

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 92
(AMENDED EFFECTIVE: July 15, 2020)

TO: ALL HOLDERS OF ADMINISTRATIVE BULLETIN SETS

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

SUBJECT: Provisional Rules for Efiling through TrueFiling

The Court System is implementing TrueFiling, a new system for filing and serving documents electronically. A list of case types and court locations where TrueFiling is currently available is listed on the court system's website.

The Supreme Court has authorized the Administrative Director to adopt provisional rules and procedures to support efilting. See Supreme Court Order 1943. These provisional rules are expected to change often as the court system gains more experience with efilting. To suggest changes or additions to the provisional rules, please contact the Court Rules Attorney at SSteinberg@akcourts.us.

To assist TrueFiling users, additional resources are posted on the [Efilting Project](#) page on the court system's website.

1. Applicable Cases.

- a. Attorneys and regular court filers, including law enforcement, must file all case documents, regardless of when the case was initiated, through TrueFiling beginning July 15, 2020. After July 15, 2020, attorneys and other regular filers may file paper documents with the court only when the attorney or filer reports to the affected court that an internet, TrueFiling, or other equipment malfunction exists, or when, for some other reported reason, electronic filing is not possible or practicable and paper filing is necessary in the interest of justice.
- b. Self-represented litigants may file documents though TrueFiling, but are not required to do so.

2. **Registration.** TrueFiling users must first register for an account. Registered users consent to electronic service of all filings by or to the court, and must maintain in TrueFiling a valid email address for service.
3. **System Availability.** TrueFiling is designed to provide service 24 hours a day. If the internet is not available or a filer's computer malfunctions, the filer may submit a paper filing, i.e., a conventional filing, in any manner allowed by court rule.
4. **Efiling Deadline.** Filing a document through TrueFiling does not alter any filing deadlines set by court rule or order. A document submitted in TrueFiling before 11:59 p.m. Alaska Time is deemed filed that day. Because uploaded documents undergo a conversion from their original format, and conversions are not guaranteed to be 100 percent accurate, it is the filer's responsibility to review the returned copy of filed documents to ensure completeness and accuracy. If there is an issue, filers should contact the court immediately. Filers are encouraged to file all documents during regular court hours (8:00 a.m. – 4:30 p.m. Monday through Thursday; 8 a.m. – 12:00 noon Friday) when court system assistance is available. Technical support from ImageSoft, the TrueFiling vendor, is available Monday through Friday from 4:00 a.m. to 5:00 p.m. Alaska Time at:

Phone: (855) 959-8868
Email: support@truefiling.com

5. **General Format of Documents Filed Electronically.** Electronically filed documents must meet the requirements of the Alaska Rules of Court, as if they had been submitted on paper, unless otherwise indicated in this bulletin.
6. **Document Name.** In the "Filing Name" field, filers must enter the exact name of the document as printed on the document.
7. **Signature.** A document submitted through TrueFiling may be signed electronically as provided in (a) below, or by a conventional signature as provided under Civil Rule 76(e).
 - a. **Electronic Signature.** Affixing a person's electronic signature to a document in the form shown below is the legally binding equivalent of signing the document by hand. A signature on an electronically filed document may be entered as "s/ printed name" on the signature line. If the person is an attorney, the person's Alaska Bar Association membership number must be entered following the person's name. The person's title must be entered following the person's name.

Attorney Example:

s/ John Smith - Bar Number 12345678
Attorney at Law

Non-Attorney Example – Self-Represented Party:

s/ John Doe
Self-Represented Party

Non-Attorney Example – Non-Party Participant:

s/ John Participant
Probation Officer

Non-Attorney Example – Law Enforcement Officer:

s/ John Officer – ID# 1234567
(Title and Agency)

b. Charging Officer’s Electronic Signature. A charging officer’s electronic or digital signature on an electronically produced criminal or minor offense citation is the legally binding equivalent of the officer’s handwritten signature.

8. Charging Documents. If all other requirements are satisfied, a warrant or summons may be issued based on the charging document signed by a law enforcement officer or prosecutor under penalty of perjury that the charging document is true. A separate affidavit is not required.

9. Motions, Oppositions, and Replies.

a. Filing. Parties have two options for filing motions, oppositions, and replies:

i. Single Document: A party may submit a single document which includes:

1. A brief statement of the requested relief;
2. A brief discussion of applicable points and authorities; and
3. Supporting documentary evidence in the form of attachments or exhibits.

This document should be titled simply “Motion for . . .”, “Opposition to . . .”, or “Reply to . . .” and need not refer to the components of the motion,

opposition, or reply. For example, the motion should NOT be titled, "Motion for Summary Judgment, Memorandum in Support, and Supporting Affidavits"

- ii. Multiple Documents: A party who elects to prepare the motion, opposition, or reply, memorandum of points and authorities, and supporting evidence as separate documents must merge these documents into a single file and submit them as a single filing. This filing should have the same title as the motion, opposition, or reply. The other documents should not be listed in the title.
- b. Proposed Order. The proposed order must be submitted as a separate filing in the same bundle as the motion, opposition, or reply. (A bundle is a collection of filings submitted at the same time.)
 - c. Supporting Evidence Unsuitable for Electronic Filing.
 - i. Recordings and Other Nondocumentary Evidence. Nondocumentary evidence must be filed conventionally and must be submitted in an envelope marked with the case name, case number, the name of the underlying motion, opposition, or reply, and the attachment or exhibit number(s) associated with the evidence.
 - ii. Confidential and Sensitive Information. Graphic photographs and other sensitive or confidential documents, including documents that contain information protected under the Victim's Rights Act, must be filed and labeled in the same manner as nondocumentary evidence.
 - iii. Notice of Filing. A party filing nondocumentary evidence or confidential or sensitive information must submit court system form TF-202, Notice of Conventionally-Filed Exhibit or Attachment, with the filing. Court staff will attach this form to the underlying motion or opposition in the electronic case file.
 - d. Late Filed and Over Length Documents. A motion for leave to submit a late filed or over length document should be accompanied by the underlying document. The motion and the underlying document should be submitted as two separate filings in the same bundle. (A bundle is a collection of filings submitted at the same time.)
 - e. Documents Requiring Immediate Attention. All documents must be filed conventionally or through TrueFiling. No documents should be filed with chambers. If the judge is expecting the document or the document is needed for a hearing that day, the party may notify chambers or the clerk's office that the document has been filed. Motions for expedited consideration are routed

directly to chambers. A party filing a motion for expedited consideration need not notify the court.

10. Service and Distribution of Electronically Filed Documents.

- a. **Consent to Service.** A party who has a TrueFiling account consents to electronic service of all filings by or to the court.
- b. **Service on Parties.** A party filing through TrueFiling must use TrueFiling to serve other parties who have a TrueFiling account. If another party does not have a TrueFiling account, the filer must indicate in TrueFiling how that party was served. For each filing, TrueFiling will automatically generate a Certificate of Service that describes when and how all other parties were served. No other certificate of service is required.
- c. **Service through TrueFiling after 4:30 p.m.** is deemed to occur at the opening of business on the next day that is not a Saturday, Sunday, or judicial holiday.

Service anytime Friday, Saturday, Sunday, or on a judicial holiday is deemed to occur at the opening of business on the next day that is not a Saturday, Sunday, or judicial holiday.

- d. **Computation.** Civil Rule 6(a) is provisionally amended to read:

In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not to be included. For documents filed or served electronically through TrueFiling, the designated period of time begins to run on the first business day after the day the document was filed or served. The last day of the period is to be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven days, not counting any period for mailing added under subsection (c) of this rule, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday.

- e. **Distribution Date.** At this time, documents distributed by the court will not contain a clerk's certificate of distribution. The efiling system will be modified to address this deficiency. Until that occurs, the date of notice of a written order or judgment is deemed to be the date the document was signed plus five business days.

11. Alaska Office of Victims' Rights.

If the Alaska Office of Victims' Rights (OVR) has filed an Entry of Appearance in a case through TrueFiling, anyone filing and serving documents through TrueFiling in that case must also serve those documents on OVR through TrueFiling. (If OVR has filed an entry an appearance in a case, OVR will be listed as a service recipient in TrueFiling for that case.)

12. Notwithstanding Section I of Administrative Bulletin 7:

- A. If venue of an electronic case is changed from one OnBase court to another OnBase court , the case number will not be changed.
- B. If venue of an electronic case is changed from an OnBase court to a non-OnBase court or vice versa, the case number will change as provided in the bulletin.

For purposes of this rule, an "electronic case" is a case in which documents are stored electronically in OnBase, the court's document management system. An "OnBase court" is a court which is using the OnBase document management system

- 13. Bonds.** Original bonds and supporting documents filed through TrueFiling or submitted conventionally and scanned into TrueFiling are deemed the originals and are fully enforceable as the original.
- 14. Copy Requests.** To protect against computer viruses, copies of case documents will not be provided on thumb drives.
- 15. Case File.** For cases with electronic documents, the official case file is the electronic case file maintained on the court system's servers.
- 16. Records Retention.** Administrative Bulletin 25, Records Retention Schedule, does not apply to electronic case documents maintained in OnBase (the records management system where electronic case documents are stored). All paper documents filed in a case shall be imported into OnBase by the end of the next business day. The original document will be destroyed by shredding, except as provided in paragraph 10.

Dated: July 15, 2020

/s/
Stacey Marz
Administrative Director

Issued: Originally issued November 22, 2019, effective May 1, 2019; amended effective July 15, 2020
(Amended No. 1a. to require attorneys to use TrueFiling)

Distribute Bulletin to:

cc: Court Rules Attorney
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Homer Judicial Officers
Seward Judicial Officers
Kenai Clerk of Court
Homer Chief Deputy Clerk
Seward Chief Deputy Clerk
Criminal Division, Alaska Department of Law, Anchorage
Kenai District Attorney
Public Defender Agency, Anchorage
Kenai Public Defender Agency
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