

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1714

Adding new Civil Rule 5.2
concerning registration and
filing of foreign orders and
judgments.

IT IS ORDERED:

New Civil Rule 5.2 is adopted to read as follows:

Rule 5.2. Foreign Orders and Judgments.

(a) Notice of Registration of Support and Child Custody Orders.

(1) When the court is required by the Uniform Interstate Family Support Act (AS 25.25.101 – .903) or the Uniform Child Custody Jurisdiction and Enforcement Act (AS 25.30.300 - .910) to give notice of registration of a support order, income withholding order, or child custody determination of another state, the court must give the required notice by first class mail, certified mail, or by any means of personal service authorized by Civil Rule 4. If the registering party does not request a method of service, the court will use first class mail.

(2) If the registering party requests that the court use a method of notice that provides proof of service, the proof of service must be retained by the party and not filed with the court unless and until it is needed in future proceedings.

(3) The time period within which the non-registering party may request a hearing begins on the date the notice is mailed or personally served.

(b) Notice of Filing Foreign Judgments. When the court is required by the Uniform Enforcement of Foreign Judgments Act (AS 09.30.200 -.270) to give notice of the filing of a foreign judgment, the court must promptly give that notice by first class mail. As provided in AS 09.30.210(b), a judgment creditor may mail an additional notice by first class or certified mail.

NOTE: The statutes requiring the clerk to give notice are AS 25.25.605 and .609 (support orders), AS 25.30.430 (custody determinations) and AS 09.30.210 (foreign judgments).

DATED: June 4, 2009

EFFECTIVE DATE: October 15, 2009

/s/
Chief Justice Fabe

/s/
Justice Eastaugh

/s/
Justice Carpeneti

/s/
Justice Winfree

/s/
Justice Christen