

Introduced: 2/17/67
Referred: Health, Welfare
and Education and Judiciary

1 IN THE HOUSE

BY FRITZ AND BEIRNE

2 HOUSE BILL NO. 200

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to adoption proceedings."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 20.10.100(b) is amended to read:

9 (b) Appeal may be taken as in other superior court cases, and
10 the Department of Health and Welfare may exercise the right of appeal
11 in any case where the child has been previously committed to its
12 custody. The [FINAL] decree granting adoption shall contain an order
13 granting custody of the child to the adoptive parent and, if it has
14 been requested, the issuance and filing of a substitute birth certifi-
15 cate.

16 * Sec. 2. AS 20.10.100 is amended by adding a new subsection to read:

17 (c) For the purpose of appeal the decree issued under (a) of this
18 section shall be considered final. However, as it affects the parties
19 involved, the decree shall not be final until six months after its
20 issuance and it is justified by the results of the following, to be
21 filed with the court:

22 (1) an examination of the child by a physician licensed to
23 practice medicine in the state; and

24 (2) a social service investigation of the adopting parents
25 and their home by a public or private agency.

26 * Sec. 3. AS 20.10.110 is amended to read:

27 Sec. 20.10.110. WHEN FINAL DECREE ABSOLUTE. Within six months
28 after the decree has become final and has been entered [AFTER THE
29 ENTRY OF THE FINAL DECREE] a parent who has not received actual notice

1 of the adoption proceeding in time to appear or object may move to
2 vacate the decree, and for an award of the custody of the adopted child
3 to him. The motion shall be accompanied by an affidavit disclosing
4 good grounds for objection to the adoption. If it appears to the
5 satisfaction of the court that there are good grounds and sufficient
6 reasons for setting aside the adoption, it may order a hearing upon
7 the motion, fix a time and place therefor, specify the parties to be
8 notified which shall include all interested parties present at the
9 original proceeding with sufficient time for their appearance, and
10 upon the hearing the court may deny the motion or grant it and set
11 aside the adoption and make a re-determination of custody. No motion
12 shall be granted unless the person filing it is a fit and proper person
13 and otherwise entitled to the exclusive custody of the child as shown
14 by the evidence at the hearing. Appeal may be taken as from a final
15 decree.

16 Sec. 4. AS 20.10.140 is amended to read:

17 Sec. 20.10.140. ADOPTION OF ADULT. If the person to be adopted
18 is of legal age and competency and the petition is accompanied by the
19 verified consent of the person to be adopted, acknowledged to have
20 been given voluntarily, then neither investigation nor notice to any
21 person nor the consent of any other person is required. The require-
22 ments of sec. 100(c)(1) and (2) of this chapter do not apply to the
23 adoption of an adult.
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