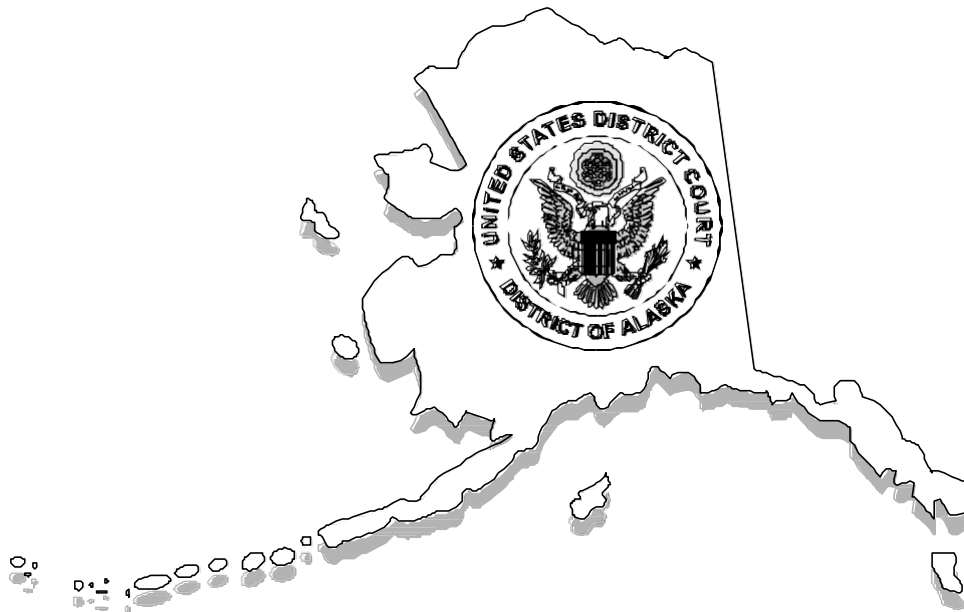


UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA



**NEW ATTORNEY REFERENCE MANUAL**

**OFFICE OF THE CLERK OF COURT**

**(January, 2016)**

## **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 Practice and 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 Street, 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 Timothy M. Burgess  
Judge Sharon L. Gleason  
Senior Judge H. Russel Holland  
Senior Judge James K. Singleton  
Senior Judge John W. Sedwick  
Senior Judge Ralph R. Beistline  
Chief Magistrate Judge Deborah M.  
Smith Magistrate Judge Kevin F. McCoy

##### **Clerk's Office:**

Lesley K. Allen, District Court Executive/Clerk of Court  
Janice A. Welch, Chief Deputy Clerk

#### **Fairbanks**

##### **Judges:**

Magistrate Judge Scott A. Oravec

##### **Clerk's Office:**

Jennifer Meisner-House, Deputy Clerk

#### **Juneau**

##### **Judges:**

Magistrate Judge Leslie C. Longenbaugh

##### **Clerk's Office:**

April Kleinman, Deputy Clerk

#### **Ketchikan**

Judges: NONE

##### **Clerk's Office:**

Dorene Smith, Deputy Clerk

#### **Nome**

Judges: NONE

##### **Clerk's Office:**

Tracy Buie, Deputy Clerk

## 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.

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

### Anchorage

222 W. 7<sup>th</sup> Avenue, Room 229  
Anchorage, AK 99513-7564  
907-677-6000  
Office Hours: 8:00 a.m. – 5:00 p.m.

### Juneau

709 W. 9<sup>th</sup> Avenue, Room 979  
Juneau, AK 99802-0349  
907-586-7458  
Office Hours: 8:00 a.m. – Noon and  
1:00 p.m. - 4:30 p.m.

### Nome

U.S. Courthouse, Front Street  
Nome, AK 99762-0130  
907-443-5216  
Office Hours: 9:00 a.m. – 4:30 p.m.

### Fairbanks

101 12<sup>th</sup> Avenue, Room 332  
Fairbanks, AK 99701-6283  
907-451-5791  
Office Hours: 8:00 a.m. – 5:00 p.m.

### Ketchikan

648 Mission St., Room 507  
Ketchikan, AK 99901-6534  
907-247-7576  
Office Hours: 9:00 a.m. - 12:00 p.m.

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

### Anchorage

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

### Juneau

U.S. District Court – Clerk's Office  
709 W. 9<sup>th</sup> Avenue, Box 20349  
Juneau, AK 99802-0349

### Nome

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

### Fairbanks

U.S. District Court – Clerk's Office  
101 12<sup>th</sup> Avenue, Box 1  
Fairbanks, AK 99701-6283

### Ketchikan

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

## C. 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, day after Thanksgiving Day, and Christmas Day.

## D. FILING DOCUMENTS

The court has made filing electronically using the CM/ECF System mandatory for all attorneys admitted to practice before the court, except as the Chief Judge may, for good cause, waive that requirement. See D. Ak. LR 5.3(c)(1), (e)(1). Attorneys admitted to practice before the court are expected to comply with the CM/ECF Administrative Policies. Information on the use of the CM/ECF System is available on the court's website, [www.akd.uscourts.gov](http://www.akd.uscourts.gov), by clicking on the "CMECF" tab.

For documents filed conventionally, D. Ak. LR 3.3(c) provides:

- (1) In cases where venue is proper in Anchorage, complaints and subsequent pleadings, motions, papers, and other documents, may only be filed conventionally in Anchorage; and
- (2) Except as provided in paragraph (3), in all other cases, complaints and subsequent pleadings, motions, papers, and other documents, may be filed conventionally in either Anchorage or the location of the court in which venue lies.
- (3) All documents filed by delivery utilizing the U.S. Postal Service, Fed-Ex, UPS, DHL, or similar service, are to be filed in the Anchorage office only.
- (4) 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 conventionally less than five (5) business days before the scheduled event must be –

[A] filed in the location where the hearing or trial is to be held and

[B] if the presiding judge does not maintain chambers in that location, an additional copy must be delivered or mailed to the court location where the presiding judge maintains chambers.

**Filings are not to be delivered directly to the Judge's chambers or mailed directly to the Judge.**

## E. CASE NUMBER FORMAT

All cases have distinctive numbers in the following format:

One number designation of the place where the case was filed: 1 for Juneau, 2 for Nome, 3 for Anchorage, 4 for Fairbanks, and 5 for Ketchikan;

followed by a colon (:) and the two digit indicator of the year the case was filed;

the year is followed by a hyphen (-) and abbreviated **cv** (Civil) or **cr** (Criminal); and;

followed by a hyphen (-) and the initials of the Judge assigned to the case.

For Example:

The first civil action case number filed in Anchorage in 2007 would be 3:07-cv-00001-TMB and is assigned to Judge Timothy M. Burgess.

The first criminal action case number filed in Fairbanks in 2007 would be 4:07-cr-00001-RRB and is assigned to Judge Ralph R. Beistline.

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, receive appointments, and attorney disciplinary proceedings.

All open active cases in the District Court are maintained in the Clerk's Office, either electronically (CM/ECF System) or paper (conventionally filed). After the final disposition of the case, paper files of closed cases are kept for one year or more in the Clerk's Office. Paper files for most cases closed longer than three years are maintained at the Federal Records Center in Seattle, Washington. The Intake Clerk can provide the exact location of a paper file upon request. Files maintained electronically (on the CM/ECF System) are retained indefinitely.

## F. SEARCH 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, whether in electronic (CM/ECF System) or paper format, 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, at the Anchorage, Fairbanks and Juneau Clerk's Office, during regular business hours.

## 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, party name

searches, case number searches. This information is available for viewing or printing. For registration and computer set up information contact the PACER Service Center at 1-800-676-6856.

- Civil and Criminal Case List: Access to case, party and dockets for a specific case.
- Party Name Search: Find a case and party information based on partial 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](http://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 CM/ECF Filing System, Court Information, Offices, Links, Reference 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

##### ◆ **Reference**

Federal Rules of Civil Procedures  
Federal Rules of Criminal Procedures  
Federal Rules of Evidence  
Federal Rules of Bankruptcy Procedure  
Local Court Rules

##### ◆ **Docket Information**

Where users can access public information from the court's database (CM/ECF System) via PACER.

##### ◆ **Calendar**

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



## ◆ Links

Ninth Circuit  
Bankruptcy Court  
Alaska State Court System  
Alaska Bar Association  
Federal Judicial Center  
Treasury Bond Information

### I. FEES OF THE U.S. DISTRICT COURT

Fees required under 28 U.S.C. § 1914 may be paid by cash, credit card, money order, personal, or cashier's check. All checks or money orders are to be made payable to the Clerk of the Court. The fees are shown on the Clerk's Fee Schedule which is available at the Clerk's Office or on-line at the court's web page [www.akd.uscourts.gov](http://www.akd.uscourts.gov) under Court Info: Fees.

### J. FINES AND RESTITUTION PAYMENTS

The Intake Clerk processes all restitution and fine payments and will issue receipts only for fine and restitution payments accompanied by a payment coupon.

### K. 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 WebPage located at [www.akd.uscourts.gov](http://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**

- ◆ Use 1-inch top and bottom margins and 1-inch margins on the sides;
- ◆ All text must be double or one-and-one half spaces, except for quotations [indent], footnotes and title page, which may be single-spaced;
- ◆ The title page must begin 1 inch from the top of the page and include: name, address, telephone number, fax number, and email 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 case number [including judge's initials after case number], brief nature of document, and nature of relieve 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 typed;
- ◆ Complaints must be accompanied by civil cover sheet, Form AO-JS44, notice of related cases [if applicable], and applicable filing fee or request to proceed inform a pauperis;
- ◆ Place name of party 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 proceedings;
- ◆ 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. See D. AK. LR 7.4(b);

- ◆ The court may require that a proposed order for a dispositive motion be submitted to the court in both PDF and Word format.
- ◆ For motions **brought under Fed. R. Civ. P. 12(b), 12(c) or 56**
  - Principle briefs or memoranda, may not exceed 50 pages and replies may not exceed 25 pages. The page limitations are exclusive of tables of contents, citations, reproductions of statutes, rules, regulations, ordinance, *etc*;
  - Opposition to a Fed. R. Civ. P. 12(b), 12(c) or 56 motion must be filed within 21 days of service of the motion;
  - A reply is optional. If the motion was brought under Fed. R. Civ. P. 12(b), 12(c) or 56, the reply must be filed within 14 days of service of the opposition;
- ◆ For motions **not brought under Fed. R. Civ. P. 12(b), 12(c) or 56**
  - Principle briefs or memoranda, may not exceed 25 pages and replies may not exceed 15 pages;
  - Opposition must be filed within 14 days of service of the motion;
  - A reply is optional. If filed, it must be filed within 7 days of service of the opposition;
- ◆ Oppositions to criminal motions must be filed within 7 days of service of the motion. Unless otherwise ordered by the court, no reply is allowed. See D. AK. LCrR 47.1(b) and (c).
- ◆ 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”], and if more than five exhibits, be preceded by a table of contents. See D. AK LR 10.1(c)(1) and 10.1(c)(2);
- ◆ Bulky exhibits must clearly show case number, document number and title.

For conventionally filed documents:

- ◆ All documents must be on 8 ½ x 11 inch paper at least 16 lb. with two holes punch at the top center of the page;
- ◆ Only the original of ALL documents is required;
- ◆ Use only one side of the paper;
- ◆ Exhibits are to be tabbed with the identifying number/letter.