

Offered: 4/23/86
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 497 (Judiciary)
3 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 custody, support, visitation, and
7 birth certificates of children."

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

9 * Section 1. AS 25.20.060(a) is amended to read:

10 (a) In a case involving [IF THERE IS A DISPUTE OVER] child
11 custody, either parent may petition the superior court for resolution
12 of the matter under AS 25.20.060 - 25.20.130. The court shall award
13 custody on the basis of the best interests of the child in either a
14 disputed or undisputed case. In determining the best interests of the
15 child, the court shall consider all relevant factors, including those
16 factors enumerated in AS 25.24.150(c), and shall examine the agree-
17 ments between the parents regarding custody to ensure that the agree-
18 ments are in the best interests of the child and that neither parent
19 has been subjected to duress or coercion to accept the agreements.
20 The court may approve agreements that are in writing and filed with
21 the court or that are made orally on the record and subsequently set
22 out in full in the court order or decree. If the court finds the
23 custody agreement is not in the child's best interest, the court shall
24 (1) disapprove the agreement in whole or in part and set
25 out the reasons for disapproval on the record or in a written decis-
26 ion;
27 (2) solicit all relevant information regarding all relevant
28 factors, including those factors enumerated in AS 25.24.150(c); and
29 (3) enter an appropriate child custody order.

1 * Sec. 2. AS 25.20.060 is amended by adding new subsections to read:

2 (d) The court may award visitation to a grandparent or another
3 person if visitation is in the best interest of the child.

4 (e) The court may award child support in an appropriate case,
5 whether custody is sole, shared, or split.

6 (f) In awarding custody, the court shall consider only those
7 factors that directly affect the well-being of the child.

8 * Sec. 3. AS 25.20.100 is amended to read:

9 Sec. 25.20.100. [DENIAL OF] SHARED CHILD CUSTODY. If a parent
10 or the guardian ad litem requests shared custody of a child and the
11 court awards or denies the request, the reasons for the award or
12 denial must [SHALL] be stated on the record, including the court's
13 reasoning on each of the factors enumerated in AS 25.24.150(c).

14 * Sec. 4. AS 25.20 is amended by adding a new section to read:

15 Sec. 25.20.140. DEFINITION. In this chapter "split custody"
16 means a custody arrangement in which the decision as to who has custo-
17 dy of each child is not the same for all children of the marriage.

18 * Sec. 5. AS 18.50.160(f) is repealed.