

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) am  
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. This sub-  
8 section does not prohibit the court from considering the impact of a  
9 custody award on either parent, to the extent such impact may affect  
10 the best interests of the child.

11 \* Sec. 3. AS 25.20.100 is amended to read:

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

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

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

21 \* Sec. 5. AS 18.50.160(f) is repealed.