

Offered: 2/7/86  
Referred: Judiciary and Finance

Original sponsors: Sund, Gruenberg,  
Cotten, et al

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 474 (HESS)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to volunteer guardians ad litem and  
7 court-appointed special advocates in the Office of  
8 Public Advocacy."

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

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\* Section 1. AS 44.21.410 is amended to read:

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Sec. 44.21.410. POWERS AND DUTIES OF PUBLIC ADVOCACY OFFICE.

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(a) The office of public advocacy shall

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(1) perform the duties of the public guardian under AS 13.-

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26.360 - 13.26.410;

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(2) provide visitors and experts in guardianship proceed-

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ings under AS 13.26.131;

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(3) provide guardian ad litem services to children in child

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protection actions under AS 47.17.030(e) and to wards and respondents

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in guardianship proceedings who will suffer financial hardship or

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become dependent upon a government agency or a private person or

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agency if the services are not provided at state expense under AS 13.-

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26.112;

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(4) provide legal representation in guardianship proceed-

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ings to respondents who are financially unable to employ attorneys

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under AS 13.26.106(b); to indigent parties in cases involving child

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custody in which the opposing party is represented by counsel provided

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by a public agency, and to indigent parents or guardians of a minor

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respondent in a commitment proceeding concerning the minor under

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AS 47.30.775;

1 (5) provide legal representation and guardian ad litem  
2 services under AS 25.24.310; in cases arising under the Uniform Inter-  
3 state Compact on Juveniles (AS 47.15); in cases involving petitions to  
4 adopt a minor under AS 25.23.100(j); in cases involving petitions to  
5 remove the disabilities of a minor under AS 09.55.590; in children's  
6 proceedings under AS 47.10.050(a); and in cases involving indigent  
7 persons who are entitled to representation under AS 18.85.100 and who  
8 cannot be represented by the public defender agency because of a  
9 conflict of interests;

10 (6) develop and coordinate a program to recruit, select,  
11 train, assign, and supervise volunteer guardians ad litem and court-  
12 appointed special advocates from local communities to aid in deliver-  
13 ing services in cases in which the office of public advocacy is ap-  
14 pointed as guardian ad litem.

15 (b) The commissioner of administration may

16 (1) adopt regulations that the commissioner considers  
17 necessary to implement AS 44.21.400 - 44.21.440;

18 (2) report on the operation of the office of public advoca-  
19 cy when requested by the governor or legislature or when required by  
20 law;

21 (3) solicit and accept grants of funds from the federal  
22 government, local governments, persons, and [FROM] private foun-  
23 dations, and allocate or restrict the use of those funds as required  
24 by the grantor.

25 \* Sec. 2. AS 44.21 is amended by adding a new section to read:

26 Sec. 44.21.450. CIVIL LIABILITY OF SPECIAL ADVOCATES AND VOLUN-  
27 TEER GUARDIANS. A volunteer guardian ad litem or court-appointed  
28 special advocate under the supervision of the office of public advoca-  
29 cy may not be held civilly liable for acts or omissions during the

1        good faith performance of duties as a guardian unless the volunteer  
2        was guilty of gross negligence or reckless or intentional misconduct.