ALASKA COURT SYSTEM OFFICE OF THE ADMINISTRATIVE DIRECTOR ADMINISTRATIVE BULLETIN NO. 92 (Revised June 2, 2025)

TO: ALL HOLDERS OF ADMINISTRATIVE BULLETIN SETS:

All JusticesSenior StaffAll JudgesCentral ServicesArea Court AdministratorsJudicial ServicesClerk of the Appellate CourtsAPD WarrantsRural Court AdministratorsAPD WarrantsAll Magistrate JudgesAll Clerks of CourtLaw Libraries at Anchorage, Fairbanks & Juneau

SUBJECT: Provisional Rules for eFiling through TrueFiling

The Court System is implementing TrueFiling, a new system for filing and serving documents electronically. A list of case types and court locations where TrueFiling is currently available is listed on the court system's eFiling website.

The Supreme Court has authorized the Administrative Director to adopt provisional rules and procedures to support eFiling. See <u>Supreme Court Order 1943</u>. These provisional rules are expected to change as the eFiling project moves to all courts and case types. To suggest changes or additions to the provisional rules, please contact the eFile team at <u>efilesuggestions@akcourts.gov</u>.

These rules apply to all case types and courts using TrueFiling. This bulletin becomes effective June 16, 2025. These rules supplement the Alaska Rules of Court governing each case type. These rules should be construed to ensure conformity with the Alaska Rules of Court; when provisions of these rules conflict with other court rules, these rules govern eFiling cases.

For purposes of this bulletin, an "eFiling case" is a case for which filings have been submitted in TrueFiling after the adoption of eFiling in that court location and for that case type. The official court record for filings submitted in TrueFiling is the electronic file in OnBase, maintained on the court system's servers. OnBase is a document management system used in the place of a paper file. A court may use OnBase as the official court record for filings submitted after adopting eFiling and may maintain a paper file for filings submitted prior to that court's eFiling adoption. A list of courts that have adopted eFiling, including the timeline for implementation of different case types, is maintained on the Alaska Court System <u>eFiling Project</u> <u>page</u>.

To assist TrueFiling users, additional resources are posted on the <u>eFiling Project</u> page on the court system's website.

1. **Applicable Cases.**

- a. All court users, must file all case documents in eFiling cases after the implementation of TrueFiling in that court location. After the implementation of TrueFiling in a court location, paper documents may be filed with the court only when TrueFiling is unavailable as described in paragraph 3.
- b. Self-represented litigants must eFile all case documents in eFiling cases unless one or more of the following exemptions apply:
 - i. The filer is in a jail or correctional facility;
 - ii. The filer has a disability under the Americans with Disabilities Act (ADA);
 - iii. The filer does not have safe access to a computer, internet, or email;
 - iv. The filer cannot get the help they need to eFile their documents;
 - v. The filer has a language barrier or limited English proficiency.

No documentation is required to support an exemption. An exempt filer may submit documents in-person at the court or via mail. An exempt filer should consult the Alaska Rules of Court instead of this bulletin to understand the procedures for filing documents.

2. **Registration.** TrueFiling users must first register for an account with a valid email address. Registered users consent to electronic service of all filings and orders from court, and must update their account in TrueFiling with a valid email address for service.

- 3. **System Availability.** TrueFiling is designed to provide service 24 hours a day. If there is a statewide or local outage that impacts TrueFiling access, filers must contact the court that will receive the filing to report the outage. That court can determine if alternate means of filing will be accepted.
- 4. **Accessing Documents in TrueFiling.** Documents filed through TrueFiling in criminal cases and some minor offense filings will be accessible to registered, connected users. Documents in other case types will not be accessible in TrueFiling to users or case parties.

The public may access electronic case documents in all public cases at kiosks at each court location.

- 5. **Filing Sealed or Confidential Documents or Information**. Any document that is required to be filed as a confidential document by statute or court rule must be filed as a confidential document in TrueFiling. Sealed documents may be filed in TrueFiling.
- 6. **Filing Certified Documents**. When filing a copy of a certified document, the filer must file form <u>TF-198</u> with a copy or scan of the certified document. The filer must retain the original certified document in paper form. The court may order that the certified copy be provided for inspection, either on its own motion or by request of a party.

7. eFiling Deadline.

- a. Filing a document through TrueFiling does not alter any filing date set by court rule or order. A document submitted in TrueFiling before 11:59 p.m. Alaska Time is deemed filed that day.
- b. Notwithstanding subsection (a), complaints for forcible entry and detainer (FED) filed in TrueFiling outside of regular court business hours (8:00 a.m. to 4:30 p.m. Monday through Thursday; 8 a.m. to 12:00 noon Friday) will be considered filed on the next business day following electronic filing.

c. The court system does not offer TrueFiling assistance outside of regular court hours (8:00 a.m. to 4:30 p.m. Monday through Thursday; 8 a.m. to 12:00 noon Friday). Technical support from i3 Verticals, the TrueFiling vendor, is available Monday through Friday from 4:00 a.m. to 5:00 p.m. Alaska Time at:

> Phone: (855) 959-8868 Email: <u>support@truefiling.com</u>

- 8. **General Format of Documents Filed Electronically.** Electronically filed documents must comply with the Alaska Rules of Court unless otherwise indicated in this bulletin.
- 9. **Document Name.** In the "Filing Name" field, filers must enter the exact document title printed on the document.
- 10. **Signature.** A document submitted through TrueFiling may be signed electronically as provided in (a) below, or with a conventional signature as provided under Civil Rule 76(e).
 - a. Electronic Signature. Affixing a person's electronic signature to a document in the form shown below is the legally binding equivalent of signing the document by hand. A signature on an electronically filed document may be entered as "s/ printed name" on the signature line. If the person is an attorney, an Alaska Bar Association membership number must be entered following the person's name. The person's title must be entered following the person's name.

Attorney Example:

<u>s/ John Smith - Bar Number 12345678</u> Attorney at Law

Non-Attorney Example – Self-Represented Party:

<u>s/ John Doe</u> Self-Represented Party

Non-Attorney Example – Non-Party Participant:

<u>s/ John Participant</u> Probation Officer Non-Attorney Example – Law Enforcement Officer:

<u>s/ John Officer – ID# 1234567</u> (Title and Agency)

- b. Charging Officer's Electronic Signature. A charging officer's electronic or digital signature on an electronically produced criminal or minor offense citation is the legally binding equivalent of the officer's handwritten signature.
- 11. **Commencement of Civil Action.** A party initiating a civil action through the filing of a complaint in TrueFiling is not required to submit the case description form required by Rule 3(a) of the Alaska Rules of Civil Procedure.
- 12. **Charging Documents.** If all other requirements are satisfied, a warrant or summons may be issued based on the charging document signed by a law enforcement officer or prosecutor under penalty of perjury that the charging document is true. A separate affidavit is not required.

13. Motions, Oppositions, and Replies.

- a. Filing. Parties must submit a single document when filing a motion, opposition, or reply. This document should include the following:
 - i. A brief statement of the requested relief;
 - ii. A brief discussion of applicable points and authorities; and
 - iii. Supporting documentary evidence in the form of attachments or exhibits.

This document should be titled simply "Motion for . . .", "Opposition to . . .", or "Reply to . . ." and need not refer to the components of the motion, opposition, or reply. For example, a document containing a motion for summary judgment, a memorandum, and affidavits should be titled "Motion for Summary Judgment," and not "Motion for Summary Judgment, Memorandum in Support, and Supporting Affidavits."

b. Proposed Orders. The proposed order must be submitted as a separate document in the same bundle as the motion, opposition, or reply. (A bundle is a collection of filings submitted at the same time.)

Exception: A proposed order for an unopposed, ex parte, or stipulated motion may be filed in the same document with the motion, opposition, or reply. Self-represented litigants are not required to submit to a proposed order.

- c. Filing Audio and Video Motion Attachments. At this time, filers cannot submit audio or video files in TrueFiling. To file audio or video files with a motion, opposition, or reply, the filer must submit form <u>TF-199</u> as an additional page attached to the document that includes the motion, opposition, or reply. The filer must then deliver the audio or video file to the court with Alaska ZendTo. Instructions on using Alaska ZendTo are available on the Alaska Court System's eFiling webpage.
- d. Attachments that cannot be filed electronically—for example, physical evidence, graphic photographs, and/or sensitive information that is not confidential by statute or court order—must be filed at the court or by mail. These attachments must be submitted with form <u>TF-202</u> in an envelope, if possible. The envelope or attachment must be marked with the case name; case number; the name of the underlying motion, opposition, or reply; and the attachment or exhibit number(s) associated with the evidence. Confidential attachments must be filed according to paragraph 5 above.
- e. Related Motions (i.e., motion for expedited consideration, motion to submit late-filed document). File related motions as two separate documents in the same bundle. (A bundle is a collection of filings submitted at the same time.)
- 14. **File Size and Page Limits.** There is no page limit for filings in TrueFiling, however, files must be under ten megabytes.
- 15. **Subpoenas.** A party may submit a subpoena in TrueFiling for signature and issuance by the clerk of court. Subpoenas submitted in TrueFiling will not be included in the official court record.

16. Service and Distribution of Electronically Filed Documents.

- a. Consent to Service. A party who registers for a TrueFiling account or provides an email address to the court consents to electronic service, to the email address registered in TrueFiling or provided to the court, of all documents from the court or opposing party(s). An attorney user's submission of an entry of appearance in a matter constitutes consent to receive electronic service to their email in that matter.
- b. Electronic Service Through TrueFiling. A party must serve through TrueFiling any document, other than service of process or a summons to gain jurisdiction over persons or property, unless the recipient is not a TrueFiling user. Service through TrueFiling is accomplished through transmission of a link to the document being served.
- c. Certificate of Service. If service is completed through TrueFiling, TrueFiling will generate a Certificate of Service. No other certificate of service is required.
- d. Serving Documents on Non-TrueFiling Users: If a party does not have a TrueFiling account, the filer may serve the party as follows:
 - i. If the non-TrueFiling user has consented to service by email under paragraph 15(a) above, the filer may serve the party by email. TrueFiling can be used to serve the non-TrueFiling user by email.
 - ii. If the non-TrueFiling user has not consented to service by email under paragraph 15(a) above, the filer must serve the party by mail or hand delivery under Civil Rule 5(b).

The filer must indicate in TrueFiling the method of service on the non-TrueFiling party or file a certificate of service with the filing.

- e. Service through TrueFiling is deemed to occur at the time of filing, including service that occurs anytime on a Friday, Saturday, Sunday, or on a judicial holiday.
- f. Computation. For cases or documents filed in TrueFiling, Civil Rule 6(a) is provisionally amended to read:

In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not to be included. For documents filed or served electronically through TrueFiling, the designated period of time begins to run on the first business day after the day the document was filed or served. The last day of the period is to be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays will be excluded in the computation.

g. Distribution Date. The date of notice of a written order or judgment is the date reflected in the Certificate of Distribution appended to documents electronically distributed by the court through TrueFiling.

17. Alaska Office of Victims' Rights.

If the Alaska Office of Victims' Rights (OVR) has filed an Entry of Appearance in a case through TrueFiling, anyone filing and serving documents through TrueFiling in that case must also serve those documents on OVR through TrueFiling. (If OVR has filed an entry of appearance in a case, OVR will be listed as a service recipient in TrueFiling for that case.)

18. Notwithstanding Section I of Administrative Bulletin 7:

- a. If venue of an electronically filed case is changed from a court using OnBase for that case type to another court using OnBase for the same case type, the case number will <u>not</u> be changed.
- b. If venue of an electronic case is changed from a court using OnBase for that case type to a court not using OnBase for that case type, or vice versa, the case number will change as in Administrative Bulletin 7, Section 2(I).
- 19. **Bonds.** Original bonds and supporting documents filed through TrueFiling or submitted at the court or by mail and scanned into TrueFiling are deemed the originals and are fully enforceable as the original.

- 20. **Records Retention**. <u>Administrative Bulletin 25</u>, Records Retention Schedule, does not apply to electronic case documents filed in TrueFiling. Excluding documents filed under 12(d), all paper documents filed in a case shall be imported into OnBase within three business days. The original document may be destroyed by the receiving court by shredding.
- 21. **Court Forms.** All court forms referenced in this maybe found on the Alaska Court System website at <u>https://courts.alaska.gov/forms/index.htm</u>. Note "TF" forms are found under the "Trial Court" section.

Dated: <u>June 2, 2025</u>

/s/

Stacey Marz Administrative Director

Bulletin History: Originally Issued November 22, 2019 (nunc pro tunc May 1, 2019); revised effective July 15, 2020 (Amended No. 1a. to require attorneys to use TrueFiling); revised March 31, 2021; revised October 21, 2021; revised June 21, 2022; revised June 2, 2025.

Distribute Bulletin to:

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