

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 92
(EFFECTIVE May 4, 2019)

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 efilings. See Supreme Court Order 1943. These provisional rules are expected to change often as the court system gains more experience with efilings. 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 [Efiling Project](#) page on the court system's website.

1. Applicable Cases.

- a. Attorneys are encouraged to file all case documents through TrueFiling as soon as TrueFiling is available. After completion of a testing period at each court location, attorneys and other regular filers will be required to file and serve court documents through TrueFiling. The court system will notify attorneys and regular filers at least 30 days before filing through TrueFiling is mandatory. Once efilings is mandatory in a court location, the requirement for electronic filing applies to all cases regardless of when the case was initiated.
- b. Self-represented litigants may file documents through 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 Block.** Under Civil Rule 76(e), the registered TrueFiler's identification name and password constitute the user's signature on documents filed through TrueFiling. The signature block on the electronically filed document should be entered as "s/ printed name" on the signature line with the name of the person typed under 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.

Example: s/ John Smith
John Smith - Bar Number 12345678

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 and satisfies the requirement of Criminal Rule 3(a) that a citation must be signed with a certification under penalty of perjury that the citation is true.

8. 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.

9. 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 efilings 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.

10. 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.

11. Copy Requests. Copies of electronic documents will be mailed or emailed to the requestor (following payment of the copy fee). Documents will not be provided on thumb drives.

12. Case File. For cases with electronic documents, the official case file is the electronic case file maintained on the court system's servers.

13. 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: _____
Effective: May 4, 2019

Christine E. Johnson
Administrative Director

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Distribute Bulletin to:

cc: Criminal Division, Alaska Department of Law
Public Defender Agency
Office of Public Advocacy
All Kenai & Homer Attorneys