

HP

210

COMMITTEE REPORT

HOUSE

(5)

FURTHER:

Date: MARCH 30, 1982

Mr. Speaker:

The Committee on RULES has had HB 210

"An Act relating to child custody"

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 210 (RULES) same title
 new title
- and recommends AS FOLLOWS:
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
[Signature]

[Signature]
CHAIRMAN

COMMITTEE REPORT

HOUSE

3/22
Rules

FURTHER:

(7)

2/26/82

Date:

Apr. 22, 1982

Mr. Speaker:

The Committee on JUDICIARY has had HB 210

"An Act relating to child custody."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 210 (HESS) same title
 new title
and recommends _____

AND attaches a "Letter of Intent" New Fiscal Note

reports it back ^{as follows,} without recommendation zero (attached to Bill)

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature] ch

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
ROSE PELL: No Rec.
Fabrice [Signature] No Rec.

[Signature]
CHAIRMAN

COMMITTEE REPORT

2/26

HOUSE

FURTHER: JUDICIARY

2/23/81

(5)

Date: _____

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 210

"An Act relating to child custody."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 210 (Kess) [] same title [] new title

and recommends _____

[X] AND attaches a "Letter of Intent" [] New Fiscal Note

[X] reports it back *as follows.* ~~without recommendation~~

[] referred to the _____ Committee

MEMBERS SIGNING

DO PASS

Terry Masten

Mike Beine

MEMBERS HAVING

OTHER RECOMMENDATIONS:

D Smith No Rec

J Malone - Do Pass

with amendments

Mike Beine

CHAIRMAN

Original sponsors: Rogers and Gardiner

Offered: 2/26/82
Referred: Judiciary

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 210 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child custody."

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

8 * Section 1. LEGISLATIVE INTENT. (a) The legislature finds that it is
9 generally desirable to assure a minor child frequent and continuing contact
10 with both parents after the parents have separated or dissolved their mar-
11 riage and that it is in the public interest to encourage parents to share the
12 rights and responsibilities of child rearing. While actual physical custody
13 may not be practical or appropriate in all cases, it is the intent of the
14 legislature that both parents have the opportunity to guide and nurture their
15 child and to meet the needs of the child on an equal footing beyond the
16 considerations of support or actual custody.

17 (b) The legislature also finds that it is in the best interests of a
18 child to encourage parents to implement their own child care agreements
19 outside of the court setting.

20 * Sec. 2. AS 09.55.205 is amended to read:

21 Sec. 09.55.205. JUDGMENTS FOR CUSTODY. (a) In an action for
22 divorce or for legal separation the court may, if it has jurisdiction
23 under AS 25.30.020 [,] and is an appropriate forum under AS 25.30.050
24 and 25.30.060, during the pendency of the action, [OR] at the final
25 hearing, and [OR] at any time thereafter during the minority of a [ANY]
26 child of the marriage, make an order for the custody of or visitation
27 with the minor child that [WHICH] may seem necessary or proper and may
28 at any time modify or vacate the order.

29 (b) If [ANY APPOINTMENT OF] a guardian ad litem for a child is

1 appointed in an action under this section, the appointment shall be made
2 under [THE TERMS OF] AS 09.65.130.

3 (c) The court shall determine custody in accordance with the best
4 interests of the child under AS 25.20.060 - 25.20.150 [NEITHER PARENT
5 IS ENTITLED TO PREFERENCE AS A MATTER OF RIGHT IN AWARDING CUSTODY OF
6 THE CHILD]. In determining the best interests of the child the court
7 shall consider [ALL RELEVANT FACTORS INCLUDING:]

8 (1) the physical, emotional, mental, religious, and social
9 needs of the child;

10 (2) the capability and desire of each parent to meet these
11 needs;

12 (3) the child's preference if the child is of sufficient age
13 and capacity to form a preference;

14 (4) the love and affection existing between the child and
15 each parent;

16 (5) the length of time the child has lived in a stable, sat-
17 isfactory environment and the desirability of maintaining continuity;

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

20 (7) the desirability of offering the child a variety of life
21 experiences.

22 (d) In awarding custody the court may not consider the conduct,
23 marital status, income, social or cultural environment, or life style of
24 either parent unless it is shown that the factor relates to the well-
25 being of the child.

26 * Sec. 3. AS 25.20.060 is amended to read:

27 Sec. 25.20.060. CUSTODY OF THE CHILD. (a) If there is a dispute
28 over child custody, either parent may petition the superior court for
29 resolution of the matter under AS 25.20.060 - 25.20.150, THIS SECTION

1 UNLESS AN ACTION BETWEEN THE PARENTS IS PENDING UNDER AS 09.55]. The
2 court shall award custody on the basis of the best interests of the
3 child. In determining the best interests of the child, the court shall
4 consider all relevant factors including those factors enumerated in
5 AS 09.55.205(c) [AS 09.55.205].

6 (b) Neither parent, regardless of the question of the child's
7 legitimacy, is entitled to preference in the awarding of custody.

8 (c) The court may award shared custody if shared custody is
9 determined by the court to be in the best interests of the child.

10 * Sec. 4. AS 25.20 is amended by adding new sections to read:

11 Sec. 25.20.070. TEMPORARY CUSTODY. Unless it is shown to be
12 detrimental to the welfare of the child, the child shall have, to the
13 greatest degree practical, equal access to both parents during the time
14 that the court considers an award of custody under AS 25.20.060 -
15 25.20.150.

16 Sec. 25.20.080. MEDIATION. The court considering a request for
17 custody of a child may order the parties to participate in pre-trial
18 mediation of the matters before the court under AS 09.55.115. *Such mediation*
19 *shall be at the expense of either or both parties, as ordered by the court.*
20 Sec. 25.20.090. FACTORS FOR CONSIDERATION IN AWARDING SHARED

21 CUSTODY. In determining whether to award shared custody of a child the
22 court shall consider

23 (1) the child's preference if the child is of sufficient age
24 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 where
the child presently resides;

1 (6) the advantages of providing a varied life experience for
2 the child;

3 (7) the optimal time for the child to spend with each parent
4 considering

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

6 (B) the proximity of each parent to the other and to the
7 school in which the child is enrolled;

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

9 (D) special needs unique to the child that may be better
10 met by one parent than the other;

11 (E) which parent is more likely to encourage frequent
12 and continuing contact with the other parent;

13 (8) the findings and recommendations of a neutral mediator if
14 mediation is ordered by the court;

15 (9) other factors the court considers pertinent.

16 Sec. 25.20.100. DENIAL OF SHARED CUSTODY. If a parent or the
17 guardian ad litem requests shared custody of a child and the court
18 denies the request, the reasons for the denial shall be stated on the
19 record.

20 Sec. 25.20.110. AWARD OF CUSTODY TO NONPARENT. The court may
21 award custody to a person who is not a parent of a child if

22 (1) the parents of the child consent in writing to the award;
23 or

24 (2) the court makes a written finding that an award of custody
25 to a parent would be detrimental to the child and the award to the
26 person who is not a parent of the child is necessary to serve the best
27 interests of the child.

28 Sec. 25.20.120. MODIFICATION OF CUSTODY OR VISITATION. An award
29 of custody of a child or visitation with the child may be modified if

1 the court determines that the best interests of the child require the
2 modification of the award. If a parent opposes the modification of the
3 award of custody or visitation with the child and the modification is
4 granted, the court shall enter on the record its reason for the modifi-
5 cation.

6 Sec. 25.20.130. CONFIDENTIALITY. At any stage of a proceeding
7 involving custody of a child the court may, if it is in the best inter-
8 ests of the child or to protect the parents, close the proceeding to the
9 public or order the court records closed to the public temporarily or
10 permanently. The court may modify or vacate an order under this section
11 at any time.

12 Sec. 25.20.140. ACCESS TO RECORDS OF THE CHILD. A parent who is
13 not granted custody under AS 25.20.060 - 25.20.150 may have access to
14 the medical, dental, school, and other records of the child notwith-
15 standing any other provision of law.

16 Sec. 25.20.150. DEFINITION. In AS 25.20.060 - 25.20.150, "shared
17 custody" means an award of custody of the child to both parents that
18 assures the child of frequent and continuing contact with each parent.
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MEMORANDUM

TO: Billy Berrier, Director
Division of Legal Services

FROM: Rep. Jack Fuller, Chairman
House Rules Committee

D. : March 30, 1982

Please have prepared a Rules CS for CSHB 210(HESS) which incorporates the changes recommended by the Alaska Bar Association in the attached letter. I have also attached a copy of the HESS CS with the proposed changes inked in, which you will want to check for accuracy.

Thank you.

MEMORANDUM

TO: Billy Berrier, Director
Division of Legal Services

FROM: Rep. Jack Fuller, Chairman
House Rules Committee

DATE: April 2, 1982

ATTENTION: Tam Cook

I need to make one change in the Rules CS which you have prepared for CSHB 210 (HESS). On page 3, line 18, add the following sentence:

Such mediation shall be at the expense of either or both parties, as ordered by the court.

Without the above language, the Court System would incur increased expenses due to court-ordered mediation.

If you have any questions, please call my aide, Linda Wild.

Thank you.

PRIME SPONSOR: ROGERS.
CO-SPONSORS: GARDINER.
CURRENT STATUS: 3/22/82 IN (H) RULES

HB 210 HOUSE ACTION
DATE SEQ PAGE

LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/23/81	01	0340	FIRST READING -- COMMITTEE REPORTS
02/26/82	02	0606	HESS -- CS02, NR01, OTHER01
02/26/82	03	0606	HESS CMTE LETTER OF INTENT
03/22/82	04	0886	JUD -- CS02, NR03
03/22/82	05	0886	F/NOTES EQUAL ZERO RULES RULES

**** ** ** *** ** *

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Committee Substitute for House Bill 210
 Title An Act relating to Child Custody
 Requested by House Judiciary Committee Date 3/19/82

II. FISCAL DETAIL
 Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected Trial Courts
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

See attached.

IV. DATE 4/1/82

PREPARED BY Richard P. Bartler
 AGENCY Alaska Court System
 PHONE 264-0545

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Book

Original sponsors: Rogers and Cardiner

Offered: 2/26/82
Referred: Judiciary

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 210 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child custody."

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

8 * Section 1. LEGISLATIVE INTENT. (a) The legislature finds that it is
9 generally desirable to assure a minor child frequent and continuing contact
10 with both parents after the parents have separated or dissolved their mar-
11 riage and that it is in the public interest to encourage parents to share the
12 rights and responsibilities of child rearing. While actual physical custody
13 may not be practical or appropriate in all cases, it is the intent of the
14 legislature that both parents have the opportunity to guide and nurture their
15 child and to meet the needs of the child on an equal footing beyond the
16 considerations of support or actual custody.

17 (b) The legislature also finds that it is in the best interests of a
18 child to encourage parents to implement their own child care agreements
19 outside of the court setting.

20 * Sec. 2. AS 09.55.205 is amended to read:

21 Sec. 09.55.205. JUDGMENTS FOR CUSTODY. (a) In an action for
22 divorce or for legal separation ^{or for placement of a child when one or both parents} the court may, if it has jurisdiction
23 ^{have died,} under AS 25.30.020 [,] and is an appropriate forum under AS 25.30.050
24 and 25.30.060, during the pendency of the action, [OR] at the final
25 hearing, and [OR] at any time thereafter during the minority of a [ANY]
26 child of the marriage, make ^{modify or vacate} an order for the custody of or visitation
27 ^{including an order} with the minor child that [WHICH] may seem necessary or proper and may
28 ^{that provides for visitation by a grandparent or other person if that is in the best interests of the child.} at any time modify or vacate the order.

29 (b) If [ANY APPOINTMENT OF] a guardian ad litem for a child is

COMMITTEE COPY

1 appointed in an action under this section, the appointment shall be made
2 under [THE TERMS OF] AS 09.65.130(c).

3 (c) The court shall determine custody in accordance with the best
4 interests of the child under AS 25.20.060 - 25.20.150 [NEITHER PARENT
5 IS ENTITLED TO PREFERENCE AS A MATTER OF RIGHT IN AWARDING CUSTODY OF
6 THE CHILD]. In determining the best interests of the child the court
7 shall consider [ALL RELEVANT FACTORS INCLUDING:]

8 (1) the physical, emotional, mental, religious, and social
9 needs of the child;

10 (2) the capability and desire of each parent to meet these
11 needs;

12 (3) the child's preference if the child is of sufficient age
13 and capacity to form a preference;

14 (4) the love and affection existing between the child and
15 each parent,

16 (5) the length of time the child has lived in a stable, sat-
17 isfactory environment and the desirability of maintaining continuity;

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

20 (7) the desirability of offering the child a variety of life
21 experiences.

22 (d) In awarding custody the court may not consider the conduct,
23 marital status, income, social or cultural environment, or life style of
24 either parent unless it is shown that the factor [relates to] the well-
25 being of the child. affects

26 * Sec. 3. AS 25.20.060 is amended to read:

27 Sec. 25.20.060. CUSTODY OF THE CHILD. (a) If there is a dispute
28 over child custody, either parent may petition the superior court for
29 resolution of the matter under AS 25.20.060 - 25.20.150 [THIS SECTION

1 UNLESS AN ACTION BETWEEN THE PARENTS IS PENDING UNDEP AS 09.55]. The
2 court shall award custody on the basis of the best interests of the
3 child. In determining the best interests of the child, the court shall
4 consider all relevant factors including those factors enumerated in
5 AS 09.55.205(c) [AS 09.55.205].

6 (b) Neither parent, regardless of the question of the child's
7 legitimacy, is entitled to preference in the awarding of custody.

8 *per call, do not include 3/30*
9 (c) The court may award shared custody if shared custody is
10 determined by the court to be in the best interests of the child.

11 * Sec. 4. AS 25.20 is amended by adding new sections to read:

12 Sec. 25.20.070. TEMPORARY CUSTODY. Unless it is shown to be
13 detrimental to the welfare of the child, the child shall have, to the
14 greatest degree practical, equal access to both parents during the time
15 that the court considers an award of custody under AS 25.20.060 -
16 25.20.150.

17 Sec. 25.20.080. MEDIATION. The court considering a request for
18 custody of a child may ~~order~~ *per call do not include* the parties to participate in pre-trial
19 mediation of the matters before the court under AS 09.55.115.

20 Sec. 25.20.090. FACTORS FOR CONSIDERATION IN AWARDING SHARED
21 CUSTODY. In determining whether to award shared custody of a child the
22 court shall consider

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24 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 where
the child presently resides;

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2 the child;

3 (7) the optimal time for the child to spend with each parent
4 considering

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

6 (B) the proximity of each parent to the other and to the
7 school in which the child is enrolled;

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

9 (D) special needs unique to the child that may be better
10 met by one parent than the other;

11 (E) which parent is more likely to encourage frequent
12 and continuing contact with the other parent;

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14 mediation is ordered by the court;

15 (9) other factors the court considers pertinent.

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17 guardian ad litem requests shared custody of a child and the court
18 denies the request, the reasons for the denial shall be stated on the
19 record.

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21 award custody to a person who is not a parent of a child if

22 (1) the parents of the child consent in writing to the award;

23 or

24 (2) the court makes a written finding that an award of custody
25 to a parent would be detrimental to the child and the award to the
26 person who is not a parent of the child is necessary to serve the best
27 interests of the child.

28 Sec. 25.20.120. MODIFICATION OF CUSTODY OR VISITATION. An award
29 of custody of a child or visitation with the child may be modified if

1 the court determines that the best interests of the child require the
2 modification of the award. If a parent opposes the modification of the
3 award of custody or visitation with the child and the modification is
4 granted, the court shall enter on the record its reason for the modifi-
5 cation.

6 Sec. 25.20.130. CONFIDENTIALITY. At any stage of a proceeding
7 involving custody of a child the court may, if it is in the best inter-
8 ests of the child or to protect the parents, close the proceeding to the
9 public or order the court records closed to the public temporarily or
10 permanently. The court may modify or vacate an order under this section
11 at any time.

12 Sec. 25.20.140. ACCESS TO RECORDS OF THE CHILD. A parent who is
13 not granted custody under AS 25.20.060 - 25.20.150 may have access to
14 the medical, dental, school, and other records of the child notwith-
15 standing any other provision of law.

16 Sec. 25.20.150. DEFINITION. In AS 25.20.060 - 25.20.150, "shared
17 custody" means an award of custody of the child to both parents that
18 assures the child of frequent and continuing contact with each parent.
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ALASKA BAR ASSOCIATION

P.O. BOX 279, ANCHORAGE, ALASKA 99510, (907) 272-7469

David W. ...

909 W. 9th Avenue, Suite 230
Anchorage, AK 99501
276-6844 or 6945
March 19, 1982

FAMILY LAW SECTION

EXECUTIVE COMMITTEE

CHAIRPERSON

John E. Reese
920 W. 6th Avenue
Anchorage, Alaska 99501
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Ketchikan

The Honorable Ramona Barnes
Chairman, House Judiciary Committee
House of Representatives
Pouch V
Juneau, AK 99811

Attn: Bill Cook

Re: HB 210, "An Act Relating
to Child Custody"

Dear Madam Chairman:

As Bill Cook and I discussed Friday, March 12, the Family Law Committee of the Alaska Bar Association believes that AS 09.55.205 presently permits joint custody awards in the court's discretion. Thus HB 210 is not necessary. However, the bill does provide notice to the general public as to the criteria to be utilized in custody decisions and that, under certain conditions, joint custody may be awarded. For this reason, we favor the House HESS Committee Substitute over the original bill introduced by representatives Rogers and Gardner which provided for a legal presumption in favor of joint custody. The HESS Committee Substitute was drafted after extensive discussions and negotiations and provides, we believe, a reasonable accommodation of the various competing interests if the Legislature believes a bill is necessary on the subject.

We would only request that the House Judiciary Committee make several minor modifications to the HESS Committee Substitute as set forth below.

1. HB 532, copy enclosed, recently passed both houses and is awaiting the Governor's signature. This bill provides for visitation awards to non-parents in certain circumstances. It is most important that HB 210 be amended to reflect the changes made by HB 532. Otherwise, since HB 210 would pass later in the session than HB 532, HB 210 would be construed as repealing HB 532, a result, I am certain, the Legislature would not intend.

The Honorable Ramona Barnes
Re: HB 210, "An Act Relating to Child Custody"
March 19, 1982
Page 2

Specificially AS 09.55.205 as amended by section 2 of HB 210 should be further amended to reflect HB 532.

2. AS 09.55.205(d), as added by the bill, prohibits the court from considering any of the enumerated factors unless it is shown that the factor "relates to" the wellbeing of the child. See page 22 line 24. Recent Alaska Supreme Court cases require a closer nexus between these factors and the best interests of the child than that they merely "relate to" the child's wellbeing. See, for example, Craig v. McBride, Op. No. 2462 (Alaska January 29, 1982), which states that such factors "should be determinative only were such conduct to adversely affect the child or the mother's parenting abilities." Op. No. 2462 at 8. (emphasis added). For this reason, we suggest that the phrase "relates to" on line 24 of page 2 of the bill be changed to "affects". This will only allow the consideration of such evidence if the court finds a causal connection between the evidence and the wellbeing of the child.

Thank you very much for your consideration of these two suggested amendments to HB 210.

I am also enclosing as per my discussion with Bill a copy of an article written by Donald B. King, the San Francisco, California Domestic Relations Superior Court Judge, describing the results of mandatory mediation, which is now required by law in that state. This article appeared in the January 19, 1982 issue of the California Lawyer, the official publication of the State Bar of California. As Judge King states, after mandatory mediation, there were only five contested custody or visitation hearings or trials in San Francisco during the entire year of 1980. In one year there were fewer hearings than there had been in a single day under the old system.

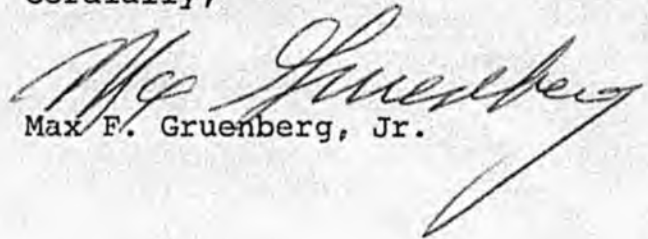
A number of us in the field of family law believe that similar dramatic changes could occur if Alaska were to establish specialized family courts with trained personnel and carefully drafted procedures, such as mandatory mediation. If you would like to discuss this matter further, please give me a collect call. We are most interested in seeing such legislation introduced because we believe it cannot help but save both the State and litigants substantial sums and,

The Honorable Ramona Barnes
Re: HB 210, "An Act Relating to Child Custody"
March 19, 1982
Page 3

even more importantly, salvage many people who now become seriously embittered as the result of traumatic domestic relations litigation.

With best wishes.

Cordially,



Max F. Gruenberg, Jr.

MFG/mt
Encls.
cc. Jody Sutherland
John Reese, Esq.

I. REQUEST

Bill/Resolution No. CSHB 210 (HESS)
 Title "An act relating to child custody."
 Requested by Repr. Barnes, House Judiciary Date March 9, 1982

II. FISCAL DETAIL

Agency Affected Department of Law
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected Legal Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill involves child custody upon the separation of parents or the dissolution of a marriage which is a matter between private parties and it will therefore not have a fiscal impact on any of the department's activities.

IV. DATE March 9, 1982

PREPARED BY Richard I. Peques, Director, Admin. Svcs

AGENCY Department of Law

Original: Legislative Finance

PHONE 465-3672

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Richard I. Peques

HB 210

Bill/Resolution No. CS for House Bill No. 210 (HESS)
 Title "An Act relating to child custody."
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

CS for House Bill No. 210 (HESS) has no fiscal impact on the Department of Health and Social Services.

IV. DATE 1/28/82 PREPARED BY J.R. Pugh John R. Pugh, Director
 AGENCY Division of Family and Youth Services
 Original: Legislative Finance PHONE 465-4170
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

JCC



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

Feb. 23, 1982

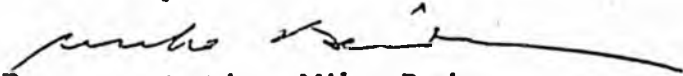
Honorable Joe Hayes
Speaker, House of Representatives
Alaska State Legislature

Dear Mr. Speaker:

It is the desire of the Committee on Health, Education, and Social Services that this letter accompany CS for HB 210 (HESS) to reflect Committee intent.

Persuant to Section 25.20.110, Award of Custody to Nonparent, the court shall have the discretion to award custody of the child to a non-parent if either conditions (1) or (2) are met.

Sincerely,


Representative Mike Beirne
Chairman