

Introduced: 4/24/81  
Referred: Health, Education &  
Social Services

1 IN THE HOUSE

BY MILLER AND CLOCKSIN

2 HOUSE BILL NO. 532

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the award of visitation rights  
7 to grandparents."

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

9 \* Section 1. AS 09.55.205 is amended to read:

10 Sec. 09.55.205. JUDGMENTS FOR CUSTODY. In an action for divorce  
11 or for legal separation the court may, if it has jurisdiction under  
12 AS 25.30.020, and is an appropriate forum under AS 25.30.050 and 25.-  
13 30.060, during the pendency of the action, or at the final hearing or  
14 at any time thereafter during the minority of any child of the marriage,  
15 make, modify or vacate an order for the custody of or visitation with  
16 the minor child which may seem necessary or proper, including an order  
17 which provides for visitation by any grandparents [AND MAY AT ANY TIME  
18 MODIFY OR VACATE THE ORDER]. Any appointment of a guardian ad litem  
19 for a child shall be made under the terms of AS 09.65.130. The court  
20 shall determine custody in accordance with the best interests of the  
21 child. Neither parent is entitled to preference as a matter of right in  
22 awarding custody of the child. In determining the best interests of  
23 the child the court shall consider all relevant factors including:

- 24 (1) the physical, emotional, mental, religious and social  
25 needs of the child;
- 26 (2) the capability and desire of each parent to meet these  
27 needs;
- 28 (3) the child's preference;
- 29 (4) the love and affection existing between the child and

1 each parent;

2 (5) the length of time the child has lived in a stable,  
3 satisfactory environment and the desirability of maintaining continuity;

4 (6) the desire and ability of each parent to allow an open  
5 and loving frequent relationship between the child and his other parent.

6 \* Sec. 2. AS 09.55.231(a)(2) is amended to read:

7 (2) if there are minor children of the marriage or the wife  
8 is pregnant, the spouses have agreed on which spouse or third party  
9 shall be awarded custody of each minor child of the marriage and the  
10 extent of visitation, including visitation by grandparents, and support  
11 to be provided on the children's behalf, whether the payments are to be  
12 made through the child support enforcement agency and the tax conse-  
13 quences of that agreement;