

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT KENAI, SEWARD AND HOMER

In the Matter of

Faxed Pleadings

In all Cases Filed in the Kenai,
Seward and Homer Courts

3AN-AO-09-05

This administrative order applies to the Kenai, Homer and Seward Courts. It supercedes all other policies or orders pertaining to faxed pleadings in these courts.

1. Motions for Expedited Consideration. Any motion for expedited consideration (and the underlying motion) may be filed by fax, provided proof is submitted that the opposing party is simultaneously served by fax, by hand delivery, or by process server, and only if the total fax filing does not exceed 25 pages. If a faxed motion for expedited consideration is served on the opposing party by mail, expedited consideration will be denied outright unless the party certifies in writing that the party has made an effort to serve the motion in person or by fax and has been unable to do so, and that expedited consideration is nonetheless justified and why. The party moving for expedited consideration must also comply with all the other requirements of Civil Rule 77(g)(1)-(7) or Criminal Rule 42(i)(1)-(6).
2. Non-Expedited Motions and Filings. A party is not permitted to file any non-expedited motions by fax unless specific permission of the judge currently assigned to the case has been granted. See Civil Rule 5.1. No original complaints may be filed by fax. Failure to gain prior approval will result in rejection of the filing. Permission to file by fax may not be sought by fax.
3. Originating fax machines should be set at the highest resolution the machine permits. Faxed documents will become the file documents. Faxes of faxes are not permitted. The originals of all faxed pleadings shall be kept by counsel/litigants to resolve any question pertaining to authenticity. No follow up originals may be filed, unless specifically ordered, except for unsigned affidavits. An unsigned affidavit must be faxed with counsel's Rule 11 certification that it has been verified by the affiant, and the signed original affidavit must be filed within 10 days.

4. Faxes to the court shall be file stamped after the last page is received. If the last page is received after 4:30 p.m. on a particular day, the fax filing will be filed stamped the next business day. The clerk's office will not be responsible for verifying that faxes are received correctly, i.e., that all pages are received, that it is legible, etc. Each document must have a cover sheet specifying the number of pages, exhibits, etc. Rubber stamps and post it notes may not be affixed to faxes to serve as cover sheets. Failure to comply with this policy will result in rejection of pleadings.
5. A copy of this order shall be kept at all court libraries and clerk's offices in the Third Judicial District.

DATED at Anchorage, Alaska, this 20th day of March, 2009.

/s/
Morgan Christen
Presiding Judge
Third Judicial District

cc:
Clerks of Homer, Kenai and Seward Courts
DA/PD/OPA
DJJ/OCS/AG
Peninsula Bar Members, by Court Clerks
Nancy Meade, Courts Rules Attorney
Wendy, Lyford, ACA
Karen Wallace, RCTA
Third District Law Libraries
Third Judicial District Clerks of Court