

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 90
(Amended Effective: October 15, 2018)

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 Training Assistants	
All Clerks of Court	
All Magistrate Judges	
Law Libraries at Anchorage, Fairbanks, and Juneau	

SUBJECT: Fee Exemptions

This policy is being issued under the authority granted to the administrative director by Administrative Rule 9(f)(6) and Administrative Rules 1(a) and (b).

1. Exemptions Under Administrative Rule 9(f)(6)

Administrative Rule 9(f)(6) authorizes the administrative director to exempt, by bulletin, particular categories of parties from any fees specified in Administrative Rules 9(d) and (e). Here are the fee exemptions adopted pursuant to Rule 9(f)(6):

a. CINA Cases

In a CINA case, no certifying or copying fee will be charged to an Indian custodian or tribe that is a party to the action.

b. Protective Proceedings

When a guardian is appointed, the court system will distribute to the guardian five free certified copies of the guardianship order and five free certified copies of the letters of guardianship.

c. Criminal and Minor Offense Cases

In a criminal or minor offense case, no writ of execution fee will be charged to a municipal government that is seeking to collect court-ordered fines, fees, costs, or restitution.

d. Attorneys Appointed under Administrative Rule 12

An attorney appointed under Administrative Rule 12 is entitled to receive one free copy of any filings involving the attorney's client.

2. **Special Fee Payment Arrangements**

Any person or entity may deposit funds into a prepayment account to cover copy and research charges instead of paying those charges per transaction. A list of current prepayment accounts is available in CourtView. In addition, the court system is required to exempt certain federal agencies from payment of copy and research fees under the terms of federal grants that the court system receives. Those agencies are listed under Information for Trial Court Clerks on the INTRANet. (Click "Accounting") Clerks may require a person claiming to be exempt from the payment of fees under a special fee payment arrangement to present appropriate identification.

3. **Motion to Modify Fee in Administrative Rule 9(b)(1)**

Administrative Rule 9(b)(1) establishes a fee for motions to modify child custody, visitation, support, spousal maintenance, or property allocations. The history of this rule suggests the fee was adopted to deter parties from re-litigating issues that were resolved in the original action, and to compensate the State of Alaska for the additional costs associated with post-judgment litigation in domestic relations cases. (Post-judgment litigation occurs in other case types, but is relatively rare.) Given this history, the motion to modify fee should only apply to post-judgment motions that give rise to significant additional work and will not be charged for the following motions:

- a. motions to modify an interim or temporary order;
- b. stipulated motions to modify an existing order; or
- c. the first motion to modify an order issued by another state, tribe, or country and registered with the Alaska Court System and any subsequent motion to modify filed before the first motion is decided.

Dated: October 15, 2018
Effective Date: October 15, 2018

/s/
Christine E. Johnson
Administrative Director

History: Original bulletin issued March 29, 2018, effective March 31, 2018; amended effective September 26, 2018; amended October 15, 2018.

Section 3.c of the bulletin was amended effective October 15, 2018 to limit the fee exemption for motions to modify out-of-state orders to orders that have been registered and to extend it to any subsequent motion to modify before the first motion is decided.