

**IN THE SUPREME COURT OF THE STATE OF ALASKA**  
**ORDER NO. 1859**

Amending Appellate Rule 508(e)  
concerning attorney's fees.

**IT IS ORDERED:**

Appellate Rule 508 is amended to read as follows:

**Rule 508. Costs and Fees.**

\* \* \* \*

(e) **Attorney's Fees.** Attorney's fees shall not be awarded unless

(1) attorney's fees are provided by statute, caselaw, or contract;

(2) the court determines that the appeal or cross-appeal is frivolous or has been taken in bad faith;

(3) the court determines that an award of fees is necessary in the interest of justice; or

(4) the appeal was taken under Rule 601, in which case the court shall award the prevailing party 20% of its actual attorney's fees that were necessarily incurred, except in cases where

(A) paragraphs (1), (2), or (3) apply; or

(B) the court determines that an award of fees would be so onerous to the non-prevailing party that it would deter similarly situated litigants from the voluntary use of the courts if not reduced.

\* \* \* \*

DATED: June 4, 2015

EFFECTIVE DATE: June 4, 2015

/s/  
Chief Justice Fabe

/s/  
Justice Winfree

/s/  
Justice Stowers

/s/  
Justice Maassen

/s/  
Justice Bolger