

**Native Village of Kiana  
Kiana Traditional Council  
P.O. Box: 69  
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Phone: (907) 475-2109 / (907) 475-2180**

April 7, 2016

**Dear House Judiciary Members:**

Representative LeDoux, Chair  
Representative Keller, Vice-Chair  
Representative Foster  
Representative Lynn  
Representative Millett  
Representative Claman  
Representative Kreiss-Tomkins  
Representative Olson

**Sent via email:** [House.Judiciary@akleg.gov](mailto:House.Judiciary@akleg.gov)

**Re: House bill 200**

This letter is to articulate *my/our* strong support of House Bill 200. *I/We* believe this bill will create significant cost and time saving efficiencies for the various legal entities and courts that are now hearing cases involving dependent foster children. Currently, proceeding for child in need of aid, adoption, guardianship and civil custody matters can be heard in different courts, with different judges, without the full scope of available information. By creating the efficiencies gained by this bill it time and money saved, as well as the changes to expedite custody cases so that children are leaving foster care through reunification, adoption or guardianship.

The Office of Children's Service, Public Defender's Agency, Department of Law, Alaska Court System, Office of Public Advocacy and Tribal Representatives (whom all participant in a number of legal proceedings that involve children when they are subject to foster care through a Child in Need of Aid (CINA) court case) often have to go to multiple different courts at different times for different purposes, but all related to the same child. This bill creates a model of a **"one judge, one family"** concept that will allow for more timely and just judicial determination overall which is good for all Alaskans. With this bill adoption, guardianship, and civil proceedings involving a foster child will all be heard under one roof.

This bill also reduces barriers for family members and extended family members to a child covered under ICWA who want to adopt or become legal guardians of the child, by making the process more realistic and understandable. Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children who reach permanency with their family, culture and traditions. The "proxy in lieu of a petition" procedure provides a less formal mechanism for individuals entitled to placement preference under ICWA that preserves and applies the request for placement

preference. A proxy is not necessary for children not subject to ICWA because there is no similar formal requirement in state law that an individual entitled to preference must take in order to preserve their preference.

Thank you for supporting efforts to keep all Alaska's children with their families and in their own home communities whenever possible.

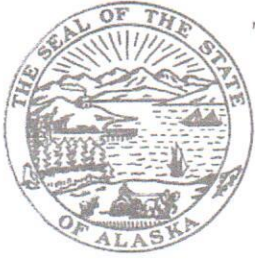
Sincerely,

A handwritten signature in black ink, appearing to read 'Gloria Shellabarger', with a stylized, flowing script.

Gloria Shellabarger  
Tribe Director

C.c: Kiana Traditional Council Members





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of  
Health and Social Services

OFFICE OF CHILDREN'S SERVICES  
Director's Office

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**April 5, 2016**

**HB 200/SB 112**

In Summary this bill does the following:

- For all Alaskan families with a child subject to a Child in Need of Aid (CINA) case, this bill will reduce barriers to their participation and expedite the achievement of permanency for the child(ren) by conjoining multiple legal proceedings under one roof.
- A "one judge, one family" concept will save the legal parties, including state agencies such as the Public Defender's Agency, Office of Public Advocacy and Office of Children's Services, time and money by reducing redundancies. Conjoining adoption, guardianship, civil custody and CINA proceedings will streamline the system for families.
- In light of the *Baby Girl* and *Tununak II* decisions, an individual entitled to preference under ICWA's adoptive placement preferences must file a formal petition to adopt the child in order to preserve their placement preference. The proxy procedure provides a less formal mechanism for individuals entitled to preference under ICWA to preserve and apply their placement preference. A proxy is not necessary for children not subject to ICWA because there is no similar formal requirement in state law that an individual entitled to preference must take in order to preserve their preference.