

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1053

Amending Administrative Rule  
12(b) concerning counsel  
appointments under AS  
18.85.100(a).

IT IS ORDERED:

1. Administrative Rule 12(b)(2) is amended to provide:

(2) *Determination of Indigency.* Determination of indigency or financial inability for appointments under paragraph (b) [(B)] of this rule must be made in accordance with the provisions of Criminal Rule 39.

2. Administrative Rule 12(b)(3) is amended to provide:

(3) *Assessment of Costs.* To the extent that a person for whom counsel is appointed under paragraph (b) [(B)] of this rule is able to provide for an attorney, the other necessary services and facilities of representation, and court costs, the court shall order the person to pay for these items. When counsel is appointed for a child when the child's parents or custodian are financially able but refuse to employ counsel to assist the child, the court may, when appropriate, assess as costs against the parents, guardian or custodian the cost to the state for providing such counsel.

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DATED: October 31, 1990

EFFECTIVE DATE: January 15, 1991

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Chief Justice Rabinowitz

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Justice Matthews

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Justice Burke

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Justice Compton

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Justice Moore