

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
SECOND JUDICIAL DISTRICT AT KOTZEBUE

IN THE MATTER OF)
)
FAX FILING PROCEDURES)
)
_____)

The Kotzebue Trial Court will allow the filing of pleadings which have been faxed **only according to the following procedure:**

1. With the exception of complaints, and single page notices regarding that day's calendar received by 11:00 a.m., **faxed pleadings may be sent to the court only during hours when the court is closed for other business.** That is, between 4:30 p.m. and 8:00 a.m. Monday through Friday, on weekends and court holidays.
2. Faxed pleadings shall be treated as originals, and no original documents which have been faxed will be accepted for filing, unless otherwise ordered. The court will accept faxes of affidavits.
3. Only good quality documents should be faxed, and no fax filing of a faxed document will be allowed. The originating fax machine shall be set to the highest resolution allowable for transmission of documents. The original documents faxed to the court shall be retained by the counsel faxing the document to resolve any questions regarding authenticity and/or legibility.
4. Each faxed document shall be preceded by a cover sheet, indicating the originating party, the description of the document (including exhibits), the number of pages being transmitted, and the number and fax number of all recipients. The clerk's office shall not be responsible for insuring that a faxed document is properly received (i.e. all pages have been received, that they are legible, the court's fax has not run out of paper, etc.). Rubber Stamps, Post-it Notes, and the like are not acceptable substitutes for the cover sheet, and shall not be used. The cover sheet will not be filed.
5. The total number of faxed pages of pleadings, together with certificate(s) of service, exhibits, authority, appendices, attachments, etc. shall not exceed 25 pages per day from any party. This limitation must be coordinated by counsel for any party who has more than one attorney. The court will accept only the first 25 pages. The cover page does not count against this total.

6. Counsel SHALL inquire of the clerk's office, during business hours, if all pages of a pleading have been received and are legible. The clerk shall file stamp a document on the first business day after receipt. All parties must be served the same day as the document is faxed to the court, and a certificate of service shall accompany all documents.

7. The Clerk of Court or Deputy Clerk is authorized to reject faxed items not in compliance with these policies.

8. For criminal law matters only, out of town counsel may fax time sensitive matters without prior judicial approval, including when court is open between 8:00 a.m. and 4:30 p.m. A five-page limit applies.

9. Should any party desire to fax a pleading which does not conform to this order (i.e. during court hours, more than 25 pages, etc.) they must obtain verbal approval for such action from court staff. The name of the person so approving the transmission shall be indicated on the cover sheet. Violations of the provisions of this order without such approval constitute grounds for the clerk to refuse to accept a faxed document for filing, and repeated violations will be grounds for offending counsel to be prohibited from further filing by this process.

10. All other provisions of Alaska Rule of Civil Procedure 5.1 not inconsistent with the above shall apply to any fax filing.

This policy supersedes the Kotzebue Fax Policy dated May 29, 2007.

IT IS SO ORDERED.

Dated at Kotzebue, Alaska this 20th day of September 2010.



Paul A. Roetman
Superior Court Judge

