by certificate of an attorney, an authorized agent of the attorney, or a pro se litigant. The affidavit or certificate must include the following information:

- (A) the date and time of the transmission;
- (B) the telephone number of the transmitting facsimile machine if service is made by fax, or the electronic mail address from which the electronic mail was sent, if the service was made by electronic mail;
- (C) the recipient's name and facsimile machine telephone number, or electronic mail address;
- (D) the number of pages transmitted; and
- (E) a statement that the document was transmitted by facsimile transmission or electronic mail and the person signing the affidavit or certificate believes the transmission to have been complete and without error.

identified as having a virus will be deleted immediately. To the extent the Clerk of Court is aware of the problem; the clerk will notify the filing party. The originals of all emails and documents must be kept by the party to resolve any question arising later. No follow up originals will accepted for filing, by mail or any other forms of service, unless specifically ordered by the assigned judge or for signed affidavits when unsigned affidavits had previously been filed by email. An unsigned affidavit must be emailed with the party's Rule 11 certification that it has been verified by the affiant, and the signed original affidavit must be filed with the Court within 10 days.

4. Contents of the email to the court. A party filing documents by email must include in the subject line of the transmitting email: the case number or numbers for the attached documents; and, identify the documents being filed. The party must not provide any extraneous narrative or explanation in the body of the transmitting email. Information in the email itself is limited to the case name, case number, and title of the document or documents that are attached for filing. The Clerk's Office will not be responsible for verifying that a party in fact included any or all attachments described in the transmitting email.

5. No original civil complaints or petitions, or other documents that require a filing fee may be filed by email.

6. Deviations from this order may only be allowed by the judge assigned to the case for good cause.

7. Failure to abide by this order will result in rejection of the document. The transmitting party must be notified of the rejection.

Effective date: September 22, 2014

DATED at Fairbanks, Alaska, this 19th day of September, 2014.



Michael A. MacDonald  
Presiding Judge  
Fourth Judicial District

4<sup>th</sup> Judicial District Clerk of Courts  
Fairbanks and Bethel DA/PA/OPA/DJJ OCS AG  
Christine Johnson, Administrative Director  
Nancy Meade, General Counsel  
Ron Woods, ACA  
4<sup>th</sup> Judicial District RCTA's  
4<sup>th</sup> Judicial District Law Libraries

**ATTACHMENT A**

**Aniak:** [4AKemailfiling@akcourts.us](mailto:4AKemailfiling@akcourts.us)  
**Bethel:** [4BEemailfiling@akcourts.us](mailto:4BEemailfiling@akcourts.us)  
**Delta Junction:** [4DJemailfiling@akcourts.us](mailto:4DJemailfiling@akcourts.us)  
**Emmonak:** [4EMemailfiling@akcourts.us](mailto:4EMemailfiling@akcourts.us)  
**Fort Yukon:** [4FYemailfiling@akcourts.us](mailto:4FYemailfiling@akcourts.us)  
**Galena:** [4GAemailfiling@akcourts.us](mailto:4GAemailfiling@akcourts.us)  
**Hooper Bay** [4HBemailfiling@akcourts.us](mailto:4HBemailfiling@akcourts.us)  
**Nenana:** [4NEemailfiling@akcourts.us](mailto:4NEemailfiling@akcourts.us)  
**St. Mary's:** [4SMemailfiling@akcourts.us](mailto:4SMemailfiling@akcourts.us)  
**Tok:** [4TOemailfiling@akcourts.us](mailto:4TOemailfiling@akcourts.us)