

In the Matter of: )  
 )  
Documents Filed by Electronic Mail )  
\_\_\_\_\_ )

This administrative order applies to the filings of all pleadings, motions, affidavits, memoranda, instructions and other papers and documents presented for filing with the clerk or intended for use by the judge (hereinafter "documents"), that are filed by electronic mail in Fairbanks. This order supersedes all other policies, orders, or existing practices. It is made under the authority of Civil Rule 5.1.

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other applicable rule. If the parties have consented to service by email or fax per Civil Rule 5.1 (c)(3)<sup>1</sup>, (proof of service for fax or email service must comply with Civil Rule 5.1(c)(6)<sup>2</sup>, or by mail, court box, hand delivery, or by process server;

- g. Any pleading with a photograph attachment cannot be sent by email;
- h. Documents requiring signatures must be hand signed. Electronic signatures are prohibited;
- i. The form of documents filed by email must comply with all applicable Court Rules, including Civil Rules 10, 76, and 77; Criminal Rules 42 and 44(d). Pursuant to Civil Rule 76(a)(5), documents larger than one page must contain a footer that sets out the title of the document, case number, case name and number of pages.

3. Filing Date. Documents are deemed received on the date and time of receipt displayed on the court's email inbox clock. Documents filed by email that are received by the court before 4:30 p.m. Monday through Thursday or by 12:00 p.m. on Friday, 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 either 4:30 p.m., or 12:00 p.m. on Fridays, are deemed to have been filed on the next business day. Parties are encouraged to utilize delivery tracking features of email programs. If an email includes a delivery request confirmation, the Clerk of Court must respond to the request.

4. Filing. Documents filed by email will be printed by Court staff. The printed paper copy of the documents will be placed in the case file and will be the official record of the document. The Court will not be responsible for retaining any document in electronic format. The paper copy will be file stamped with the date of filing in accordance with section 3 above. The clerk will print and attach the transmitted emails to the documents that are submitted for filing. Court staff will delete the transmittal email and attachments after printing the documents for the case file. The Court will not be responsible for verifying that the documents in the email are received correctly, i.e. that all pages were transmitted, that the

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<sup>1</sup> CR 5.1 (c)(3) *Consent to Service*. A person who is willing to accept service by fax or electronic mail in an action shall so indicate beneath the signature in the person's initial filing or by serving and filing a separate notice of consent. A party may revoke consent by serving and filing a separate notice that consent has been revoked.

<sup>2</sup> CR 5.1 (c)(6) *Proof of Service*. If service is made by fax or electronic mail, proof of service must be made by affidavit of the person making service, or by certificate of an attorney, an authorized agent of the attorney, or a pro se litigant. The affidavit or certificate must include the following information:

(A) the date and time of the transmission;

(B) the telephone number of the transmitting facsimile machine if service is made by fax, or the electronic mail address from which the electronic mail was sent, if the service was made by electronic mail;

(C) the recipient's name and facsimile machine telephone number, or electronic mail address;

(D) the number of pages transmitted; and

(E) a statement that the document was transmitted by facsimile transmission or electronic mail and the person signing the affidavit or certificate believes the transmission to have been complete and without error.

document is legible, etc. The party filing documents by email is responsible for any problems that may occur as a party attempts to transmit documents by email. For example, any emails that are identified as having a virus will be deleted immediately. To the extent the Clerk of Court is aware of the problem; the clerk will notify the filing party. The originals of all emails and documents must be kept by the party to resolve any question arising later. No follow up originals will be accepted for filing, by mail or any other forms of service, unless specifically ordered by the assigned judge.

5. Contents of the email to the court. A party filing documents by email must include in the subject line of the transmitting email the case number for the attached documents followed by identification of the documents being filed. Example: 4FA-00-00100CR Motion to Change Venue. The party must 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. 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.
6. The court will not return conformed copies to the filing party.
7. Deviations from this order may only be allowed by the judge assigned to the case for good cause.
8. Failure to abide by this order will result in rejection of the document. The transmitting party will be notified of the rejection.

Effective: ***September 1, 2019***

DATED at Fairbanks, Alaska on this 12<sup>th</sup> day of July 2019.



Michael A. MacDonald  
Presiding Judge  
Fourth Judicial District

Distribution:

Christine Johnson, Administrative Director

Nancy Meade, General Counsel

Ronald Woods, Area Court Administrator

4<sup>th</sup> District Judicial Officers

4<sup>th</sup> District Clerks of Court

4<sup>th</sup> District RCTAs

4<sup>th</sup> District Law Libraries

Tanana Valley Bar Association

Court Website

## **ATTACHMENT A**

Children's Cases [4FAchildrens@akcourts.us](mailto:4FAchildrens@akcourts.us)  
(Child in need of aid and juvenile delinquency)

Civil Cases [4FAcivil@akcourts.us](mailto:4FAcivil@akcourts.us)

Criminal Cases [4FAcriminal@akcourts.us](mailto:4FAcriminal@akcourts.us)

Jury Trials [4FAjury@akcourts.us](mailto:4FAjury@akcourts.us)  
(Only for case dismissals or change of plea hearing requests in cases with trial date certain)

Minor Offense / Traffic Cases [4FAminoroffense@akcourts.us](mailto:4FAminoroffense@akcourts.us)

Small Claims [4FAsmallclaims@akcourts.us](mailto:4FAsmallclaims@akcourts.us)

Probate Cases [4FAprobate@akcourts.us](mailto:4FAprobate@akcourts.us)