

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 376

Amending Administrative Rule  
15 Relating to Compensation  
of Court Appointed Counsel in  
Criminal Cases.

IT IS ORDERED:

1. Paragraph (f) of Rule 15, Rules Governing the Administration of All Courts is amended to read:

(f) Attorneys shall be compensated at the rate of \$40.00 per hour; provided that total compensation for any case shall not exceed the following schedule:

- (1) Misdemeanor disposed of following a plea of guilty or nolo contendere, or by dismissal....\$ 250
- (2) Misdemeanor disposed of following trial.....\$ 500
- (3) Felony disposed of following a plea of guilty or nolo contendere, or by dismissal....\$1,250
- (4) Felony disposed of following trial.....\$2,500
- (5) Probation or parole revocation proceeding or a proceeding under Criminal Rule 35(b)
  - (i) Misdemeanor.....\$ 350
  - (ii) Felony.....\$1,000
- (6) Appeal, including combined sentence and merit appeals:
  - (i) From the district court.....\$ 500
  - (ii) From the superior court.....\$1,500
- (7) Sentence appeal:
  - (i) From the district court.....\$ 250
  - (ii) From the superior court.....\$ 750
- (8) Petition for review, including any additional or successive petitions in the same case:
  - (i) From the district court.....\$ 350
  - (ii) From the superior court.....\$1,000

Multiple counts or charges in an indictment or information are to be considered as a single case for purposes of compensation under this rule, but in the discretion of the presiding judge, they may be treated as separate cases if separate trials have been ordered under Criminal Rule 14. Additional compensation for proceedings not specifically listed in this schedule may not be awarded except under (h) of this rule.

2. Paragraph (g) of Rule 15, Rules Governing the Administration of All Courts, is amended to read:

(g) Extraordinary expenses will be reimbursed only if prior authority has been obtained from the assigned trial judge, from the presiding judge, or from the Administrative Director. The assigned trial judge may authorize extraordinary expenses up to a total amount not to exceed \$1,000.00, and the presiding judge may authorize an amount not to exceed an additional \$1,500.00. Extraordinary expenses exceeding \$2,500.00 may be authorized only in extremely complex cases by

the Administrative Director upon the recommendation of the presiding judge. In this paragraph, "extraordinary expenses" are limited to expenses for

- (1) investigation;
- (2) expert witnesses; and
- (3) necessary travel and per diem by the defendant, appointed counsel, and witnesses. Travel and per diem may not exceed the rate authorized for state employees.

3. Rule 15, Rules Governing the Administration of All Courts is amended by adding new paragraphs to read:

(h) If necessary to prevent manifest injustice, the Administrative Director may authorize payment of compensation or expenses in excess of the amounts allowed under this rule.

(i) If the Administrative Director determines that the best interest of the Court System would be served, he may enter into agreements to provide representation for indigent defendants in criminal cases. The provisions of an agreement entered into under this paragraph supersede the other provisions of this rule.

4. The limitations adopted in Paragraphs 1 and 2 of this order apply to all services performed on or after the effective date of the order, including services performed under appointments made before the effective date; provided, however, that the limitations specified shall apply only to services performed after this date.

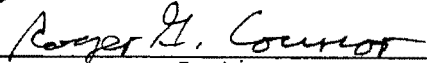
DATED: June 29, 1979

EFFECTIVE DATE: July 1, 1979


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\* Justice Boochever would prefer entering into agreements to provide representation for indigent defendants in criminal cases.