

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1930

Amending Appellate Rules 602(c) and 611(a) concerning service of notices of appeal and petitions for review, and

Amending Appellate Rule 611(c) concerning timeframes for the court's consideration of petitions for review.

IT IS ORDERED:

1. Appellate Rule 602 is amended to read as follows:

Rule 602. Time – Venue – Notice – Bonds – Parties – Filing – Service - Distribution.

* * * *

(c) Notice of Appeal.

(1) A party may appeal from a judgment or agency decision by filing a notice of appeal with the superior court. The notice of appeal must specify the parties taking the appeal and their current addresses, designate the judgment, agency decision or part thereof appealed from, and name the court to which the appeal is taken. At the time the notice of appeal is served and filed, it must be accompanied by:

(A) a statement of points on which appellant intends to rely on appeal. The grounds for appeal stated in the statement of points on appeal constitute the sole basis for review by the superior court. On motion in the superior court, and for cause, the statement of points may be supplemented;

(B) if required, the filing fee as provided by Administrative Rule 9;

- (C) if required, a bond for costs on appeal as provided by paragraph (e) of this rule;
- (D) a copy of the district court judgment or agency decision from which the appeal is taken; and
- (E) proof of service on all parties to the appeal. In an appeal from an agency decision, the notice of appeal must be served on the head of the agency and, if the agency is a state agency, on the Attorney General of Alaska, at Juneau, Alaska. The notice of appeal must also be served on the Chief Administrative Law Judge of the Office of Administrative Hearings, if that office heard the matter.

* * * *

2. Appellate Rule 611 is amended to read as follows:

Rule 611. Petitions for Review -- Procedure.

(a) Filing.

(1) A petition for review of a district court order or decision, with the filing fee, must be filed with the clerk of the superior court within 10 days after the date of notice of the challenged order or decision, along with proof of service on all parties. Date of notice is defined in Civil Rule 58.1(c) and Criminal Rule 32.3(c). The clerk of the superior court shall proceed in accordance with Rule 403(a)(4).

(2) A petition for review of an order or decision of an administrative agency, with the filing fee, must be filed with the clerk of the superior court within 10 days after the date of mailing or other distribution of the order or decision, along with proof of service on all parties, including the administrative agency that issued the order or decision. A copy of the petition for review must also be served on the Chief Administrative

Law Judge of the Office of Administrative Hearings, if that office heard the matter.

* * * *

(c) **Consideration by the Court.** As soon as practicable, the appellate court will decide whether to grant or deny the petition. Oral argument will not be held on the question whether the petition should be granted. If the petition is granted, the order granting the petition will specify any further actions to be required. If further briefing is ordered, oral argument will be governed by the procedures set out in Rule 505.

DATED: September 20, 2018

EFFECTIVE DATE: April 15, 2019

/s/
Chief Justice Bolger

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Carney