

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1855

Amending Civil Rule 5.2 on the concerning registration of foreign support and custody orders, clarifying service requirements and protecting the confidentiality of social security numbers.

IT IS ORDERED:

Civil Rule 5.2 is amended to read as follows:

Rule 5.2. Foreign Orders and Judgments.

(a) Notice of Registration of Support and Child Custody Orders.

(1) When the court is required by the Uniform Interstate Family Support Act (AS 25.25.101 – .903) or the Uniform Child Custody Jurisdiction and Enforcement Act (AS 25.30.300 - .910) to give notice of registration of a support order, income withholding order, or child custody determination of another state, the court must give the required notice by first class mail, certified mail, or by any means of personal service authorized by Civil Rule 4. If the registering party does not request a method of service, the court will use first class mail.

(2) If the registering party requests that the court use a method of notice that provides proof of service, the party shall file proof of service with the court ~~proof of service must be retained by the party and not filed with the court unless and until it is needed in future proceedings.~~

(3) The time period within which the non-registering party may request a hearing begins on the date the notice is mailed or personally served.

(b) **Notice of Filing Foreign Judgments.** When the court is required by the Uniform Enforcement of Foreign Judgments Act (AS 09.30.200 -.270) to give notice of the filing of a foreign judgment, the court must promptly give that notice by first class mail. As provided in AS 09.30.210(b), a judgment creditor may mail an additional notice by first class or certified mail.

(c) **Confidentiality of Social Security Numbers.** Social security numbers shall not become part of the public record.

(1) When a judgment or order to be registered contains social security numbers, the filing party shall submit an un-redacted certified copy of the judgment or order and a duplicate with the social security numbers redacted. The filing party must omit or redact social security numbers from all other documents filed in the case unless otherwise ordered by the court.

(2) If the filing party is required by law to provide the obligor's social security number to the court, the filing party shall provide the information, if known, on a confidential information sheet. The clerk of court shall provide a copy of the confidential information sheet to the Child Support Services Division upon request or whenever the court provides a child support order to a child support agency as required by state law. Further disclosure shall be authorized by court order only upon a showing of good cause.

(d) **Service of Motions, Petitions, and Complaints to Enforce or Modify Registered Support and Child Custody Orders.**

(1) *Support Orders.* A party may serve a motion or complaint to enforce or modify a registered out-of-state support order by first class mail under Civil Rule 5.

(2) Child Custody Determinations.

(A) Enforcement. A party may serve a motion or petition to enforce a registered out-of-state custody determination by first class mail under Civil Rule 5. A petition for expedited enforcement under AS 25.30.460 must be served to provide timely notice. If the motion to enforce the registered out-of-state child custody determination includes an application for a warrant to take physical custody of a child, the documents may be served before but must be served no later than immediately after the child is taken into physical custody according to AS 25.30.490.

(B) Modification. A party may serve a motion or petition to modify a registered out-of-state child custody determination by any means of service authorized by Civil Rule 4.

DATED: June 22, 2015

EFFECTIVE DATE: October 15, 2015

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger