

IN THE TRIAL COURTS OF THE STATE OF ALASKA
SECOND JUDICIAL DISTRICT

In the Matter of:)
)
TEMPORARY SUSPENSION OF COURT) [CORRECTED]
PROCEEDINGS AND RELAXATION OF) Presiding Judge
COURT RULES IN RESPONSE TO) Administrative Order No. 20-01
COVID-19 PANDEMIC) (Effective April 3, 2020)
_____)

This Presiding Judge Administrative Order summarizes and clarifies how court operations in the Second Judicial District and its four courts—Kotzebue, Nome, Unalakleet, and Utqiagvik (formerly Barrow) will proceed during the COVID-19 pandemic. This Order will be updated as necessary to respond to the COVID-19 pandemic and to promote the safety of court staff balanced with the rights and liberties of the individual.

Within the past two weeks, the Alaska Supreme Court issued Order No. 1957 and the Chief Justice issued Special Order No. 8131. Following issuance of these orders, the presiding judges of the four judicial districts issued two statewide orders. The first, issued March 23, and updated April 3, 2020 provide operational guidance to judges, staff, and litigants related to above mentioned supreme court orders; the second, issued March 28, provided a temporary bail schedule. Those orders are incorporated by reference.

This Order restates and specifies the broad authority provided in those orders.

A. GENERAL OPERATIONS.

1. In the event of a COVID-19 outbreak in a community where a court is located, court operations may be limited or temporarily suspended depending on available staffing and risk to court staff.
2. **All criminal and civil hearings shall be telephonic or through Polycom.**
3. 800 numbers and access codes will be utilized by each court.
4. Filings by self-represented litigants may be made in person using the court provided drop box.
5. To the greatest extent possible, all filings shall be made electronically via email, subject to a 25-page limit including attachments. Local judges may approve larger filings at their discretion.
6. Signatures on documents shall be made by typing “s/name/” on the signature line. Parties may supply necessary notarized documents at a later time. If email is not available faxes will be accepted.

B. EMERGENCY MATTERS. Domestic violence, stalking and sexual assault protective orders, elder fraud protective orders, mental health evaluations, involuntary and alcohol commitment hearings (and related hearings), and isolation and quarantine cases will be held in the normal course. Tribal court domestic violence orders will be registered while this order remains in effect.

C. CRIMINAL.

1. **All jury trials, grand juries, superior court and district proceedings are suspended, except the following priority hearings, until May 31, 2020:**
 - a. arraignments;
 - b. felony first appearances;
 - c. bail hearings;
 - d. change of plea and sentencing hearings;
 - e. adjudication and disposition hearings on PTRPs;
 - f. habeas corpus applications.
2. This suspension may be extended as needed in response to the COVID-19 pandemic.
3. Criminal Rule 5(e)(4) and 45 are tolled in any pending case or newly filed case for an additional 30 days beyond the suspension being lifted to permit an orderly transition and scheduling.
4. Search warrant and arrest warrant requests shall be made by written affidavit submitted electronically, or by telephone as necessary.
5. To the greatest extent possible, parties are encouraged to utilize stipulations and nonopposed motions instead of scheduled court hearings to handle easily resolved questions.

D. CIVIL MATTERS

1. **No general civil jury trials, eviction hearings, or civil marriage ceremonies will be held.** Judges may find good cause to stay an outstanding eviction order based on the current public health emergency.
2. Civil Rule 5 service should be made electronically, without the necessity for the consent of a party.
3. Child custody, visitation, and divorce/dissolution cases will not be heard during any suspension except on an emergency basis and at the discretion of the assigned judicial officer.

E. CINA.

1. Only temporary custody, permanency, review hearings, and .087 secure placement hearings will be held.
2. No contested hearings will be held absent emergency circumstances as determined by the assigned judicial officer.
3. To the greatest extent possible, parties are encouraged to utilize stipulations and nonopposed motions instead of scheduled court hearings to handle easily resolved questions.

- F. DELINQUENCY. Arraignment, detention review, stipulated adjudications, dispositions, and .255 secure placement hearings will be held. No contested hearings will be held absent emergency circumstances as determined by the assigned judicial officer.
- G. PROBATE. Only temporary guardianship and conservatorship hearings will be held. Other hearings may only be held upon a finding of emergency circumstances as determined by the assigned judicial officer.
- H. EMERGENCY EXCEPTIONS. Emergency situations in cases not on the list of priority hearings may be considered on a limited, case-by-case basis by the assigned judicial officer, consistent with available staffing.
- I. Effective Date. This PJ Administrative Order remains in effect until modified or terminated by superseding order of the Presiding Judge or the Chief Justice of the Alaska Supreme Court.

Dated this 3rd Day of April, 2020 at Kotzebue, Alaska.

IT IS SO ORDERED.


PAUL A. ROETMAN
Presiding Judge
Second Judicial District