

SENATE BILL NO. 100

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE BY REQUEST

Introduced: 2/1/91
Referred: HES and Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the factors to be considered when awarding shared child custody."**

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

3 *** Section 1.** AS 25.20.090 is amended to read:

4 Sec. 25.20.090. **FACTORS FOR CONSIDERATION IN AWARDING SHARED CHILD**
5 **CUSTODY.** In determining whether to award shared custody of a child, the court shall consider

6 (1) the child's preference if the child is of sufficient age and capacity to form a
7 preference;

8 (2) the needs of the child;

9 (3) the stability of the home environment likely to be offered by each parent;

10 (4) the education of the child;

11 (5) the advantages of keeping the child in the community where the child
12 presently resides;

13 (6) the optimal time for the child to spend with each parent considering

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

- 1 (B) the proximity of each parent to the other and to the school in which
2 the child is enrolled;
- 3 (C) the feasibility of travel between the parents;
- 4 (D) special needs unique to the child that may be better met by one parent
5 than the other;
- 6 (E) which parent is more likely to encourage frequent and continuing
7 contact with the other parent;
- 8 (7) any findings and recommendations of a custody investigator appointed by
9 the court [NEUTRAL MEDIATOR];
- 10 (8) any evidence of domestic violence, child abuse, or child neglect in the
11 proposed custodial household or a history of violence between the parents;
- 12 (9) evidence that substance abuse by either parent or other members of the
13 household directly affects the emotional or physical well-being of the child;
- 14 (10) other factors the court considers pertinent.