

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 847

Amending Appellate Rules 204(c)(2),
209(a)(6), 508(g), 602(c)(2):
Costs and Bonds on Appeal

IT IS ORDERED:

1. Appellate Rule 204(c)(2) is amended to provide:

(2) Notwithstanding subparagraph (1), a bond for costs on appeal shall not be required in an appeal from a decision of the trial [SUPERIOR] court in any criminal case or any civil case where an indigent party is entitled to court-appointed counsel, and a bond shall not be required from an employee appealing from a denial of compensation by [RENDERED ON AN APPEAL FROM] the Alaska Workers' Compensation Board or from a denial of a claim for benefits under AS 23.20 (Employment Security Act). [, IF THE APPEAL TO THE SUPREME COURT IS TAKEN BY AN EMPLOYEE CLAIMING COMPENSATION.]

2. A new subparagraph (a)(6) is added to Appellate Rule 209 to provide:

(6) An appeal or petition for review at public expense will be allowed without additional motion in cases where the appellant is represented by court-appointed counsel.

3. Appellate Rule 508(g) is amended to provide:

(g) Exemptions. Workers' Compensation Appeals. In an administrative appeal from the Alaska Workers' Compensation Board or in an appeal from a denial of a claim of benefits under the Employment Security Act, an award of costs or attorney's fees shall not be made against the [EMPLOYEE/] claimant in either the supreme court or the superior court unless the court finds that the claimant's position was frivolous, unreasonable, or taken in bad faith.

4. Appellate Rule 602(c)(2) is amended to provide:

(2) Notwithstanding subparagraph (1), a bond for costs on appeal shall not be required of the claimant in an appeal from the Alaska Workers' Compensation Board

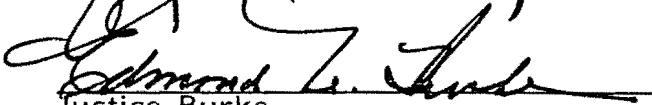
or in an appeal from a denial of a claim for benefits
under the Employment Security Act [BY AN EMPLOYEE
CLAIMING COMPENSATION].

DATED: July 15, 1987

EFFECTIVE DATE: January 15, 1988



Chief Justice Rabinowitz




Justice Burke

Justice Matthews



Justice Compton



Justice Moore