

HOUSE BILL NO. 386

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MEYER, Dyson

Introduced: 2/6/02

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to foster care and adoption of children in need of aid; and relating to**
2 **child-in-need-of-aid proceedings."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 25.23.100(a) is amended to read:

5 (a) After the filing of a petition to adopt a minor, the court shall fix a time and
6 place for hearing the petition. **The court shall expedite consideration of a petition**
7 **for adoption of a child who is under the prior and continuing jurisdiction of a**
8 **court under AS 47.10.** At least 20 days before the date of hearing, the petitioner shall
9 give notice of the filing of the petition and of the time and place of hearing to (1) the
10 department, unless the adoption is by a stepparent of the child; (2) any agency or
11 person whose consent to the adoption is required by this chapter, but who has not
12 consented; and (3) a person whose consent is dispensed with upon any ground
13 mentioned in AS 25.23.050(a)(1), (2), (3), (6), (7), (8) and (9), but who has not
14 consented. The notice to the department shall be accompanied by a copy of the

1 petition.

2 * **Sec. 2.** AS 25.23 is amended by adding a new section to read:

3 **Sec. 25.23.127. Preference for adoption by a foster parent.** If a foster
4 parent petitions to adopt a child who has lived as a foster child with the foster parent
5 for a continuous period of at least nine months, the court shall give preference to
6 adoption of the child by the child's foster parent if the court determines that

7 (1) bonding has occurred, as evidenced by positive emotional and
8 physical interaction between the foster parent and the child; and

9 (2) adoption by the foster parent would promote the best interests of
10 the foster child and is otherwise consistent with law.

11 * **Sec. 3.** AS 47.10.080(r) is amended to read:

12 (r) If the court orders a child committed to the department under (c) of this
13 section, the court shall order the child's parent or guardian to provide the department
14 with

15 (1) the names, addresses, and telephone numbers of all of the child's
16 medical providers;

17 (2) the names, addresses, and telephone numbers of mental health
18 providers that have provided services to the child;

19 (3) the names, addresses, and telephone numbers of schools,
20 preschools, or day care facilities that the child was attending before the child was
21 committed to the department;

22 (4) a description of special needs of the child, if any; and

23 (5) the names and locations of relatives who may be willing to have
24 the child placed in their home **if the names and locations have not already been**
25 **supplied in response to an order issued under AS 47.10.142(f).**

26 * **Sec. 4.** AS 47.10.142(f) is amended to read:

27 (f) When a minor is committed to the department for temporary placement
28 under (e) of this section, the court order shall specify the terms, conditions, and
29 duration of placement **and shall require the minor's parent or guardian to provide**
30 **the department with the names and locations of relatives who may be willing to**
31 **have the minor placed in their home.** If the court orders the minor returned to the

1 custody of the minor's parents or guardian under (e) of this section after a hearing held
2 on a petition filed under AS 47.10.141(f), the court shall specify the terms and
3 conditions that must be followed by the minor and the minor's parents or guardian.
4 The court shall require the minor to remain in the placement provided by the
5 department and shall clearly state in the order the consequences of violating the order,
6 including detention under AS 47.10.141(c).

7 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **APPLICABILITY.** AS 47.10.080(r), as amended by sec. 3 of this Act, and
10 AS 47.10.142(f), as amended by sec. 4 of this Act, apply to a case for which a petition to find
11 a minor to be a child in need of aid under AS 47.10 is filed with the court on or after the
12 effective date of this Act.