

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA

FIRST JUDICIAL DISTRICT

In the Matter of)
)
Processing Electronic Documents)
)
In the First Judicial District.)
_____)

Amended Presiding Judge Administrative Order No. 15-01

This Administrative Order applies to all Court sites in the First Judicial District. It supersedes all other policies, orders, or existing practices pertaining to pleadings that are filed by electronic mail in these Courts. It is made under the authority of Alaska Civil Rule 5.1, Filing and Service by Facsimile and Electronic Mail, as amended effective October 14, 2011.

A. Electronic Filing with the Court

1. A party is permitted to file any documents in cases pending in the First Judicial District by electronic mail by emailing the document, as an attachment, to that Court's e-mail address as set forth in Attachment A, provided that the party adheres to the following requirements and limitations:

- a. the size of any document emailed to the Court in any one email submission may not exceed 5 MB;
- b. all documents emailed to the Court for filing must be sent as attachments in .pdf format;
- c. the party emailing a document to the Court for filing must submit proof that the opposing party or parties were served by email or by fax, if the parties have consented to service by email or fax per Civil Rule 5.1(c)(3) (proof of service for fax or email service must comply with Civil Rule 5.1(c)(6)), or by mail, court box/tray, hand delivery, or by process server;
- d. the party complies with all other requirements of Civil Rule 77 or Criminal Rule 42, as applicable;
- e. No photographs may be sent through e-mail as an attachment; and
- f. Pleadings and affidavits shall be signed in person, and not by electronic signature. Documents filed by email shall be scanned to the Court and not attached as an unsigned document to an e-mail.

In the Matter of Processing Electronic Documents in District/Superior Court Locations

- g. Pleadings filed by email must comply with all applicable Rules of Civil Procedure, including Civil Rules 10 and 76.

2. Documents filed by email that are received by the Court before 4:30 p.m. on a day that the court is open for business are deemed to have been filed on that business day. Documents filed by email that are received by the Court after 4:30 p.m. are deemed to have been filed on the next day that is not a Saturday, Sunday, or any other day that the court may be closed as ordered by the Alaska Supreme Court, or judicial holiday listed in Administrative Rule 16. Documents are deemed received at the time of receipt displayed on the Court's email inbox clock.

3. Documents filed by email will be printed by the Court staff and the printed paper copy will be placed in the case file and will serve as the official document of the court case. The Court will not be responsible for retaining any document in electronic format; on the contrary, Court staff will delete the transmittal email and attachments after printing the documents for the case file. The paper copy will be file stamped with the date of receipt in accordance with section 2 above. The Clerk's Office will not be responsible for verifying that documents filed by email are received correctly, i.e., that all pages were transmitted, that the document is legible, etc. The Clerk's Office is also not responsible for any technological problems that may occur as a party attempts to transmit documents by email. Any emails that are identified as having a virus will be deleted immediately and the filing party will promptly be informed of the same by the Clerk's Office. The originals of all emailed pleadings must be kept by the party to resolve any question pertaining to authenticity. No follow up originals may be filed, by e-mail or otherwise, unless specifically ordered, except for signed affidavits when unsigned affidavits had previously been filed by email. An unsigned affidavit must be emailed with the party's Rule 11 certification that it has been verified by the affiant, and the signed original affidavit must be filed within 10 days.

4. A party filing documents by email must include in the subject line of the transmitting email: the case number or numbers for the attached documents; identify the documents being filed; and, state the number of pages being filed. The party may not provide any extraneous narrative or explanation in the body of the transmitting email. Information in the email itself is limited to the case name, case number, and title of the document or documents that are attached for filing, and the number of pages being filed. The Clerk's Office will not be responsible for verifying that a party in fact included any or all attachments described in the transmitting email.

5. No original civil complaints or petitions, or other documents that require a filing fee, or anything else that must be served under Civil Rule 4, may be filed by email.

6. Deviations from this Order may only be allowed by order of the judge assigned to the case for good cause.

7. Failure to abide by this Order will result in rejection of the pleading.

B. Electronic Distribution by the Court

1. A party, agency or law firm is permitted to receive documents in cases filed in the First Judicial District by electronic mail by notifying the court in writing and by providing a current email address, provided that the party, agency or law firm adheres to the following requirements and limitations:

- a. Each party, agency or law firm in a case must file written notice to the court stating their intent to allow the court to provide email distribution of court generated documents¹.
- b. The written notice must include a statement that the party, agency or law firm agrees to receive email distribution from the court and include a valid email address which does not contain offensive words, letters or symbols that might be perceived as offensive, suggestive or otherwise deemed inappropriate by the court.
- c. Distribution of court generated documents by electronic mail is complete upon receipt at the email address provided. Civil Rule 6(c) provides no additional time after distribution for documents that are distributed by email.
- d. If the court receives notice that an email was undeliverable the court will print the confirmation/rejection page and place in the file. The document will then be served via court tray/box, fax or regular mail.
- e. The party, agency or law firm shall notify the court in writing of any change in email address using form TF-955 within 24 hours.
- f. A consent to electronic distribution of court documents under this order does not constitute consent to service of electronic mail under Civil Rule 5.1(c)(3).

IT IS SO ORDERED.

DATED at Ketchikan, Alaska, this ^{1st} day of April 2015.



Trevor N. Stephens
Presiding Judge
First Judicial District

¹ This may include judicial orders, deficiency memos, calendaring notices and any other document generated by the court system.

Distribution:

1st Judicial District Clerks of Court
1st Judicial District Magistrate Judges
1st Judicial District Judges
DA/PD/OPA
Christine Johnson, Administrative Director
Nancy Meade, General Counsel
Laura Bottger, Court Rules Attorney
Neil Nesheim, ACA
Clayton Jones, RCTA
1st Judicial District Law Libraries

ATTACHMENT A

Angoon - 1AGMailbox@akcourts.us
Craig - 1CRMailingbox@akcourts.us
Haines - 1HAMailingbox@akcourts.us
Hoonah – 1HNMailbox@akcourts.us
Juneau - 1JUMailingbox@akcourts.us
Kake – 1KAMailingbox@akcourts.us
Ketchikan - 1KEMailingbox@akcourts.us
Petersburg - 1PEMailingbox@akcourts.us
Sitka - 1SIMailingbox@akcourts.us
Skagway - 1SKMailingbox@akcourts.us
Wrangell - 1WRMailingbox@akcourts.us
Yakutat - 1YAMailingbox@akcourts.us