

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 83

Revising Rule 15, Rules Governing  
the Administration of All Courts

IT IS ORDERED:

That Rule 15 of the Rules Governing the Administration of  
All Courts is revised to read as follows:

"Rule 15. Compensation of Court Appointed Attorneys.

Attorneys appointed by courts to represent indigent persons shall be compensated for services in accordance with a schedule published by the Administrative Director in a current bulletin for each fiscal year, such bulletin being subject to amendment as necessary to meet budgetary limitations. If the appointed attorney renders services of a nature not scheduled in the bulletin, the court in which the service is performed shall determine and fix fair compensation, with due regard for the scheduled amounts for comparable services, subject to final approval by the Administrative Director."

EFFECTIVE DATE: July 30, 1966.

/s/ Buell A. Nesbett  
Chief Justice

/s/ John H. Dimond  
Associate Justice

/s/ Jay A. Rabinowitz  
Associate Justice

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ALASKA COURT SYSTEM  
OFFICE OF THE ADMINISTRATIVE DIRECTOR

No. 66 - 4

July 20, 1966

ADMINISTRATIVE OFFICE BULLETIN

TO: All Members of the Alaska Bar Association  
FROM: Administrative Director  
SUBJECT: Compensation of Court Appointed Attorneys

Pursuant to the provisions of Rule 15, Rules Governing the Administration of All Courts, as revised by Supreme Court Order No. 83, services rendered by court appointed attorneys on behalf of an indigent person accused of felony, or in other situations where appointment of counsel is authorized, will be compensated at a rate of \$15.00 per hour for time expended in court, and \$10.00 per hour for time reasonably expended out of court, but not to exceed the following limits:

1. For representation in the district court - \$50.00.
2. For representation in the superior court -
  - a. where final disposition is made without trial - \$75.00
  - b. where trial is held - \$200.00.
3. For representation in the supreme court - \$250.00.

Each claim for compensation shall be supported by a written statement, as indicated by the attached sample form entitled Time Record of Appointed Counsel and Claim for Compensation, specifying the time expended and the services rendered. The statement must be submitted in duplicate in every instance of assignment of counsel and separately in each court in which counsel appears.

The court in which the representation is made shall ordinarily fix the compensation to be paid. In extraordinary cases, where the judge who sat on the case certifies that payment in excess of the limits provided above is necessary to provide fair compensation for protracted representation, the amount allowed shall be fixed by the presiding superior court judge of the judicial district, with approval by the Administrative Director, after determination that there are sufficient appropriated funds available for the purpose.

The above schedule for compensation shall become effective on July 30, 1966, and shall apply to all appointments thereafter made and until further notice published in an Administrative Office Bulletin. Upon such notice the scheduled compensation may be increased or decreased in amount, depending on the extent of the demand for services of court appointed counsel upon the appropriated funds available for the fiscal year.

Note: This schedule is intended to initiate a plan for compensation of appointed counsel similar to that provided for in the Federal-Criminal Justice Act of 1964. Due to budgetary limitations, it will not be possible in the 1966-67 fiscal year to compensate these services on a time basis beyond the stated limits, except as otherwise provided above. The information obtained from the reports of time expended and services rendered will be used in determining the approximate statewide cost of compensating all such services on a time basis. An adequate appropriation for the purpose can then be requested based on accurate data.

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Leg. Coun (2)

IN THE \_\_\_\_\_ COURT

\_\_\_\_\_ JUDICIAL DISTRICT, STATE OF ALASKA

TIME RECORD OF APPOINTED COUNSEL AND CLAIM FOR COMPENSATION

A report of the time expended for services as appointed counsel in the case of State of Alaska vs. \_\_\_\_\_, No. \_\_\_\_\_, Court, State of Alaska, is made as follows:

1. TIME SPENT IN COURT:	DATE	HOURS
a. Arraignment and plea. . . . .	_____	_____
b. Plea (if separate from arraignment) . . . . .	_____	_____
c. Sentence hearing. . . . .	_____	_____
d. Continuances. . . . .	_____	_____
e. Trial (list time for each day separately) . . . . .	_____	_____
	_____	_____
	_____	_____
f. Other services (specify)	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
2. TIME SPENT IN PREPARATION:		
a. Interviews with client. . . . .	_____	_____
b. Legal research. . . . .	_____	_____
c. Investigative work. . . . .	_____	_____
d. Other (specify)	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL TIME: \_\_\_\_\_

Item 1: \_\_\_\_\_

Item 2: \_\_\_\_\_

3. Claim is hereby made for a determination and allowance of compensation under Rule 15 of the Rules Governing the Administration of All Courts.

DATED:

\_\_\_\_\_  
Name of Counsel

\_\_\_\_\_  
Signature of Counsel

\_\_\_\_\_  
Mailing Address

[PRINT OR TYPE ABOVE]

# Memorandum

Alaska Court System

TO:  Superior Court Judges  
 District Court Judges  
 Clerks of All Courts

Info: Supreme Court Justices

DATE : July 20, 1966

FROM: Administrative Director

SUBJECT: Compensation of Court  
Appointed Attorneys

Attached is Supreme Court Order No. 83 revising Rule 15, Rules Governing the Administration of All Courts, together with Administrative Office Bulletin No. 66-4, dated July , 1966, to initiate a revised plan for compensation of court appointed attorneys in felony cases.

The revised plan makes no change in the authority for appointment of counsel. This remains as specified in Rule 39(b), Rules of Criminal Procedure. It is expected that existing practices for appointment of counsel at all stages of felony proceedings will be continued.

The revised plan requires that a report of the services performed and claim for compensation must be submitted in duplicate in each court where counsel appears. Counsel should be furnished with the necessary forms by the court as soon as practicable after the appointment is made. A supply of these forms, entitled Time Record of Appointed Counsel and Claim for Compensation (herein referred to as the Time Record), has been mailed to each district and superior court. Orders for forms should be made on field office requisitions to the administrative office.

When services are rendered in the district court, the attorney should present the completed copies of his Time Record when his services in that court have been completed. On approval of the claim by the district judge before whom the proceedings occurred, the district court should make payment of the authorized amount of compensation by issuance of a field warrant to the appointed counsel. One copy of the Time Record should be retained in the case file, and the other copy should be forwarded to the administrative office for use in compiling data for future budgeting of funds for appointed counsel compensation.

When services are rendered in the superior court, the attorney should present the duplicate copies of his Time Record when his services in that court have been completed. On approval of the claim by the judge before whom the proceedings occurred, the superior court should make payment of the authorized amount of compensation by issuance of a field warrant to the appointed counsel. One copy of the Time Record should be retained in the case file, and the other copy should be forwarded to the administrative office.



When services are rendered by appointed counsel on appeal to the supreme court, duplicate copies of the Time Record must likewise be submitted to that court and processed as described above. Payment will be made in the supreme court in the same manner as heretofore, after determination by that court of the amount to be allowed.

In all instances where it is certified by a court that fair compensation would exceed the limits established in Administrative Office Bulletin No. 66-4, both copies of the Time Record should be reviewed by the presiding judge of the judicial district for initial determination of the compensation to be fixed. His determination and the duplicate copies of the Time Record should then be forwarded to the administrative director for approval after determination of available funds. When this final determination has been made, one copy of the Time Record will be returned to the court where the payment of compensation is to be made, and a field warrant in the amount approved may then be issued.

Any questions arising in the application of the rule and compensation schedule should be referred promptly to the court administrative office.