

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1197

Adding New Probate Rule 7.1 on
personal representatives' fees.

IT IS ORDERED:

1. The Probate Rules are amended to include new Probate Rule 7.1 as follows:

Rule 7.1. Personal Representative's Fee.

A personal representative's fee shall be reasonable. The following factors may be considered in determining the reasonableness of the fee:

(1) the time and labor reasonably required of the personal representative;

(2) the complexity of the estate;

(3) the skill and training required to perform the personal representative's duties;

(4) the amount and degree of individual liability to which the personal representative may be exposed during the performance of the personal representative's duties;

(5) the amount of time taken from the personal representative's profession;

(6) the expenses and costs incurred by the personal representative and whether those expenses and costs were charged to the estate;

(7) whether the personal representative retained agents and the fees charged, if any, by those agents;

(8) if the personal representative served in more than one capacity as attorney, accountant, appraiser, property manager, investment advisor, or another capacity, whether the personal representative charged separately for those other services or did not charge for those services;

(9) whether one or more persons or corporate trustees are appointed personal representative; and

(10) other equitable factors deemed relevant.

DATED: April 7, 1995

EFFECTIVE DATE: July 15, 1995

/s/
Chief Justice Moore

/s/
Justice Rabinowitz

/s/
Justice Matthews

/s/
Justice Compton

/s/
Justice Eastaugh