In the Appellate Courts for the State of Alaska

In the Matter of All Supreme Court and Court of Appeals Cases

Administrative Order

Governing Relaxation and Suspension of Appellate Rules Based on the COVID-19 Pandemic

Date of Order: **March 27, 2020**

In response to the public health emergency caused by the coronavirus pandemic, the Alaska Supreme Court issued Order No. 1957 and the Chief Justice issued Special Order No. 8131. Under these authorities, **IT IS ORDERED**:

1. Filing by Email. Parties are strongly encouraged to file all documents by email. Filings should be transmitted by PDF as attachments to the address **pleadings@akcourts.us**. The subject of the email should contain the supreme court or court of appeals case number and the case name. If a case number has not yet been assigned, the subject of the email should indicate the applicable court. The filing date will be the date the email is received. If electronic filing is not practical, such as for payment of a filing fee, or if a party does not have access to email, then conventional mail or drop box filing is permissible. The Appellate Courts maintain locked drop boxes in the vestibules of the Nesbett and Boney Courthouses of the Anchorage court campus. In order to promote social distancing to ensure everyone's health and safety, in-person filing is discouraged.

2. Electronic Signatures and Notarizations. Attorneys and self-represented persons are authorized to sign a document by typing "s/[name]/" on the signature line. If a notary public is unavailable, the filing party may certify in writing "under penalty of perjury" that the statements in the document are true. *See* AS 09.63.020.

3. Service of Documents. Documents may be served electronically, without necessity of consent of a party. All parties with an operational email address must provide that address to the court and the opposing party for service and distribution. Service by mail is required if a party has no functioning email address or access to email. If a party is subject to a no-contact order with another party, then the party shall ask the clerk of court to forward service.

4. Distribution of Documents by the Appellate Courts. Notices, orders, and other documents distributed by the Appellate Clerk's Office on behalf of the Supreme Court and Court of Appeals may be distributed by email. Documents distributed electronically by the Appellate Clerk's Office are deemed valid even if lacking a manuscript signature.

5. Deadlines. Briefing deadlines are extended to **May 1, 2020**, except in the following case types: Appellate Rule 206 and 207 bail appeals; Appellate Rule 216 extradition and peremptory challenge appeals; Appellate Rule 216.5 election redistricting cases; Appellate Rule 218 CINA and custody appeals; Appellate Rule 219 juvenile appeals; Appellate Rule 402 petitions for review; or any other case specified by either the Supreme Court or Court of Appeals.

6. Oral Arguments. The Anchorage Supreme Court and Court of Appeals courtroom must remain closed for public gatherings. Until such time as this restriction is lifted, attorneys and parties wishing to attend argument must do so by telephone, and the public and media may attend by video feed. Parties may waive oral argument, and their case will be conferred upon at the next available conference. Continuances will be liberally granted, but it is unknown when an argument may be rescheduled.

7. Appellate Clerk's Office. Staff will be available during court hours when the Boney Courthouse is open. If it becomes necessary for the Clerk's Office to remain locked for short time periods, such as the noon hour, because of staffing needs,

notice will be prominently posted on the front door, along with a phone number for contacting the office. Access to the Clerk's Office public computer will be restricted. The Clerk's Office may be contacted at (907) 264-0612. In addition, individual case managers may respond to direct emails, and the Chief Deputy Clerk, Ryan Montgomery-Sythe, may be reached at rjmontgomery@akcourts.us, and the Clerk of the Appellate Courts, Meredith Montgomery, may be reached at mmontgomery@akcourts.us. For the protection of the public and court employees, in-person visits must be kept to a minimum.

This Order will be reviewed at least every four weeks, and it will remain in effect until terminated or superseded.

Entered at the direction of Chief Justice Bolger and Chief Judge Allard.

Clerk of the Appellate Courts

/s/ M. Montgomery

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Meredith Montgomery

cc: Supreme Court Justices
Court of Appeals Judges
Administrative Director
Area Court Administrators

Distribution (via email):

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