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Referred: Rules

Original sponsor(s): Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 195 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to divorce, dissolution, and annul-
7 ment; and amending Rule 84(a), Alaska Rules of Civil
8 Procedure."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. INTENT. By amending AS 25.24.160(a)(2) and (4) in this
11 Act and by referring to those paragraphs in other sections of AS 25.24 in
12 this Act, it is the legislature's intent to codify the principal factors to
13 be weighed by a court in making an equitable division of property or an
14 award of maintenance in a divorce or dissolution proceeding. Except for
15 AS 25.24.160(a)(4)(F), the factors codified are intended to restate the
16 principal factors found in case law, not to change them, affect the inter-
17 pretation given to them, or preclude changes or additions to them by other
18 court rulings.
19 * Sec. 2. AS 25.20.090 is amended to read:
20 Sec. 25.20.090. FACTORS FOR CONSIDERATION IN AWARDING SHARED
21 CHILD CUSTODY. In determining whether to award shared custody of a
22 child the court shall consider
23 (1) the child's preference if the child is of sufficient
24 age and capacity to form a preference;
25 (2) the needs of the child;
26 (3) the stability of the home environment likely to be
27 offered by each parent;
28 (4) the education of the child;
29 (5) the advantages of keeping the child in the community

1 where the child presently resides;

2 (6) the optimal time for the child to spend with each

3 parent considering

4 (A) the actual time spent with each parent;

5 (B) the proximity of each parent to the other and to

6 the school in which the child is enrolled;

7 (C) the feasibility of travel between the parents;

8 (D) special needs unique to the child that may be

9 better met by one parent than the other;

10 (E) which parent is more likely to encourage frequent

11 and continuing contact with the other parent;

12 (7) any findings and recommendations of a neutral mediator;

13 (8) any evidence of domestic violence, child abuse, or

14 child neglect in the proposed custodial household or a history of

15 violence between the parents;

16 (9) evidence that substance abuse by either parent or other

17 members of the household directly affects the emotional or physical

18 well-being of the child;

19 (10) <u>the past history of the parents with respect to their</u>

20 <u>compliance with the child support payment provisions of temporary or</u>

21 <u>permanent support orders or agreements;</u>

22 <u>(11)</u> other factors the court considers pertinent.

23 * Sec. 3. AS 25.20.110 is amended by adding a new subsection to read:

24 (b) When making a determination under (a) of this section, the

25 court shall consider the past history of the parents with respect to

26 their compliance with the child support payment provisions of tempo-

27 rary or permanent support orders or agreements.

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

29 Sec. 25.20.115. ATTORNEY FEE AWARDS IN CUSTODY AND VISITATION

1 MATTERS. In an action to modify, vacate, or enforce that part of an
2 order providing for custody of a child or visitation with a child, the
3 court may, upon request of a party, award attorney fees and costs of
4 the action. In awarding attorney fees and costs under this section,
5 the court shall consider the relative financial resources of the
6 parties and whether the parties have acted in good faith.
7 * Sec. 5. AS 25.24.100 is amended to read:
8 Sec. 25.24.100. RESIDENCY OF MILITARY PERSONNEL. A person
9 4serving in a military branch of the United States government who has
10 been continuously stationed at [IN] a military base or installation in
11 the state for at least 30 days is considered [A PERIOD OF ONE YEAR
12 SHALL BE DEEMED] a resident [IN GOOD FAITH] of the state for the
13 purposes of this chapter [AS 25.24.010 - 25.24.180].
14 * Sec. 6. AS 25.24.140 is repealed and reenacted to read:
15 Sec. 25.24.140. ORDERS DURING ACTION. (a) During the pendency
16 of the action, a spouse may, upon application and in appropriate
17 circumstances, be awarded expenses, including
18 (1) attorney fees and costs that reasonably approximate the
19 actual fees and costs required to prosecute or defend the action; in
20 applying this paragraph, the court shall take appropriate steps to
21 ensure that the award of attorney fees does not contribute to an
22 unnecessary escalation in the litigation;
23 (2) reasonable spousal maintenance, including medical
24 expenses; and
25 (3) reasonable support for minor children in the care of
26 the spouse, if there is a legal obligation of the other spouse to
27 provide support.
28 (b) During the pendency of the action, upon application, a
29 spouse is entitled to necessary protective orders, including orders

1 (1) providing for the freedom of each spouse from the
2 control of the other spouse;
3 (2) restraining each spouse from subjecting the other
4 spouse or another person living in the household to domestic violence,
5 as defined in AS 25.35.060;
6 (3) directing one spouse to vacate the marital residence or
7 the home of the other spouse;
8 (4) restraining a spouse from communicating directly or
9 indirectly with the other spouse;
10 (5) restraining a spouse from entering a propelled vehicle
11 in the possession of or occupied by the other spouse; and
12 (6) prohibiting a spouse from disposing of the property of
13 either spouse or marital property without the permission of the other
14 spouse or a court order.
15 (c) After a hearing, if both parties agree, the court may also
16 order that the parties engage in personal or family counseling or
17 mediation. In the order, the court shall provide for the payment of
18 the costs of the counseling or mediation.
19 * Sec. 7. AS 25.24.150(c) is amended to read:
20 (c) The court shall determine custody in accordance with the
21 best interests of the child under AS 25.20.060 - 25.20.130. In de-
22 termining the best interests of the child the court shall consider
23 (1) the physical, emotional, mental, religious, and social
24 needs of the child;
25 (2) the capability and desire of each parent to meet these
26 needs;
27 (3) the child's preference if the child is of sufficient
28 age and capacity to form a 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 continu-
4 ity;

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

8 (7) any evidence of domestic violence, child abuse, or
9 child neglect in the proposed custodial household or a history of
10 violence between the parents;

11 (8) evidence that substance abuse by either parent or other
12 members of the household directly affects the emotional or physical
13 well-being of the child;

14 (9) <u>the past history of the parents with respect to their</u>
15 <u>compliance with the child support payment provisions of temporary or</u>
16 <u>permanent support orders or agreements;</u>

17 <u>(10)</u> other factors that the court considers pertinent.

18 * Sec. 8. AS 25.24.160(a) is amended to read:

19 (a) In a judgment in an action for divorce or action declaring a
20 marriage void or at any time after judgment, the court may provide

21 (1) for the payment by either or both parties of an amount
22 of money or goods, in gross or installments that may include cost-
23 of-living adjustments, as may be just and proper for the parties to
24 contribute toward the nurture and education of their children, and the
25 court may order the parties to arrange with their employers for an
26 automatic payroll deduction each month or each pay period, if the
27 period is other than monthly, of the amount of the installment; if the
28 employer agrees, the installment shall be forwarded by the employer to
29 the clerk of the superior court <u>that</u> [WHICH] entered the judgment or

1 to the court trustee, and the amount of the installment is exempt from
2 execution;
3 (2) for the recovery by one party from the other of an
4 amount of money for maintenance, for a limited or indefinite period of
5 time, in gross or in installments, as may be just and necessary with-
6 out regard to which of the parties is in fault; an award of mainte-
7 nance must fairly allocate the economic effect of divorce by being
8 based on a consideration of the following factors:
9 (A) the length of the marriage and station in life of
10 the parties during the marriage;
11 (B) the age and health of the parties;
12 (C) the earning capacity of the parties, including
13 their educational backgrounds, training, employment skills, work
14 experiences, length of absence from the job market, and custodial
15 responsibilities for children during the marriage;
16 (D) the financial condition of the parties, including
17 the availability and cost of health insurance;
18 (E) the conduct of the parties, including whether
19 there has been unreasonable depletion of marital assets;
20 (F) the division of property under (4) of this sub-
21 section; and
22 (G) other factors the court determines to be relevant
23 in each individual case;
24 (3) for the delivery to either party of that party's per-
25 sonal property in the possession or control of the other party at the
26 time of giving the judgment;
27 (4) for the division between the parties of their property,
28 including retirement benefits, whether joint or separate, acquired
29 only during marriage [COVERTURE], in a just [THE] manner [AS MAY BE

1 JUST,] and without regard to which of the parties is in fault; howev-
2 er, the court, in making the division, may invade the property, in-
3 cluding retirement benefits, of either spouse acquired before marriage
4 when the balancing of the equities between the parties requires it;
5 and to accomplish this end the judgment may require that one or both
6 of the parties assign, deliver, or convey any of their real or person-
7 al property, including retirement benefits, to the other party; the
8 division of property must fairly allocate the economic effect of
9 divorce by being based on consideration of the following factors:
10 (A) the length of the marriage and station in life of
11 the parties during the marriage;
12 (B) the age and health of the parties;
13 (C) the earning capacity of the parties, including
14 their educational backgrounds, training, employment skills, work
15 experiences, length of absence from the job market, and custodial
16 responsibilities for children during the marriage;
17 (D) the financial condition of the parties, including
18 the availability and cost of health insurance;
19 (E) the conduct of the parties, including whether
20 there has been unreasonable depletion of marital assets;
21 (F) the desirability of awarding the family home, or
22 the right to live in it for a reasonable period of time, to the
23 party who has primary physical custody of children;
24 (G) the circumstances and necessities of each party;
25 (H) the time and manner of acquisition of the property
26 in question; and
27 (I) the income-producing capacity of the property and
28 the value of the property at the time of division
29 [(5) TO CHANGE THE NAME OF ONE OF THE PARTIES].

1 * Sec. 9. AS 25.24 is amended by adding a new section to read:
2 Sec. 25.24.165. CHANGE OF NAME IN DIVORCE OR ANNULMENT. (a) In
3 a judgment in an action for divorce or action declaring a marriage
4 void, the court may change the name of either of the parties.
5 (b) If a party seeks a change of name to a name other than a
6 prior name, the court shall set a date for hearing not less than 40
7 days after filing of the action. Notice of the application for a
8 change of name to a name other than a prior name and the date of the
9 hearing shall be published once each week for four consecutive calen-
10 dar weeks before the hearing in a newspaper of general circulation in
11 the judicial district. The court may also require posting of the
12 notice at locations it considers appropriate. The court shall by
13 judgment authorize the party to assume the new name not less than 30
14 days after issuance of the judgment, if the court is satisfied that no
15 reasonable objection exists to assumption of the new name. Within 10
16 days after issuance of the judgment the party shall publish notice of
17 the approval of the name change in a newspaper of general circulation
18 in the judicial district. The court may also require the posting of a
19 copy of the judgment.
20 * Sec. 10. AS 25.24.200 is amended to read:
21 Sec. 25.24.200. DISSOLUTION OF MARRIAGE. (a) A husband and
22 wife together may petition the superior court for the dissolution of
23 their marriage under AS 25.24.200 - 25.24.260 if the following con-
24 ditions exist at the time of filing the petition:
25 (1) incompatibility of temperament has caused the irremedi-
26 able breakdown of the marriage;
27 (2) if there are minor children of the marriage or the wife
28 is pregnant, <u>and</u> the spouses have agreed on which spouse or third
29 party <u>is to</u> [SHALL] be awarded custody of each minor child of the

1 marriage and the extent of visitation, including visitation by grand-
2 parents and other persons if in the child's best interests, and sup-
3 port to be provided on the children's behalf, whether the payments are
4 to be made through the child support enforcement agency and the tax
5 consequences of that agreement;
6 (3) the spouses have agreed as to the distribution of all
7 jointly owned real and personal property, including retirement bene-
8 fits, and the payment of spousal maintenance [SUPPORT], if any, and
9 the tax consequences resulting from these payments; the agreement must
10 be fair and just and take into consideration the factors listed in
11 AS 25.24.160(a)(2) and (4) so that the economic effect of dissolution
12 is fairly allocated; and
13 (4) the spouses have agreed as to the payment of all unpaid
14 obligations incurred by either or both of them, and as to payment of
15 obligations incurred jointly in the future.
16 (b) A husband or wife may separately petition for dissolution of
17 their marriage under AS 25.24.200 - 25.24.260 if the following con-
18 ditions exist at the time of filing the petition:
19 (1) incompatibility of temperament, as evidenced by extend-
20 ed absence or otherwise, has caused the irremediable breakdown of the
21 marriage;
22 (2) the petitioning spouse has been unable to ascertain the
23 other spouse's position in regard to the dissolution of their marriage
24 and in regard to the fair and just division of property, including
25 retirement benefits, spousal maintenance, payment of debts, and cus-
26 tody, support and visitation because the whereabouts of the other
27 spouse is unknown to the petitioning spouse after reasonable efforts
28 have been made to locate the absent spouse; and
29 (3) the other spouse cannot be personally served with

1 process inside or outside the state.

2 (c) Except as provided in AS 25.24.220(i), [NOTHING IN THIS
3 SECTION PROHIBITS] a spouse who has been personally served with a copy
4 of a petition filed [MADE] under (a) of this section may execute [FROM
5 EXECUTING] an appearance, waiver of time to answer, and waiver of
6 notice of hearing. The appearance and waivers must [SHALL] include an
7 acknowledgment signed before an officer authorized to administer an
8 oath or affirmation that the spouse being served has read the peti-
9 tion; assents to the terms relating to custody of the children, child
10 support, visitation, spousal maintenance taking into consideration the
11 factors listed in AS 25.24.160(a)(2), [SUPPORT] and [RESULTANT] tax
12 consequences, division of property, including retirement benefits and
13 taking into consideration the factors listed in AS 25.24.160(a)(4),
14 and allocation of debts; agrees that the conditions otherwise required
15 by (a) of this section exist; agrees that the petition constitutes the
16 entire agreement between the parties; understands fully the nature and
17 consequences of the action; and is not signing the appearance and
18 waivers under duress or coercion.

19 (d) The action created under this section is separate from the
20 action created by AS 25.24.010. The procedures prescribed by AS 25.-
21 24.200 - 25.24.260 do not apply to an action brought under AS 25.24.-
22 010, nor do procedures prescribed under AS 25.24.010 - 25.24.180 apply
23 to an action filed [BROUGHT] under this section, except as specifical-
24 ly provided.

25 * Sec. 11. AS 25.24.200 is amended by adding a new subsection to read:

26 (e) Spousal maintenance and a division of property must fairly
27 allocate the economic effect of dissolution and take into consid-
28 eration the factors listed in AS 25.24.160(a)(2) and (4).

29 * Sec. 12. AS 25.24.210(d) is amended to read:

1 (d) The petition shall request that the marriage be dissolved
2 and that the [PRIOR] name of a spouse be <u>changed</u> [RESTORED], if de-
3 sired by that spouse.
4 * Sec. 13. AS 25.24.210(e) is repealed and reenacted to read:
5 (e) If the petition is filed by both spouses under AS 25.24.-
6 200(a), the petition must state in detail the terms of the agreement
7 between the spouses concerning the custody of children, child support,
8 visitation, spousal maintenance and tax consequences, if any, and fair
9 and just division of property, including retirement benefits. Agree-
10 ments on spousal maintenance and property division must fairly allo-
11 cate the economic effect of dissolution and take into consideration
12 the factors listed in AS 25.24.160(a)(2) and (4). In addition, the
13 petition must state
14 (1) the respective occupations of the petitioners;
15 (2) the income, assets, and liabilities of the respective
16 petitioners at the time of filing the petition;
17 (3) the date and place of the marriage;
18 (4) the name, date of birth, and current custodial status
19 of each minor child born of the marriage or adopted by the petition-
20 ers;
21 (5) whether the wife is pregnant;
22 (6) whether either petitioner requires medical care or
23 treatment;
24 (7) whether a domestic violence complaint has been filed
25 during the marriage by a member of the household;
26 (8) whether either petitioner has received the advice of
27 legal counsel regarding a divorce or dissolution;
28 (9) other facts and circumstances that the petitioners
29 believe should be considered;

1 (10) that the petition constitutes the entire agreement
2 between the petitioners; and
3 (11) any other relief sought by the petitioners.
4 * Sec. 14. AS 25.24.220(b) is repealed and reenacted to read:
5 (b) Except as provided in (i) of this section, if the petition
6 is filed by both spouses under AS 25.24.200(a), both spouses shall
7 attend the hearing personally and not through counsel. However, if
8 the petition is not subject to (i) of this section, a spouse who
9 complies with AS 25.24.200(c) is not required to attend the hearing.
10 Either spouse may have counsel at the hearing.
11 * Sec. 15. AS 25.24.220(c) is amended to read:
12 (c) If the petition is filed [BROUGHT] by one spouse under
13 AS 25.24.200(b), that spouse shall submit proof of diligent inquiry as
14 to the whereabouts of the absent spouse and provide notice by publica-
15 tion, posting, or other means as ordered by the court under [IN ACCOR-
16 DANCE WITH] the Alaska Rules of Civil Procedure.
17 * Sec. 16. AS 25.24.220(d) is amended to read:
18 (d) If the petition is filed [BROUGHT] by both spouses under
19 AS 25.24.200(a), the court shall examine the petitioners or petitioner
20 present and consider whether
21 (1) the spouses fully understand the nature and conse-
22 quences of their action;
23 (2) the written agreements between the spouses concerning
24 child custody, child support, and visitation are [FAIR,] just [, AND
25 EQUITABLE] as between the spouses and in the best interests of the
26 children of the marriage;
27 (3) the written agreements between the spouses relating to
28 the division of property, including retirement benefits, spousal
29 maintenance [SPOUSAL SUPPORT], and the allocation of obligations are

1 [FAIR,] just; the spousal maintenance and division of property must
2 fairly allocate the economic effect of dissolution and take into
3 consideration the factors listed in AS 25.24.160(a)(2) and (4); [, AND
4 EQUITABLE; AND]
5 (4) the written agreements constitute the entire agreement
6 between the parties; and
7 (5) the conditions in AS 25.24.200(a) have been met.
8 * Sec. 17. AS 25.24.220(e) is amended to read:
9 (e) If the petition is filed [BROUGHT] by one spouse under
10 AS 25.24.200(b), the court shall examine the petitioner and consider
11 whether the petitioner fully understands the nature and consequences
12 of the action and whether the conditions in AS 25.24.200(b) have been
13 met.
14 * Sec. 18. AS 25.24.220(g) is amended to read:
15 (g) The court may amend the written agreements between the
16 spouses relating to child custody, child support, visitation, [SPOUSAL
17 SUPPORT,] division of the property, including retirement benefits,
18 spousal maintenance, and allocation of obligations, but only if both
19 petitioners concur in the amendment in writing or on the record.
20 * Sec. 19. AS 25.24.220 is amended by adding new subsections to read:
21 (h) In its examination of a petitioner under (d) of this sec-
22 tion, the court shall use a heightened level of scrutiny of agreements
23 if
24 (1) one party is represented by counsel and the other is
25 not;
26 (2) a domestic violence complaint has been filed during the
27 marriage by a member of the family or there is evidence of domestic
28 violence during the marriage;
29 (3) there is a minor child of the marriage; or

1 (4) there is a patently inequitable division of the marital
2 estate.
3 (i) If the court finds that a higher level of scrutiny is re-
4 quired by (h) of this section, the court shall examine the written
5 agreements between the spouses to determine that they are just, that
6 they constitute the entire agreement between the parties, and that the
7 agreements concerning child custody, child support, and visitation are
8 in the best interest of the children of the marriage, if any. The
9 court shall require the presence of both spouses at a hearing for this
10 purpose unless the court finds on the record that it would constitute
11 a significant hardship on one of the spouses to appear and that a just
12 agreement has been reached. If one of the spouses cannot attend the
13 hearing because it would constitute a significant hardship, the court
14 may require that spouse to be available by telephone to answer ques-
15 tions, at that spouse's expense.
16 * Sec. 20. AS 25.24.230 is repealed and reenacted to read:
17 Sec. 25.24.230. JUDGMENT. (a) If the petition is filed under
18 AS 25.24.200(a), and is not subject to AS 25.24.220(h), the court may
19 grant the spouses a final decree of dissolution and shall order other
20 relief as provided in this section if the court, upon consideration of
21 the information contained in the petition and the testimony of the
22 spouse or spouses at the hearing, finds that
23 (1) the spouses understand fully the nature and conse-
24 quences of their action;
25 (2) the written agreements between the spouses concerning
26 spousal maintenance and tax consequences, if any, division of proper-
27 ty, including retirement benefits, and allocation of obligations are
28 fair and just and constitute the entire agreement between the parties;
29 (3) the spousal maintenance and division of property fairly

1 allocate the economic effect of dissolution and take into considera-
2 tion the factors listed in AS 25.24.160(a)(2) and (4);
3 (4) each spouse entered into the agreement voluntarily and
4 free from the coercion of another person; and
5 (5) the conditions in AS 25.24.200(a) have been met.
6 (b) If the petition is filed under AS 25.24.200(a) and is sub-
7 ject to AS 25.24.220(h), the court may grant the spouses a final
8 decree of dissolution and shall order other relief as provided in this
9 section if the court, upon consideration of the information contained
10 in the petition and the testimony of the spouse or spouses at the
11 hearing, finds that
12 (1) the spouses understand fully the nature and conse-
13 quences of their action;
14 (2) the written agreements between the spouses concerning
15 child custody, child support, and visitation are in the best interest
16 of the children of the marriage, constitute the entire agreement of
17 the parties on child custody, child support, and visitation, and, as
18 between the spouses, are just;
19 (3) the written agreements between the spouses concerning
20 spousal maintenance and tax consequences, if any, division of proper-
21 ty, including retirement benefits, and allocation of obligations are
22 just and constitute the entire agreement between the parties;
23 (4) the spousal maintenance and division of property fairly
24 allocate the economic effect of dissolution and take into considera-
25 tion the factors listed in AS 25.24.160(a)(2) and (4);
26 (5) each spouse entered the agreement voluntarily and free
27 from the coercion of another person; and
28 (6) the conditions in AS 25.24.200(a) have been met.
29 (c) If the petition is filed by one spouse under

1 AS 25.24.200(b), the court may grant the spouse a final decree of
2 dissolution and change the petitioner's name, if so requested, if the
3 court, upon consideration of affidavits supplied by the spouse and the
4 testimony of the spouse at the hearing, finds that
5 (1) the spouse present at the hearing understands fully the
6 nature and consequences of the action;
7 (2) the conditions in AS 25.24.200(b) have been met; and
8 (3) the requirements of AS 25.24.165(b) have been sat-
9 isfied, if a change of name is requested.
10 (d) The court shall dismiss a petition or continue action on a
11 petition filed under AS 25.24.200 - 25.24.260 before findings are made
12 if
13 (1) a representative of the minor children objects to a
14 term of an agreement between the spouses;
15 (2) either of the spouses withdraws from an agreement
16 required under AS 25.24.200(a); or
17 (3) the petition alleges that the conditions in AS 25.24.-
18 200(b) exist, but the whereabouts of the absent spouse becomes known
19 to the other spouse or the court before findings are made.
20 (e) The court shall deny the relief sought in a petition filed
21 under AS 25.24.200 - 25.24.260 if the court does not make the findings
22 required under (a) - (c) of this section.
23 (f) If the petition is filed by both spouses under AS 25.24.-
24 200(a), the court shall change either spouse's name, if the spouse
25 seeking a change of name to a name other than a prior name complies
26 with AS 25.24.165(b), and shall fully and specifically set out in the
27 decree the written agreements of the spouses and shall order the
28 performance of those written agreements. The court shall also state,
29 in the decree, whether child support payments are to be made through

1 the child support enforcement agency. If the petition is filed by one
2 spouse under AS 25.24.200(b), the decree must state that it does not
3 bar future action on the issues not resolved in the decree.
4 (g) Notwithstanding other provisions of AS 25.24.200 - 25.24.-
5 260, the court may not award to one spouse real or personal property
6 acquired by the other spouse before the date of the marriage, unless
7 the spouses expressly agree otherwise or the court determines that the
8 property should be made available, by sale or other conveyance, to
9 ensure that the best interests of the children are provided for. If
10 the court determines that the best interests of the children require
11 an award of premarital property, but the spouses do not agree, the
12 court shall dismiss or continue the action.
13 (h) If a judgment under this section distributes benefits to an
14 alternate payee under AS 14.25, AS 22.25, AS 26.05.222 - 26.05.226, or
15 AS 39.35, the judgment must meet the requirements of a qualified
16 domestic relations order under the definition of that phrase that is
17 applicable to those provisions.
18 * Sec. 21. AS 25.24.250 is amended by adding a new subsection to read:
19 (c) Forms or instructions prepared under (a) of this section
20 must specify that the dissolution petition constitutes the entire
21 agreement between the parties and must provide examples of kinds of
22 property and obligations that are subject to distribution.
23 * Sec. 22. AS 25.24.165, as added by sec. 9 of this Act, AS 25.24.-
24 210(d) as amended by sec. 12 of this Act, and AS 25.24.230(c) and 25.24.-
25 230(f) as amended by sec. 20 of this Act, have the effect of amending Rule
26 84(a), Alaska Rules of Civil Procedure, to allow a change of name to a name
27 other than a prior name to be commenced in a complaint for divorce or
28 annulment or a petition for dissolution of marriage.