

CS FOR SENATE BILL NO. 100 (HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 5/6/91
Referred: Judiciary

Sponsor(s): SENATE JUDICIARY COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act eliminating a requirement that a court consider the findings and recommendations
2 of a neutral mediator when awarding shared child custody."

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

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

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

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

9 (2) the needs of the child;

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

11 (4) the education of the child;

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

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

- 1 (A) the actual time spent with each parent;
- 2 (B) the proximity of each parent to the other and to the school in which
3 the child is enrolled;
- 4 (C) the feasibility of travel between the parents;
- 5 (D) special needs unique to the child that may be better met by one parent
6 than the other;
- 7 (E) which parent is more likely to encourage frequent and continuing
8 contact with the other parent;
- 9 (7) [ANY FINDINGS AND RECOMMENDATIONS OF A NEUTRAL
10 MEDIATOR;
- 11 (8)] any evidence of domestic violence, child abuse, or child neglect in the
12 proposed custodial household or a history of violence between the parents;
- 13 (8) [(9)] evidence that substance abuse by either parent or other members of the
14 household directly affects the emotional or physical well-being of the child;
- 15 (9) [(10)] other factors the court considers pertinent.