

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1543

Amending Appellate Rules 215(g) and
216(f) concerning formal requirements
for briefs in memorandum form in
sentence appeals.

IT IS ORDERED:

I. Appellate Rule 215(g) is amended to read as follows:

Appellate Rule 215. Sentence Appeal.

(g) **Memoranda on Appeal.**

(1) *By Appellant.* Within 15 days after service of copies of the record on appeal provided for in ~~(g)~~ (f) of this rule, the appellant shall file with the appellate court the original and three copies of a ~~typewritten~~ memorandum in support of the appeal.

(2) *By Appellee.* Within 15 days after service of a copy of the appellant's memorandum, the appellee may file with the appellate court the original and three copies of a ~~typewritten~~ memorandum in opposition to the appeal.

(3) *Reply Memorandum.* No reply memorandum shall be filed unless ordered by the court.

(4) *Form and Contents of Memoranda.* ~~The memoranda filed by either the appellant or the appellee need not comply with the requirements of Appellate Rule 212 unless ordered by the appellate court.~~ Memoranda shall comply with Appellate Rule 513.5(b)(6)-(7) and shall also comply with Appellate Rule 212(b)-(c), except:

(A) memoranda need not comply with Rule 212(c)(1)(A)-(E);

(B) no memorandum shall exceed 25 pages without permission of the court; and

(C) the front page of each memorandum shall include the information that Appellate Rule 212(b) requires on the cover of a brief.

~~(5) *Length.* Exclusive of appendices, the appellant's and appellee's memoranda may not exceed 25 numbered pages each. A motion for leave to file a memorandum longer than permitted by this paragraph must be accompanied by a copy of the over-length memorandum proposed to be filed.~~

~~(6) (5) *Service of Memoranda.* When filed, the original memoranda A party's memorandum shall be accompanied by proof of service on opposing counsel.~~

II. Appellate Rule 216(f) is amended to read as follows:

Rule 216. Expedited Appeals.

(f) Memoranda on Appeal.

(1) *By Appellant.* Within 10 days after filing a notice of appeal ~~in an appeal~~ under this rule, the appellant shall file with the court of appeals the original and three copies of a ~~typewritten~~ memorandum in support of the appeal together with proof of service on all other parties.

(2) *By Appellee.* Within 10 days after service of the appellant's memorandum, the appellee may file with the court of appeals the original and three copies of a ~~typewritten~~ memorandum in

opposition to the appeal.

(3) Reply Memorandum. No reply memorandum may be filed unless ordered by the court.

(4) Form and Contents of Memoranda. ~~The memoranda need not comply with the requirements of Rule 212 unless ordered by the court of appeals.~~ Memoranda shall comply with Appellate Rule 513.5(b)(6)-(7) and shall also comply with Appellate Rules 212(b)-(c), except:

(A) memoranda need not comply with Rule 212(c)(1)(A)-(E);

(B) no memorandum shall exceed 20 pages without permission of the court; and

(C) the front page of each memorandum shall include the information that Appellate Rule 212(b) requires on the cover of a brief.

~~(5) The clerk of the appellate courts shall forthwith duplicate copies of the memoranda for use of the court.~~

DATED: December 4, 2003

EFFECTIVE DATE: October 15, 2004

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti