

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1631

Amending Civil Rule 79(f) to specify that taxes necessarily incurred are allowable costs.

IT IS ORDERED:

Civil Rule 79 is amended to read as follows:

Rule 79. Costs – Taxation and Review.

* * * *

(f) **Allowable Costs.** The following items are the only items that will be allowed as costs:

- (1) the filing fee;
- (2) fees for service of process allowable under Administrative Rule 11 or postage when process is served by mail;
- (3) other process server fees allowable under Administrative Rule 11;
- (4) the cost of publishing notices required by law or by these rules;
- (5) premiums paid on undertakings, bonds, or security stipulations where required by law, ordered by the court, or necessary to secure some right accorded in the action;
- (6) the cost of taking and transcribing a deposition allowed by Civil Rule 30(a) or 31(a) (including a deposition that is ordered by the court or agreed to by the parties under those rules), as follows:
 - (A) the court reporter's fee and travel expenses to communities where a local court reporter is not available;
 - (B) expenses allowed by Civil Rule 30.1(e) for recording, editing, or using an audio or audio-visual deposition; and

(C) the cost of the original plus one copy of the transcript;

(7) witness fees allowed under Administrative Rule 7;

(8) the fee of an interpreter or translator for a witness when that witness is entitled to a fee under Administrative Rule 7;

(9) travel costs allowed under paragraph (g) of this rule;

(10) long distance telephone charges for telephonic participation by an attorney or party at court proceedings, depositions, the meeting of the parties required by Civil Rule 26(f), and interviews of witnesses other than the party;

(11) charges paid by the prevailing party's attorney for computerized legal research;

(12) copying costs for paper copies, photographs, and microfilm, the cost of scanning, imaging, coding, and creating electronic media files, such as computer diskettes or tapes, and the cost of duplicating text files or otherwise copying documents or data in an electronic medium, as follows:

(A) for copies from the court, a copy center, or a person or entity other than the prevailing party's attorney, the amount charged for the copies; and

(B) for copies from the prevailing party's attorney, the amount charged by the attorney or \$.15 per copy, whichever is less;

(13) exhibit preparation costs;

(14) the cost of transcripts ordered by the court; and

(15) other costs allowed by statute; and

(16) any sales or other taxes necessarily incurred by the party in connection with a cost allowed in this subsection.

* * * *

DATED: November 29, 2006

EFFECTIVE DATE: April 16, 2007

/s/
Chief Justice Fabe

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Bryner

/s/
Justice Carpeneti