

UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA



NEW ATTORNEY REFERENCE MANUAL

OFFICE OF THE CLERK OF COURT

**October 2000
Revised June 2004**

INTRODUCTION

This reference *Manual* has been prepared to familiarize attorneys with the administrative aspects of the U.S. District Court for the District of Alaska. This Manual is only a **guide**. It is not intended to answer questions regarding practice and is not a substitute for statutes, rules and case law. This Manual does not take the place of the Federal Rules of Civil Procedure or the Local Rules of Court. United States Code, the United States Statutes, the U.S. Reports and the Code of Federal Regulations (CFR) all can be found in either the U.S. District Court Law Library located at 222 West 7th Avenue, Anchorage, the Alaska State Court Law Library located at 303 K. St., Anchorage, or on-line.

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I. GENERAL INFORMATION ABOUT THE COURT

A. STAFF OF THE U.S. DISTRICT COURT - DISTRICT OF ALASKA

ANCHORAGE

Judges

Chief Judge John W. Sedwick
Judge James K. Singleton, Jr.
Judge Ralph R. Beistline
Senior Judge James A. von der Heydt
Senior Judge James M. Fitzgerald
Senior Judge H. Russell Holland
Magistrate Judge John D. Roberts
Magistrate Judge A. Harry Branson

Clerk's Office

Michael D. Hall, Clerk of Court
Ida Romack, Chief Deputy Clerk

FAIRBANKS

Judges

Magistrate Judge [VACANT]

Clerk's Office

Carolyn Bollman, Deputy in Charge

JUNEAU

Judges

Magistrate Judge Philip Pallenberg

Clerk's Office

Legia Pate, Deputy in Charge

KETCHIKAN

Judges

Magistrate Judge Mary Guss

Clerk's Office

Beverly Zaugg, Deputy in Charge

NOME

Judges None

Clerk's Office

Tracey Buie, Deputy in Charge

KODIAK

Judges

Magistrate Judge Matthew Jamin

Clerk's Office

None

B. LOCATION and HOURS OF CLERK'S OFFICE

The *main* office of the Clerk of Court for the District of Alaska is located in Anchorage. In addition to the Anchorage office, the Clerk maintains satellite offices in: Fairbanks, Juneau, Ketchikan and Nome, all of which are staffed. In cases where venue is proper in Anchorage, complaints and subsequent pleadings, motions, papers, and other documents, may only be filed in Anchorage and in all other cases, complaints and subsequent pleadings, motions, papers, and other documents, may be filed in either Anchorage or the location of the court in which venue lies. In all cases in which a hearing or trial is scheduled, all pleadings, motions, papers, and other documents required for the hearing or trial filed less than five (5) business days before the scheduled event must be filed in the location where the hearing or trial is to be held, and, if the presiding judge does not maintain chambers in that location, an additional copy filed in the location where the presiding judge maintains chambers. **FILINGS ARE NOT TO BE DELIVERED DIRECTLY TO THE JUDGES' CHAMBERS OR MAILED DIRECTLY TO THE JUDGE.**

The physical locations of the clerk's offices, telephone numbers and hours of operation are:

ANCHORAGE

222 W. 7th Avenue Room 229
Anchorage, AK 99513-7564
907-677-6130
Office Hours: 9:00 am - 4:30 pm

JUNEAU

648 Mission St., Room 507
Ketchikan, AK 99901-6534
907-247-7576
Office Hours: 9:00 am - 1:00 pm

NOME

U.S. Courthouse, Front Street
Nome, AK 99762-0130
907-443-5216
Office Hours: 9:00 am - 4:30 pm

FAIRBANKS

101 12th Ave., Room 332
Fairbanks, AK 99701-6283
907-451-5791
Office Hours: 9:00 am - 4:30 pm

KETCHIKAN

709 W. 9th Ave., Room 979
Juneau, AK 99802-0349
907-586-7458
Office Hours: 9:00 am - 4:00 pm

For filing by mail, the following addresses should be used.

ANCHORAGE

U.S. District Court - Clerk's Office
222 W. 7th Avenue Box 4
Anchorage, AK 99513-7564

FAIRBANKS

U.S. District Court - Clerk's Office
101 12th Ave., Box 1
Fairbanks, AK 99701-6283

JUNEAU

U.S. District Court - Clerk's Office
648 Mission St., Room 507
Ketchikan, AK 99901-6534

KETCHIKAN

U.S. District Court - Clerk's Office
Box 20349
Juneau, AK 99802-0349

NOME

U.S. District Court - Clerk's Office
Box 130
Nome, AK 99762-0130

C. AFTER-HOURS FILING IN ANCHORAGE

In *Anchorage*, Documents may be filed after 4:30 p.m. or before 9:00 a.m. by placing them in a drop box located outside the door of the Clerk's Office [room 229]. The drop box is accessible when the building is open. All documents placed in the drop box after 4:30 p.m. and before 9:00 a.m. the next day will be date stamped as of 4:30 p.m. on the previous workday. Documents dropped after 9:00 a.m. will be date stamped that same day.

D. LEGAL HOLIDAYS

The Court observes the following **LEGAL HOLIDAYS**: New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day. Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day.

E. CASE NUMBER FORMAT

All cases have distinctive numbers in the following format:

one letter designation of the of place where the case was filed (A for Anchorage, F for Fairbanks, J for Juneau, and K Ketchikan);

two digit indicator of the year the case was filed;

the year is followed by a hyphen and the sequential four digit case number;

abbreviated CV (Civil) or CR (Criminal)-,-

initials of the Judge assigned to the case.

For Example:

The first civil action case number filed in Anchorage in 2002 would be A02-0001-CV(HRH) and is assigned to Judge H. Russell Holland.

The first criminal action case number filed in Anchorage in 2002 would be A02-0001-CR(HRH) and is assigned to Judge H. Russell Holland.

A miscellaneous case number is used for certain non-criminal filings not given a civil case number. Examples include: out of district subpoenas, registration of foreign judgments, receiver appointments, and attorney disciplinary proceedings. All open active cases in the district court are maintained in the Clerk's Office. After the final disposition of the case, closed cases are kept for one year or more in the Clerk's Office. Most cases closed longer than three years are maintained at the Federal Records Center in Seattle, Washington or the Records Center in Anchorage, Alaska. The Front Counter Clerk can provide the exact location of a file upon request.

F. SEARCHING FOR CASE INFORMATION

Computer terminals in the public viewing area of the Clerk's Office may be used to obtain case information. All records in the Clerk's Office are filed and retrieved by case number. If the case number is not known a party index, using the person's name, can be researched to identify the case number for a given plaintiff or defendant. The party index is available to the public Monday through Friday from 9:00 a.m. to 4:30 p.m.

G. PUBLIC ACCESS to COURT ELECTRONIC RECORDS (PACER)

The District Court provides Public Access to Court Electronic Records for cases filed in Anchorage, Fairbanks, Juneau, Ketchikan and Nome divisional offices. PACER provides the following case related information: civil case and criminal case lists, court calendars for the current and next day events; party name searches; case number searches. This information is available for viewing, printing or faxing. For subscription and computer set up information contact the PACER Service Center at 1-800-676-6856.

- Civil & Criminal Case List
Access to case, party, dockets, and calendar information for specific cases.
- Court Calendar
Provides information for the current day and the next working day.
- Party Name Search
Find a case and party information based on partial party names.
- Case Number Search
Locate basic case information for specific Civil and Criminal cases.
- Case List by Filing Date
Find Civil and Criminal cases filed within specified date range.

H. WEB PAGE (www.akd.uscourts.gov)

The Court has established a Web Page to provide public information about the District Court. The major categories on the Web Page are Court Information, Documents, Links, Telephone Lists, Docket Information and Calendar Information. Information provided on the Web includes:

◆ Court Information

Clerk's Offices information [location, telephone numbers, hours of operation, General Frequently Asked Questions (FAQ)

Court Forms

Public Notices

Judicial Opinions and other Chambers Publishing

Federal Rules of Civil Procedure

Federal Rules of Evidence

Federal Rules of Bankruptcy Procedure

Local Court Rules

Reference Manual

◆ Docketing Information

Where you can access public information from the court database.

The court is able to provide full docket sheet information that you can request sent to you via E-mail.

◆ Calendar

The daily court calendar and next day's calendar are available via the web.

I. COPIES

Copies may be obtained by purchasing a copy card from the machine in the Clerk's office. Money is credited on the card and deducted when used to make copies. Additional money can be purchased and credited on the card for use at any time. Account cards may also be purchased from the Alaska Bar Association. Copies obtained in this manner cost \$.15 per page. Copies may also be obtained from the Clerk for \$.50 per page.

J. FEES of the U.S. DISTRICT COURT

Fees required under 28 U.S.C. § 1914 may be paid by cash, personal, or cashier's check. All checks or money order are to be made payable to Clerk of Court. The fees are shown on the Clerk's Fee Schedule which is available at the Clerk's Office.

K. FINES and RESTITUTION PAYMENTS

The Front Counter Clerk, processes all restitution and fine payments and will issue receipts only for fine and restitution payments accompanied by a coupon.

L. RULES OF COURT

Proceedings in the Federal District Court are governed by several sets of rules of procedure. First, the Federal Rules of Civil Procedure (FRCivP) and the Federal Rules of Criminal Procedure (FRCrP). Next actions are governed by the Local Rules of the United States District Court for the District of Alaska, cited as D. AK. LR_. These Rules may also be applied to admiralty, bankruptcy, criminal and *habeas corpus* proceedings. There are specific local rules for admiralty, criminal, bankruptcy, *habeas corpus*, and magistrate judge proceedings. The specific rules, rather than the general rules, may be applicable so all Rules should be reviewed. All national and local rules may be viewed or downloaded from the USDC-District of Alaska Web Page located at www.akd.uscourts.gov

Attorneys who practice before this court are expected to be familiar with and follow the applicable rules.

II. OTHER FEDERAL AGENCIES

Federal Public Defender's Office	(907) 646-3400
Probation and Pretrial Services Office	(907) 271-5492
U.S. Marshal's Office	(907) 271-5154
U. S. Attorney's Office	(907) 271-5071
Ninth Circuit Law Librarian	(907) 271-5655

III. SUMMARY OF FILING REQUIREMENTS

- ! all documents must be on 8 ½ X 11 inch paper at least 16 lb. with two holes punched at the top center of the page;
- ! an original and one copy of ALL documents is required;
- ! use 1-inch top and bottom margins and 1-inch margins on the sides;
- ! all text must be double or one-and-one-half spaced, except for quotations [indent], footnotes and title page, which may be single-spaced;
- ! the space to the right center [above the title of court] must be left blank for court markings;
- ! the title page must begin 1½ inches from the top of the page and include: name, address, telephone number, fax number, and e-mail address of the appearing attorney placed left of the center of the page. Include the party the attorney represents;
- ! the typed name of the judge is to be placed underneath the signature line on all orders;
- ! the names of all parties must be included on original pleading and summons only;

- ! place file number [including judge's initials after case number], brief nature of document, and nature of relief sought to the right center below the case number;
- ! all printed matter must be in at least 11-point, ten-pitch or 12-point proportional faced type;
- ! use only one side of the paper;
- ! complaints must be accompanied by civil cover sheet, Form AO-JS44, notice of related cases [if applicable], and applicable filing fee;
- ! place name of party the attorney represents under the attorney's signature line on pleading;
- ! all amended documents must be retyped entirely [attach to motion to amend];
- ! certificate of service must be reflected on the document served, not on a separate pleading;
- ! do not file discovery documents, including depositions, unless requested by the court or for use in the proceeding;
- ! when responding to interrogatories or requests for admissions, repeat verbatim each query, and then set out response;
- ! the initial pleading or appearance must be accompanied by the F.R.Civ.P. 7.1 disclosure statement;
- ! a proposed order must be filed with non-dispositive motions;
- ! the court may require that a proposed order for a dispositive motion be filed on a disk in a format compatible with the court's computer system;
- ! principle briefs or memoranda may not exceed 50 pages and replies may not exceed 25 pages, exclusive of tables of contents, citations, reproductions of statutes, rules, regulations, ordinance, *etc*;
- ! opposition to a motion will be filed within 15 days of service of the motion.
- ! a reply is optional and must be filed within 5 days of service of the opposition;
- ! exhibits must be numbered progressively at the bottom of the page with the exhibit identified [e.g., "Page 3, Exh. C" or "Exh. C Page 3"], tabbed with the identifying number/letter, and, if more than five exhibits, be preceded by a table of contents; and
- ! bulky exhibits must clearly show case number, document number and title.