

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 88
(Revised Effective February 24, 2021)

TO: ALL HOLDERS OF ADMINISTRATIVE BULLETIN SETS:

All Justices	Senior Staff
All Judges	Central Services
Area Court Administrators	Judicial Services
Clerk of the Appellate Courts	APD Warrants
Rural Court Assistants	
All Clerks of Court	
All Magistrate Judges	
Law Libraries at Anchorage, Fairbanks, and Juneau	

SUBJECT: Minor Offense Citations Filed Electronically Pursuant to Minor
Offense Rule 22

Note: This bulletin applies to minor offense citations electronically filed pursuant to Minor Offense Rule 22. This bulletin does not apply to minor offense citations submitted through TrueFiling in eFiling locations. All citations identified in Section A.2 may be submitted electronically in eFiling locations. A list of current eFiling locations is available at <https://courts.alaska.gov/efiling/index.htm>.

Minor Offense Rule 22 authorizes the Administrative Director to enter into an agreement with a law enforcement agency to allow that agency to file citations charging minor offenses electronically if the agency's systems and procedures include certain requirements, as listed in the Rule. This administrative bulletin identifies minor offense citations that may be filed electronically under Minor Offense Rule 22 based on a law enforcement agency's agreement with the ACS. This bulletin references Administrative Bulletin 39, which addresses processing and filing minor offense citations by municipalities.

A. **State of Alaska, Federal Agencies, and Non-Payee Cities** (as defined in Administrative Bulletin 39, a non-payee city is a municipality that files all citations [mandatory and optional court appearances] with the court):

1. **Agreement.** A State of Alaska or non-payee city law enforcement agency or a federal law enforcement agency authorized to issue citations for state law offenses may enter an agreement with the administrative director allowing it to electronically file minor offense citations with the court. If the agency has entered into an agreement, it may electronically file citations issued for all minor offenses as defined in Minor Offense Rule 2 **except** as provided in Section A.2 immediately below.

2. **Citations That May Not Be Filed Electronically.**

The following minor offense citations issued by a State of Alaska, federal government, or non-payee law enforcement agency may **not** be filed electronically:

- a. Citations served by certified mail or another method authorized by Minor Offense Rule 3(g)(2)(C).
- b. Citations issued for a misdemeanor offense.
- c. Citations issued for fish and game offenses.
- d. Citations issued for an oversize motor vehicle offense under Title 17 of the Alaska Administrative Code.
- e. Citations issued for a minor offense that will be filed with related criminal charges in a criminal case.
- f. Citations issued for one of the following offenses:
 - 1) AS 28.35.280: Minor Operating Vehicle after Consuming
 - 2) AS 28.35.285: Minor Refusing To Submit to Chemical Test
 - 3) AS 28.35.290: Minor Operating Vehicle Within 24 Hours of Being Cited for Offenses Under AS 28.35.280 or 285.

- 4) Juneau: CBJ 72.10.016: Minor Operate Vehicle After Consuming
- 5) Juneau: CBJ 72.10.017: Minors Refusal to Submit to Chemical Test
- 6) Juneau: CBJ 72.10.018: Minor Driving 24 hours after being Cited for Alcohol or Breath
- 7) Anchorage: AMC 9.28.060(A): Minor Operating Vehicle After Consuming Alcohol
- 8) Anchorage: AMC 9.28.070: Minor's Refusal to Submit to Chemical Test
- 9) Anchorage: AMC 9.28.080: Minor Driving During the 24 Hours after Being Cited for Alcohol or Breath Test Offenses
- 10) Any municipal offense similar to the above not classified as a misdemeanor and with potential penalties that do not include incarceration but otherwise entitle the defendant to a jury trial and to counsel at public expense.

B. **Payee Cities** (as defined in Administrative Bulletin 39, a payee city is a municipality in which the citations for optional court appearance offenses are filed with the municipality and defendants send their responses to the citation to the municipality):

If a law enforcement agency that is an agency of a payee city has entered an agreement with the administrative director allowing it to file minor offense optional court appearance citations electronically with the court when requesting a default judgment, it may electronically file citations seeking a default judgment for all minor offenses as defined in Minor Offense Rule 2 electronically **except** for:

1. Citations described in A.2 above, and
2. Citations that must be manually filed with the court as provided in Administrative Bulletin 39, as follows:

- a. State Offense. Citations filed by a municipal officer charging a state offense that the municipality has not adopted by reference¹ must be filed with the court within 10 days² from the date of issuance, except as provided in Minor Offense Rule 3(g)(3).
- b. Mandatory Court Appearance. Citations charging an offense for which no scheduled fine amount has been established by ordinance must be filed with the court within 10 days from the date of issuance, except as provided in Minor Offense Rule 3(g)(3).
- c. Optional Court Appearance - Not Guilty Plea. Citations for which the defendant has submitted a not guilty plea must be filed on the next business day following receipt of the not guilty plea.
- d. Optional Court Appearance - Request for Arraignment. Citations for which the defendant has submitted a request for arraignment must be filed with the court by the next business day following receipt of the request. The court will send the defendant a notice of hearing for the arraignment.

Dated: February 24, 2021

/s/
Stacey Marz
Administrative Director

Issued: June 19, 2015, amended November 1, 2016; revised February 3, 2021; revised February 24, 2021.

November 1, 2016 revision to section A(2)(f) removes minor consuming and repeat minor consuming offenses. Minor Offense Rule 18.

February 3, 2021 revision to clarify that bulletin applies only to minor offense citations filed electronically as data under Minor Offense Rule 22, and not to citations filed electronically through TrueFiling in eFiling locations.

February 24, 2021 revision to A(1) and (2) allows a federal law enforcement agency authorized to issue citations for state law offenses to enter into an agreement with the court system to electronically file state law minor offense citations.

¹ For these citations, the plaintiff must be the State of Alaska, and any fine paid must be deposited into the state's general fund.

² AS 12.25.210(a).