

**SB**

**1 1 2**

<TARGET><BILL>SB 112</BILL><SUBJECT>SB  
112</SUBJECT><COMM>SHSS29</COMM></TARGET>

STATE CAPITOL  
P.O. Box 110001  
Juneau, AK 99811-0001  
907-465-3500  
fax: 907-465-3532



Governor Bill Walker  
STATE OF ALASKA

550 West Seventh Avenue, Suite 1700  
Anchorage, AK 99501  
907-269-7450  
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www.Gov.Alaska.Gov  
Governor@Alaska.Gov

April 15, 2015

The Honorable Kevin Meyer  
President of the Senate  
Alaska State Legislature  
State Capitol, Room 111  
Juneau, AK 99801-1182

Dear President Meyer:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill that would allow adoption of a child in State custody as a child in need of aid to be filed and heard as a child-in-need-of-aid proceeding. Additionally, the bill would allow for more flexibility in the form of the petition for adoption.

Under current law, a person seeking to adopt a child who is in the custody of the Department of Health and Social Services (Department) must file a formal petition for adoption under AS 25.23.080 and have the adoption hearing heard in a probate proceeding separate from the child-in-need-of-aid proceeding under AS 47.10, despite the unique nature of child-in-need-of-aid cases. The bill would ensure that proceedings for the adoption of a child adjudicated to be in need of aid to be filed and heard in the existing child-in-need-of-aid proceeding. This would more fully protect the child, and those wishing to adopt the child and would save resources by keeping the child-in-need-of-aid proceeding and the adoption as one court matter. Second, the bill would allow filing of a proxy for a formal petition to better address the needs of Native and non-Native families by setting out in statute alternatives to formal petitions to adopt currently required by State law.

The bill would allow use of a proxy for a formal petition to adopt; the proxy could be filed by a child's relative, tribal member, or other Indian family. A tribal member or relative also could make the request to the Department by telephone, mail, facsimile, electronic mail, or in person. Last, a proxy for a formal petition could be made by the child's tribe or by a tribe in which the child would be eligible to be enrolled. The Department also would have authority to develop regulations to address other instances where a proxy for a formal petition to adopt should be allowed.

These changes would benefit our most vulnerable children by assuring that adoption proceedings for children in need of aid are conducted in the manner most beneficial to Alaska's children and their families.

SENATE BILL NO. 112

ENGROSSED

The Honorable Kevin Meyer  
Child in Need of Aid Bill Transmittal  
April 15, 2015  
Page 2

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink that reads "Bill Walker". The signature is written in a cursive, flowing style.

Bill Walker  
Governor

Enclosure

# STATE OF ALASKA

DEPARTMENT OF HEALTH & SOCIAL SERVICES  
Office of Children's Services

**Bill Walker, Governor**

P.O. Box 110630  
Juneau, AK 99811-0630  
PHONE: (907) 465-3191  
FAX: (907) 465-3097

February 3<sup>rd</sup>, 2016

## DETAILED SECTIONAL ANALYSIS – CS112

*\*\* Full analysis to be completed by lead department\*\**

*\*Other departments include analysis for sections affecting your agency\*.*

Sectional Analysis:

Section 1:

Page 1, line 6 - page 2 line 10:

Adds a new section outlining Legislative intent.

Section 2:

Page 2, line 11 - 14:

Adds a new subsection to AS 13.26.050, which states the venue for a guardianship proceeding for a child in state custody under 47.10 is the superior court where the child-in-need-of-aid proceeding is pending, as provided under AS47.10.111.

Section 3:

Page 2, line 15 - 18:

Adds new subsection to 13.26.060 which states that a petitioner seeking appointment as the guardian of a minor in state custody under AS 47.10 shall file the petition in the court where the child-in-need-of-aid proceedings are pending as required under AS 47.10.111.

Section 4:

Page 2, line 19 - 22:

Adds a new subsection to AS 25.23.030 which states the venue for an adoption proceeding for a child in state custody under AS 47.10 is the superior court where the child-in-need-of-aid proceeding is pending as provided under AS47.10.111.

Section 5:

Page 2, line 23 - 26:

Adds a new subsection to AS 25.23.080 which states an individual petitioning to adopt a child in state custody under AS 47.10 shall file the petition for adoption in the court where the child-in-need-of-aid proceedings are pending as required under AS 47.10.111.

Section 6:

Page 2, line 27 – Page 3, line 5:

Amends AS25.23.100 (a) to allow adoption petitions to be held in abeyance under AS 47.10.111 until the department changes the permanency from reunification to adoption or legal guardianship.

Section 7:

Page 3, line 6 – Page 4 line 17:

Adds a new subsection (6) stating that in a hearing to review the permanent plan under AS 47.10.111(c), the court shall make written findings related to whether the person who filed the petition or proxy is entitled to placement preference under AS 47.14.100(e) or 25 U.S.C. 1915(a), whichever is applicable.

Section 8:

Page 4, line 18 – page 6, line 11:

Adds new section to AS 47.10.111 establishing that the adoption and legal guardianship proceedings for a child in state custody, which is considered a child-in-need-of-aid, is initiated within child-in-need-of-aid proceedings. Proceedings to adopt a child in state custody are initiated by filing a petition under AS 25.23.080 or "proxy for a formal petition". This section defines that "proxy for formal petition" means a request by an extended family member, a member of the Indian child's tribe, a tribe the Indian child is eligible for enrolment in or a family friend interested in immediate and permanent placement and adoption or legal guardianship of an Indian child at any court hearing in a Child-in-need-of-aid proceeding. Proxy for formal petition may be conveyed to the department by telephone, mail, facsimile, electronic mail, or in person. Petitions for adoption or legal guardianship filed prior to permanency goal being changed to adoption by the court are held in abeyance until the permanency goal is changed to adoption or legal guardianship. A person who files a petition or proxy does not become a party to the child-in-need-of-aid proceedings and may only participate in proceedings under this chapter that concern the person's petition or proxy. A parent who has relinquished parental rights under AS47.10.089 or whose parental rights have been terminated under AS 47.10.088 is not a part to the adoption or guardianship proceeding under this section. The section allows the department regulatory authority to implement this section.

Section 9:

Page 6, line 12 – 19:

Amends AS 47.10.990 clarifies the definition of "adult family member" and in the case of an Indian child, is consistent with the definition of "adult family member: as defined in 25 U.S.C. 1903

Section 10:

Page 6, line 20 – 26:

Amends AS47.10.990 clarifies the definition of the term "family member" and in the case of an Indian child, is consistent the definitions contained in 25 U.S.C. 1903

Section 11:

Page 6, line 27 – 31:

Amends AS47.10.990 with a new paragraph which defines "family friend" "Indian child" and Indian child's tribe" has meaning given in 25 U.S. C. 1903.

Section 12:

Page 7, line 1 – 2:

Amends AS 47.14.100(t) by adding a new paragraph to clarify the meaning of "family friend" has the meaning given in AS 47.10.990

Section 13:

Page 7, line 3 -9:

Adds to the Direct Court Rule (5) (d) requiring that a petition to adopt a child in state custody under AS 47.10 must be brought in the superior court where the child-in-need-of-aid proceeding is pending as provided under AS 47.10.111

Section 14:

Page 7, line 10 – 18:

Adds to the Direct Court Rule (6) (a) (1) subsection (1) an adoption petition must include the information required by AS 25.23.080, except as provided under (a) (4) of this rule.

Section 15:

Page 7, line 19 – 25:

Adds to the Direct Court Rule 6(a) (1) subsection (4) a proceeding to adopt a child in state custody under AS 47.10 must comply with AS 47.10.111. A proceeding to adopt a child in state custody under AS 47.10 shall be heard as part of the child-in-need-of-aid proceeding.

Section 16:

Page 7, line 26 – page 8, line 13:

Adds to Direct Court Rule and amends the Alaska Child in Need of Aid Rules of Procedure. Rule 17.3. Petition or proxy for adoption or legal guardianship of a child under AS 47.10.111. This subsection establishes that a petitioner may file a petition or, in the case of an Indian child, a proxy, for adoption or legal guardianship of a child who is the subject of a pending child-in-need-of-aid proceeding under AS 47.10 in the same case. If a petition or proxy is filed before the court approves adoption or legal guardianship as the permanent plan for the child, the court shall hold the petition in or proxy in abeyance until the court approves adoption or legal guardianship as the permanent plan the child under Rule 17.2 and AS 47.10.080. If the child is in an out of home placement but not in the custody of the petitioner at the time of the petition or proxy is filed the court shall hold a hearing within 30 days to review the permanent plan under Rule 17.2 and AS 47.10.080. At the hearing the court shall, in addition to the findings required under 17.2 and AS47.10.080 make findings related to whether the petitioner is entitled to placement preference under AS 47.14.100(e) or 25 U.S.C. 1915(a) whichever is applicable.

Section 17:

Page 8, line 14 -21:

Adds uncodified law that if enacted by Sections 2 – 8 and sections 13- 16 of this act apply to proceedings for adoption or legal guardianships of a child in state custody under AS 47.10 filed on or after the effective date of sections 2 – 16 of this Act.

Section 18:

Page 8, line 22 – 27:

Adds a new section allowing the Department of Health and Social Services authority to adopt regulations to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation.

Section 19:

Page 8, line 28 – Page 9, line 1:

Adds uncodified law that takes effect only if sections 13 – 16 of this act receive the two-thirds majority vote of each house required by article IV Section 15, Constitution of the State of Alaska.

Section 20:

Page 9, line 2:

Section 18 of this Act takes effective immediately under AS 01.10.070

## Senate Bill 112 Sectional Analysis

SB 112, "An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date."

### Sectional Analysis:

- Section 1 Adds a new section outlining Legislative intent.
- Section 2 Adds a new subsection to AS 25.23.030, which states a petition filed for adoption must comply with AS 47.10.111.
- Section 3 Adds new subsection AS 47.10.111 stating that the adoption proceedings for a child in state custody, who is considered a child in need of aid, is initiated within child in need of aid proceedings. Proceedings to adopt a child in state custody are initiated by filing a petition under AS 25.23.080 or proxy for a formal petition. This section outlines that "proxy for formal petition" means a request by a relative, tribal member, or other Indian family interested in immediate placement and adoption of a child at any court hearing in a CINA proceeding. Requests for adoption can be submitted in person, through mail or electronic mail, via fax or on the telephone. This subsection allows the department regulatory authority to implement this section.
- Section 4 Adds to the Direct Court Rule 6(a)(1) subsection (1) that an adoption petition must include information required by AS 25.23.080, except an exception under (4) of this rule.
- Section 5 Adds to the Direct Court Rule 6(a)(1) subsection (4) adding that a proceeding must commence when a formal petition is submitted or the proxy for a formal petition is submitted under the new subsection AS 47.10.111 (b) and shall be heard within the Child In Need of Aid proceeding.
- Section 6 Adds uncodified law that if enacted by Section 2 and 3, this act applies to all adoption proceedings filed on or after the effective date of this act.
- Section 7 Adds a new section to Regulations allowing Department of Health and Social Services authority to adopt regulations to implement this Act, and that the regulations will take effect not before the effective date of this Act
- Section 8 Sets an immediate effective date for section 7 of this Act.

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 4/16/15

FURTHER: Judiciary

Date of 5-Day Notice: 1/21/16  
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/23/16

**Health and Social Services Committee** considered SENATE BILL NO. 112

### SB 112 ADOPTION OF CHILD IN STATE CUSTODY

"An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date."

and recommends:

- be replaced with CS SB 112 (HSS)  Same Title  New Title
- adopt previous CS \_\_\_\_\_ (\_\_\_\_\_)  Same Title  New Title
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
<u>D.H.S</u>			<input checked="" type="checkbox"/>	<u>2</u>

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Giessel			<input checked="" type="checkbox"/>	
	ELLIS	<input checked="" type="checkbox"/>			
			<input checked="" type="checkbox"/>		
	STEADMAN		<input checked="" type="checkbox"/>		
CHAIR:	STEADMAN			<input checked="" type="checkbox"/>	

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 4/16/15

FURTHER: Judiciary

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 2/23/16

**Health and Social Services Committee** considered SENATE BILL NO. 112

### SB 112 ADOPTION OF CHILD IN STATE CUSTODY

"An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date."

and recommends:

- be replaced with CS SB 112 (HSS)  Same Title  New Title
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- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
HSS			✓	

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Giessel</i>	Giessel			X	
<i>Elis</i>	Elis	X			
<i>Pete Kelly</i>			✓		
<i>Bill Steadman</i>	STEADMAN		✓		
CHAIR: <i>[Signature]</i>	STEADMAN			✓	



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of  
Health and Social Services**

OFFICE OF THE COMMISSIONER

Anchorage  
3601 C Street, Suite 902  
Anchorage, Alaska 99503-5923  
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Fax: 907.269.0060

Juneau  
350 Main Street, Suite 404  
Juneau, Alaska 99801-1149  
Main: 907.465.3030  
Fax: 907.465.3068

January 20, 2016

The Honorable Bert Stedman  
Chair, Senate Health and Social  
Services Committee  
Room 30  
Alaska State Capitol  
Juneau, AK 99801

Dear Senator Stedman:

I am writing to request a hearing in the Senate Health and Social Services Committee for Senate Bill 112, Adoption of Child in State Custody, at your earliest convenience.

Attached please find:

- The current version of the bill
- A fiscal note
- Governor's transmittal letter
- Sectional Analysis

Our Office of Children's Services and Legislative Liaison will work with you to answer questions, provide testimony, and generally facilitate the bill's passage through your committee.

We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie".

Valerie Davidson  
Commissioner

cc: Darwin Peterson, Legislative Director, Governor's Office

# Fiscal Note

State of Alaska  
2016 Legislative Session

Bill Version: SB 112  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB112-DHSS-FLSW-1-12-16  
Title: ADOPTION OF CHILD IN STATE CUSTODY  
Sponsor: RLS BY REQUEST OF THE GOVERNOR  
Requester: (S) HSS

Department: Department of Health and Social Services  
Appropriation: Children's Services  
Allocation: Front Line Social Workers  
OMB Component Number: 2305

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates					
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

**Change in Revenues**

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**Estimated SUPPLEMENTAL (FY2016) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2017) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
If yes, by what date are the regulations to be adopted, amended or repealed? 04/01/16

**Why this fiscal note differs from previous version:**

Not applicable; initial version.
----------------------------------

Prepared By: Christy Lawton, Director  
Division: Office of Children's Services  
Approved By: Sana Efird, Asst. Commissioner, Finance and Management Services  
Agency: Health and Social Services

Phone: (907)465-3170  
Date: 12/21/2015 04:00 PM  
Date: 12/21/15

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2016 LEGISLATIVE SESSION

BILL NO. SB112

**Analysis**

Under current law, a person seeking to adopt any child in the custody of the department must file a formal petition for adoption. The adoption hearing would then be heard in a probate proceeding, which is separate from Child in Need of Aid proceedings. This creates challenges to the adoption process because a child in need of aid is a unique case. This bill would align adoption of a child in need of aid under AS 47.10 and allow for the department to develop alternatives to the formal adoption petitions that are currently required under AS 25.23.080. This bill will improve department compliance with the Indian Child Welfare Act and support tribal partnerships and efforts.

# Fiscal Note

State of Alaska  
2015 Legislative Session

Bill Version:	SB 112
Fiscal Note Number:	1
(S) Publish Date:	4/16/2015

Identifier: 0262-DHSS-FLSW-04-13-15  
 Title: ADOPTION OF CHILD IN STATE CUSTODY  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Governor

Department: Department of Health and Social Services  
 Appropriation: Children's Services  
 Allocation: Front Line Social Workers  
 OMB Component Number: 2305

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OPERATING EXPENDITURES</b>	<b>FY 2016</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2015) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2016) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
 If yes, by what date are the regulations to be adopted, amended or repealed? 04/01/16

**Why this fiscal note differs from previous version:**

Not applicable, initial version.
----------------------------------

Prepared By:	Christy Lawton, Director	Phone:	(907)451-2096
Division:	Office of Children's Services	Date:	04/13/2015 03:30 PM
Approved By:	Sarah Woods, Deputy Director Finance & Management Services	Date:	04/13/15
Agency:	Health and Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION

**Analysis**

Under current law, a person seeking to adopt a child in the custody of the Department must file a formal petition for adoption. The adoption hearing would then be heard in a probate proceeding, which is separate from Child in Need of Aid proceedings. This creates challenges to the adoption process as child-in-need-of-aid is a unique case. This bill would align adoption of a child-in-need-of-aid under the statute authority AS 47.10 and allow for the Department to develop alternatives to the formal adoption petitions that are currently required under AS 25.23.080.

29-GS1262\N  
Glover  
2/11/16

**CS FOR SENATE BILL NO. 112(HSS)**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act establishing procedures related to a petition or proxy for adoption or  
2 guardianship of a child in state custody; adding a definition of 'proxy for a formal  
3 petition'; amending Rules 5 and 6(a), Alaska Adoption Rules, and adding Rule 17.3,  
4 Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date."

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

6 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
7 to read:



8 **LEGISLATIVE FINDINGS AND INTENT.** (a) The legislature finds that, because of  
9 the number of Alaska Native children in state custody and the need to preserve the placement  
10 preferences outlined in the Indian Child Welfare Act (25 U.S.C. 1901 - 1963) for purposes of  
11 adoption or legal guardianship of an Indian child, there is a need to provide the petitioners in  
12 adoption and guardianship proceedings with additional flexibility in the initiation of adoption  
13 or guardianship proceedings for a child in state custody.

14 (b) It is the intent of the legislature to authorize a more appropriate adoption or legal

1 guardianship process for an Indian child who is in state custody under the Indian Child  
2 Welfare Act and to allow adoption proceedings to take place as part of an ongoing child-in-  
3 need-of-aid proceeding. The legislature does not intend to affect, nor do the provisions of this  
4 Act apply to,

5 (1) a tribal adoption proceeding performed under a tribe's inherent authority;

6 (2) a tribal adoption proceeding following a transfer of jurisdiction to the tribe  
7 of a foster care placement, termination of parental rights, or adoption of a child under 25  
8 U.S.C. 1911(b);

9 (3) an adoption under tribal customary adoption; or

10 (4) adoptions or guardianships not a part of child-in-need-of-aid proceeding.

11 \* **Sec. 2.** AS 13.26.050 is amended by adding a new subsection to read:

12 (b) The venue for a guardianship proceeding for a child in state custody under  
13 AS 47.10 is the superior court where the child-in-need-of-aid proceeding is pending as  
14 provided under AS 47.10.111.

15 \* **Sec. 3.** AS 13.26.060 is amended by adding a new subsection to read:

16 (e) A petitioner seeking appointment as the guardian of a minor in state  
17 custody under AS 47.10 shall file the petition in the court where the child-in-need-of-  
18 aid proceedings are pending as required under AS 47.10.111.

19 \* **Sec. 4.** AS 25.23.030 is amended by adding a new subsection to read:

20 (d) The venue for an adoption proceeding for a child in state custody under  
21 AS 47.10 is the superior court where the child-in-need-of-aid proceeding is pending as  
22 provided under AS 47.10.111.

23 \* **Sec. 5.** AS 25.23.080 is amended by adding a new subsection to read:

24 (d) A petitioner petitioning to adopt a child in state custody under AS 47.10  
25 shall file the petition for adoption in the court where the child-in-need-of-aid  
26 proceedings are pending, as required under AS 47.10.111.

27 \* **Sec. 6.** AS 25.23.100(a) is amended to read:

28 (a) After the filing of a petition to adopt a minor, the court shall fix a time and  
29 place for hearing the petition unless the petition is held in abeyance under  
30 AS 47.10.111. At least 20 days before the date of hearing, the petitioner shall give  
31 notice of the filing of the petition and of the time and place of hearing to (1) the

1 department, unless the adoption is by a stepparent of the child; (2) any agency or  
2 person whose consent to the adoption is required by this chapter, but who has not  
3 consented; and (3) a person whose consent is dispensed with upon any ground  
4 mentioned in AS 25.23.050(a)(1) - (3), (6), (8), and (9), but who has not consented.  
5 The notice to the department shall be accompanied by a copy of the petition.

6 \* **Sec. 7.** AS 47.10.080(*l*) is amended to read:

7 (l) Within 12 months after the date a child enters foster care as calculated  
8 under AS 47.10.088(f), the court shall hold a permanency hearing. The hearing and  
9 permanent plan developed in the hearing are governed by the following provisions:

10 (1) the persons entitled to be heard under AS 47.10.070 or under (f) of  
11 this section are also entitled to be heard at the hearing held under this subsection;

12 (2) when establishing the permanent plan for the child, the court shall  
13 make appropriate written findings, including findings related to whether

14 (A) and when the child should be returned to the parent or  
15 guardian;

16 (B) the child should be placed for adoption or legal  
17 guardianship and whether a petition for termination of parental rights should be  
18 filed by the department; and

19 (C) there is a compelling reason that the most appropriate  
20 placement for the child is in another planned, permanent living arrangement  
21 and the department has recommended the arrangement under AS 47.14.100(p);  
22 the findings under this paragraph must include the steps that are necessary to  
23 achieve the new arrangement;

24 (3) if the court is unable to make a finding required under (2) of this  
25 subsection, the court shall hold another hearing within a reasonable period of time;

26 (4) in addition to the findings required by (2) of this subsection, the  
27 court shall also make appropriate written findings related to

28 (A) whether the department has made the reasonable efforts  
29 required under AS 47.10.086 to offer appropriate family support services to  
30 remedy the parent's or guardian's conduct or conditions in the home that made  
31 the child a child in need of aid under this chapter;

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(B) whether the parent or guardian has made substantial progress to remedy the parent's or guardian's conduct or conditions in the home that made the child a child in need of aid under this chapter;

(C) if the permanent plan is for the child to remain in out-of-home-care, whether the child's out-of-home placement continues to be appropriate and in the best interests of the child; and

(D) whether the department has made reasonable efforts to finalize the permanent plan for the child;

(5) the court shall hold a hearing to review the permanent plan at least annually until successful implementation of the plan; if the plan approved by the court changes after the hearing, the department shall promptly apply to the court for another permanency hearing, and the court shall conduct the hearing within 30 days after application by the department;

(6) in a hearing to review the permanent plan under AS 47.10.111(c), the court shall make written findings related to whether the person who filed the petition or proxy is entitled to placement preference under AS 47.14.100(e) or 25 U.S.C. 1915(a), whichever is applicable.

\* Sec. 8. AS 47.10 is amended by adding a new section to read:

**Sec. 47.10.111. Petition or proxy for adoption or guardianship of a child in state custody.** (a) If a person seeks adoption or appointment as legal guardian of a child in state custody under this chapter, the court shall hear the adoption or guardianship proceedings in the child-in-need-of-aid proceedings relating to the child. A person may initiate proceedings for the adoption or legal guardianship of a child in state custody under this chapter by filing with the court

(1) a petition for adoption that meets the requirements of AS 25.23.080;

(2) a petition to be appointed legal guardian that meets the requirements of AS 13.26.060; or

(3) in a case involving an Indian child, a proxy for a formal petition under this section.

(b) If a person files a petition or proxy for adoption or legal guardianship of a

1 child under (a) of this section before the court approves adoption or legal guardianship  
2 as the permanent plan for the child under AS 47.10.080(l)(2), the court shall hold the  
3 petition or proxy in abeyance until after the court has approved adoption or legal  
4 guardianship as the permanent plan for the child under AS 47.10.080(l).

5 (c) If a person files a petition or proxy for adoption or legal guardianship of a  
6 child who is in out-of-home placement, and the person who files the petition or proxy  
7 does not have custody of the child at the time the person files the petition or proxy, the  
8 department shall, not more than 60 days after the petition or proxy is filed, submit a  
9 permanent plan to the court. The court shall hold a hearing to review the permanent  
10 plan for the child under AS 47.10.080(l) not more than 90 days after the petition or  
11 proxy is filed.

12 (d) A person who files a petition or proxy for adoption or legal guardianship  
13 of a child under this section does not become a party to the child-in-need-of-aid  
14 proceedings. A person who files a petition or proxy for adoption or legal guardianship  
15 of a child under this section may only participate in proceedings under this chapter  
16 that concern the person's petition or proxy.

17 (e) A parent who has consented to adoption under AS 25.23.060, who has  
18 relinquished parental rights under AS 47.10.089 or whose parental rights have been  
19 terminated under AS 47.10.080(o) or 47.10.088, is not a party to the adoption or  
20 guardianship proceedings under this section.

21 (f) Except as provided in this section, the requirements of AS 25.23.005 -  
22 25.23.240 apply to a petition or proxy for adoption filed under this section, and the  
23 requirements of AS 13.26.030 - 13.26.085 apply to a petition or proxy for legal  
24 guardianship filed under this chapter.

25 (g) In this section,

26 (1) "extended family member" has the meaning given in 25 U.S.C.  
27 1903;

28 (2) "proxy for a formal petition" or "proxy" means a

29 (A) request by an extended family member, a member of the  
30 Indian child's tribe, or a family friend interested in immediate permanent  
31 placement and adoption or legal guardianship of an Indian child made at any

1 court hearing;

2 (B) request by an extended family member, a member of the  
3 Indian child's tribe, or a family friend interested in immediate permanent  
4 placement and adoption or legal guardianship of an Indian child, conveyed to  
5 the department by telephone, mail, facsimile, electronic mail, or in person;

6 (C) request by the Indian child's tribe, or a tribe in which the  
7 Indian child is eligible for enrollment, made to the department on behalf of a  
8 relative or tribal member; or

9 (D) proxy for a formal petition as established by the department  
10 in regulation.

11 (h) The department may adopt regulations to implement this section.

12 \* **Sec. 9.** AS 47.10.990(1) is amended to read:

13 (1) "adult family member" means a person who is 18 years of age or  
14 older and who is

15 (A) related to the child as the child's grandparent, aunt, uncle,  
16 or sibling; [OR]

17 (B) the child's sibling's legal guardian or parent; or

18 **(C) in the case of an Indian child, an extended family**  
19 **member as defined in 25 U.S.C. 1903;**

20 \* **Sec. 10.** AS 47.10.990(10) is amended to read:

21 (10) "family member" means a person of any age who is

22 (A) related to the child as the child's grandparent, aunt, uncle,  
23 or sibling; [OR]

24 (B) the child's sibling's legal guardian or parent; or

25 **(C) in the case of an Indian child, an extended family**  
26 **member as defined in 25 U.S.C. 1903;**

27 \* **Sec. 11.** AS 47.10.990 is amended by adding new paragraphs to read:

28 (33) "family friend" includes, in the case of an Indian child, a member  
29 of the Indian child's tribe;

30 (34) "Indian child" has the meaning given in 25 U.S.C. 1903;

31 (35) "Indian child's tribe" has the meaning given in 25 U.S.C. 1903.

1 \* **Sec. 12.** AS 47.14.100(t) is amended by adding a new paragraph to read:

2 (3) "family friend" has the meaning given in AS 47.10.990.

3 \* **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 DIRECT COURT RULE AMENDMENT. Rule 5, Alaska Adoption Rules, is  
6 amended by adding a new subsection to read:

7 (d) A petition to adopt a child in state custody under AS 47.10 must be  
8 brought in the superior court where the child-in-need-of-aid proceeding is pending as  
9 provided under AS 47.10.111.

10 \* **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to  
11 read:

12 DIRECT COURT RULE AMENDMENT. Rule 6(a)(1), Alaska Adoption  
13 Rules, is amended to read:

14 (1) An adoption petition must include the information required by  
15 AS 25.23.080, except as provided under (a)(4) of this rule. A separate petition must  
16 be filed for each person to be adopted. If the proceeding involves a minor, the petition  
17 must also state whether the minor to be adopted is an Indian child and whether any  
18 other court cases involving the minor are known to be pending.

19 \* **Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to  
20 read:

21 DIRECT COURT RULE AMENDMENT. Rule 6(a), Alaska Adoption Rules,  
22 is amended by adding a new paragraph to read:

23 (4) A proceeding to adopt a child in state custody under AS 47.10 must  
24 comply with AS 47.10.111. A proceeding to adopt a child in state custody under  
25 AS 47.10 shall be heard as part of the child-in-need-of-aid proceeding.

26 \* **Sec. 16.** The uncodified law of the State of Alaska is amended by adding a new section to  
27 read:

28 DIRECT COURT RULE AMENDMENT. The Alaska Child in Need of Aid  
29 Rules of Procedure are amended by adding a new rule to read:

30 **Rule 17.3. Petition or proxy for adoption or legal guardianship of a child**  
31 **under AS 47.10.111.** A petitioner may file a petition, or, in the case of an Indian

1 child, a proxy, for adoption or legal guardianship of a child who is the subject of a  
2 pending child-in-need-of-aid proceeding under AS 47.10 in the same case. If a  
3 petitioner files a petition or proxy for adoption or legal guardianship of a child before  
4 the court approves adoption or legal guardianship as the permanent plan for the child,  
5 the court shall hold the petition or proxy for adoption or legal guardianship in  
6 abeyance until the court approves adoption or legal guardianship as the permanent  
7 plan for the child under Rule 17.2 and AS 47.10.080(I). If the child is in an out-of-  
8 home placement but is not in the custody of the petitioner at the time the petition or  
9 proxy is filed, the Department shall, not more than 60 days after the petition or proxy  
10 is filed, submit a permanent plan to the court, and the court shall hold a hearing within  
11 90 days to review the permanent plan under Rule 17.2 and AS 47.10.080(I). At the  
12 hearing, the court shall, in addition to the findings required under Rule 17.2 and  
13 AS 47.10.080(I), make findings related to whether the petitioner is entitled to  
14 placement preference under AS 47.14.100(e) or 25 U.S.C. 1915(a), whichever is  
15 applicable.

16 \* **Sec. 17.** The uncodified law of the State of Alaska is amended by adding a new section to  
17 read:

18 APPLICABILITY. AS 13.26.050(b), added by sec. 2 of this Act, AS 13.26.060(e),  
19 added by sec. 3 of this Act, AS 25.23.030(d), added by sec. 4 of this Act, AS 25.23.080(d),  
20 added by sec. 5 of this Act, AS 25.23.100(a), as amended by sec. 6 of this Act,  
21 AS 47.10.080(I), as amended by sec. 7 of this Act, AS 47.10.111, added by sec. 8 of this Act,  
22 and secs. 13 - 16 of this Act apply to proceedings for adoption or legal guardianship of a child  
23 in state custody under AS 47.10 filed on or after the effective date of secs. 2 - 16 of this Act.

24 \* **Sec. 18.** The uncodified law of the State of Alaska is amended by adding a new section to  
25 read:

26 TRANSITION: REGULATIONS. The Department of Health and Social Services may  
27 adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62  
28 (Administrative Procedure Act), but not before the effective date of the law implemented by  
29 the regulation.

30 \* **Sec. 19.** The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

1           CONDITIONAL EFFECT. This Act takes effect only if secs. 13 - 16 of this Act  
2 receive the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of  
3 the State of Alaska.

4       \* **Sec. 20.** Section 18 of this Act takes effect **January 1, 2017.**

**2016 Legislative Session  
OCS Talking Points**

**TOPIC: Governor's OCS Adoptions Bill (HB 200/SB 112)**

Updated: 1/21/16

**Background**

- Congress enacted ICWA in 1978 after almost a decade-long investigation into the treatment of Indian children in child custody proceedings. Senate hearings in 1974 and 1977 chronicled the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes.
- HB 200/SB 112 were introduced by the Gov Office in April 2015, in response to several legal decisions related to the Indian Child Welfare Act.

There were two competing cases working through the courts: 1) was a US Supreme Court case filed out of South Carolina "Baby Veronica", related to the adoption of an American Indian child by a non-Indian family; 2) the second case, was working through the Alaska Courts "Tununuk" in which challenges were related to OCS compliance with the ICWA placement preferences which give preference to relatives. These two cases, were decided separately in their respective courts; however, the US Supreme Court decision significantly influenced the decision made in Alaska Supreme Court decision. As a result, the Alaska Supreme Court decision created significant procedural processes that created significant legal barriers for Alaska Native families to exercise their rights to be considered for a placement preference for relative Alaska Native children in custody.

- HB 200/SB112 eliminates procedural barriers in the adoption process for children in custody so that the Tribes so that Alaska Native families can be considered for adoption through the Child in Need of Aid proceedings. Families will be able to assert their desire to adopt a child through the CINA proceeding and would be considered for adoption after the permanency goal changes to adoption.
- The legislation establishes procedural requirements for the department and the courts to ensure that extended families are provided the opportunity to be considered as a permanent adoption placement for a related child.

- This Bill would allow use of a proxy for a formal petition to adopt; the proxy could be filed by a child's relative, tribal member or other Indian family. A tribal member or relative also could make the request to the department by telephone, mail, facsimile, electronic mail, or in person. Last, a proxy for a formal petition could be made by the child's tribe or by a tribe in which the child would be eligible to be enrolled.
- This legislation ensures the placement preferences are accurately applied in adoption proceedings where Alaska Native families seek to adopt.
- Would bring the adoption proceedings into the CINA court vs. as a separate legal case in probate which will increase the ability of the court/parties to ensure the placement preferences are adhered to, proxy requests are preserved for the record, and that the court and parties have all of the information in one forum that is essential to making decisions that impact a child for a lifetime.
- The department also would have authority to develop regulations to address other instances where a proxy for a formal petition to adopt should be allowed. These changes would benefit the most vulnerable children by assuring that adoption proceedings for children in need of aid are conducted in the manner most beneficial to Alaska's children and their families.

**Highlights of Key Benefits/Impact of the bill:**

- This bill is needed to ensure that adoption of a child in state's custody occurs as part of the Child-In-Need-of-Aid proceedings on the case, as opposed to needing to open a new probate case, as is currently required for non-OCS adoptions.
- The bill helps remove procedural barriers that can prevent Alaska Native and American Indian families from exerting their rights to seek placement of their children for adoptions or guardianships with other Native families.
- Will allow for regulatory authority to implement and make the necessary associated changes.

**Status/Next Steps**

- The Department is eager to work with legislators to secure passage of this bill.
- This bill was drafted quickly last year and as a result there may be a need for a committee substitute to provide greater clarity on the terminology as well as some additional language to make the bill stronger.

**Contact:** Scott Heaton, Office of Children's Services, 465-3548

## Policy

Unless the Indian child's tribe has established a different order of placement preference, prior to placing a child in a non-Indian foster home, the department shall give preference to foster care placement of an Indian child as follows:

- with a member of the child's extended family;
- with a foster home licensed, approved, or specified by the Indian child's tribe;
- with an Indian foster home licensed or approved by an authorized non-Indian licensing authority; and
- with an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs.

Unless the Indian child's tribe has established a different order of placement preference, the department shall give preference to adoptive placement of an Indian child as follows:

- with a member of the child's extended family;
- with other members of the Indian child's tribe; or
- with other Indian families.

If the state court finds there is good cause to deviate from the order of placement preference, the department may place the child outside the prescribed order of preference.

If the parent or Indian child age 12 and over has requested a placement outside these preferences, the request shall be considered and reviewed with the supervisor, the Assistant Attorney General and the child's tribe.



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U.S. Code (/uscode/text) › Title 25 (/uscode/text/25) › Chapter 21 (/uscode/text/25/chapter-21) › Subchapter I (/uscode/text/25/chapter-21/subchapter-1) › § 1911

## U.S. Code Toolbox

- Law about... Articles from Wex (/wex/wex\_articles)
- Title 25 USC, RSS Feed  (https://www.law.cornell.edu/uscode/rss/usc)
- Table of Popular Names (/topn)
- Parallel Table of Authorities (/ptoa)

# 25 U.S. Code § 1911 - Indian tribe jurisdiction over Indian child custody proceedings

Current through Pub. L. 114-38 (http://www.gpo.gov/fdsys/pkg/PLAW-114publ38/html/PLAW-114publ38.htm). (See Public Laws for the current Congress (http://thomas.loc.gov/home/LegislativeData.php?n=PublicLaws).)

- [US Code \(/uscode/text/25/1911?qt-us\\_code\\_temp\\_noupdates=0#qt-us\\_code\\_temp\\_noupdates\)](/uscode/text/25/1911?qt-us_code_temp_noupdates=0#qt-us_code_temp_noupdates)
  - [Notes \(/uscode/text/25/1911?qt-us\\_code\\_temp\\_noupdates=1#qt-us\\_code\\_temp\\_noupdates\)](/uscode/text/25/1911?qt-us_code_temp_noupdates=1#qt-us_code_temp_noupdates)
  - [Authorities \(CFR\) \(/uscode/text/25/1911?qt-us\\_code\\_temp\\_noupdates=3#qt-us\\_code\\_temp\\_noupdates\)](/uscode/text/25/1911?qt-us_code_temp_noupdates=3#qt-us_code_temp_noupdates)
- [prev](#) | [next](#)

### (a) Exclusive jurisdiction

An Indian tribe shall have jurisdiction exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of such tribe, except where such jurisdiction is

otherwise vested in the State by existing Federal law. Where an Indian child is a ward of a tribal court, the Indian tribe shall retain exclusive jurisdiction, notwithstanding the residence or domicile of the child.

**(b) Transfer of proceedings; declination by tribal court**

In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, the court, in the absence of good cause to the contrary, shall transfer such proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent or the Indian custodian or the Indian child's tribe: Provided, That such transfer shall be subject to declination by the tribal court of such tribe.

**(c) State court proceedings; intervention**

In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceeding.

**(d) Full faith and credit to public acts, records, and judicial proceedings of Indian tribes**

The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.

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# Child In Need of Aid Proceedings

## Answers to some common questions

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**Note:** This is an informational pamphlet about child in need of aid cases. It is not meant to advise you about Alaska law. You should talk to a lawyer about your individual situation. The Alaska Lawyer Referral Service, at 272-0352 (in Anchorage) or 800-478-9999, will help you find a lawyer. If you are a parent or child involved in this kind of case and you cannot afford to hire a lawyer, you may qualify to have a free lawyer appointed to help you. Ask the judge handling your case.

### **What is a “child in need of aid?”**

A “child in need of aid” is a person under 18 years of age whom the court finds needs the help of the State of Alaska because the child is not receiving proper care or is in an unsafe situation. The court and the Alaska Department of Health and Social Services try to make a plan to help the child. **A child in need of aid case is not a criminal case.**

### **What kinds of situations make a child in need of aid?**

A child may be a child in need of aid for many reasons. For example, a child may be in need of aid if:

- the child has been abandoned
- the child refuses to accept the care offered to him or her (for example, if a child won't stay home)
- the child needs medical treatment which isn't being provided
- the child has been physically or sexually abused
- the child has been neglected.

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## What happens first?

When someone (usually a state social worker who works for the Department of Health and Social Services) decides that a child needs help from the state, that person files a **petition** with the court. This petition is a paper that names the child, the child's parents, guardians, tribe or Indian custodian and tells about the child's situation. A copy of the petition is given to the child and the parents or guardian, tribe and Indian custodian, and everyone is told when to come to court for a court hearing.

If the child is in an emergency situation which requires that some action be taken **before** a court hearing can be held, a social worker may pick up the child and place the child in a foster home or other home until the court hearing. If the child is picked up without a court hearing first being held, the social worker must prepare a petition and give everyone a copy of the petition, and a court hearing must be held as soon as possible.

Sometimes a social worker or other person will ask a court to issue an emergency order requiring that the child be given to the custody of the state until a hearing can be held. In this case, also, a court hearing is scheduled as soon as possible.

## What happens at the court hearing?

There is usually more than one court hearing.

At the first hearing, the judge will make sure that everyone has been told about the hearing and about the things said in the petition.

At the first or second hearing, the judge will decide whether or not there is a good reason to believe that the child is in need of aid. If the judge thinks there is a good reason to believe this, he or she will generally schedule a trial in the case, and decide

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where the child will stay and what will happen to the family until the time for trial. If the judge decides that not enough information has been presented, the judge will dismiss the case. (If the child is in foster care and the case has been dismissed, the child would be returned to the parents, guardian or Indian custodian at this point.)

The judge also will explain each person's rights. These rights include each parent's right to have a lawyer. (The court may give a parent a free lawyer if the parent wants a lawyer but cannot afford one.) The child also has the right to have someone to help the child in court. Usually a person called a "guardian *ad litem*" is appointed to help the child. The guardian *ad litem* investigates the case, talks to everyone involved and then tells the court what the guardian *ad litem* thinks is best for the child. For further information refer to **PUB-3** entitled "**What is a guardian ad litem?**" Also, the child's tribe has a right to "intervene" in the case, meaning that the tribe has the right to become formally involved.

## What happens at the trial?

The trial is called an "adjudication hearing." It is **not** held if everyone agrees that what was said in the petition is true. If everyone agrees, only a disposition hearing is held (see below). If there is a disagreement, there must be a trial and the trial normally should be completed within about four months after the court case has been filed.

The Department of Health and Social Services, usually represented by an assistant attorney general, will present evidence to try to show that the statements in the petition are true. The child's parents and the child will also have a chance to present evidence (for example, to have people come to talk on their behalf) and to ask questions of any people who

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testify (make statements) at the trial. From all the information presented, the judge will decide whether or not the child is in need of aid. If the judge decides that the child is **not** a child in need of aid, the case is over. If the child is in state custody, the child is then returned to his parents, guardian or Indian custodian.

If the judge decides that the child **is** a child in need of aid, the judge will schedule a **disposition hearing**, to decide what will happen to the child and family. (Sometimes the judge will make a decision about the disposition of the case at the same time as the adjudication hearing, but sometimes the disposition hearing is held later.)

### **What happens at the disposition hearing?**

Before the disposition hearing, the Department of Health and Social Services must make a written report to the court called a predisposition report. A copy is given to the parents and the child. This report tells what the social worker thinks should happen to the child and the family and why.

At the disposition hearing, everyone gets to tell the judge what he or she thinks should happen. The judge then decides what should happen.

If someone does not like the judge's decision, he or she can **appeal**. This means that he or she can ask a higher judge to change the decision.

### **What can happen to the child and the family?**

The judge will try to decide how best to help the family and the child. For example, the child may be placed in a foster home or a group home, if necessary. The child may be returned home, and a social worker may visit the home to make sure the child is

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receiving proper care. The child and the parents may have to do certain things, like go to counseling or parenting classes.

### **How long is the judge's decision for?**

The disposition decision can cover any period of time **up to two years**. If the Department of Health and Social Services wants the case to continue for longer, a social worker can file a petition for an extension and the case then goes back to court to see if the time should be extended.

### **Does the court look at the case after the disposition hearing?**

**Yes.** Within one year after the child was first taken into state custody, the judge will hold a "permanency hearing." At this hearing, the judge will decide whether the child is still in need of aid. If so, the judge will decide on a permanent plan for the child. Possible plans include returning the child home, making the child available for adoption, or another permanent living arrangement. Before the permanency hearing, the Department of Health and Social Services must make a written report to the court called a permanency report. A copy is given to the parents, and the child. This report tells what the social worker thinks the permanent plan should be, and why.

At the permanency hearing, everyone (including foster parents and grandparents) gets to tell the judge what they think the permanent solution should be. The judge then decides what should happen, and when. The court will hold a hearing every year until the plan is successful.

In addition to the permanency hearings, the court reviews court papers at least once per year until the case is over, to make sure that everything about the case is being handled properly. If a

parent, child or other involved person has a good reason, he or she can ask the court to hold a review hearing about the case. For example, a parent may feel that things have changed at home and that the child should come home before the judge's order says the child should. The court would consider this at a review hearing.

### Can a judge take a child away from a family forever?

**Yes.** If efforts have been made to help the child, but the family situation has not improved, the department may start a "termination of parental rights" case to make the child available for adoption by another family. The law requires the department to consider starting a termination of parental rights case when the child has been living in state foster care for 15 of the previous 22 months.

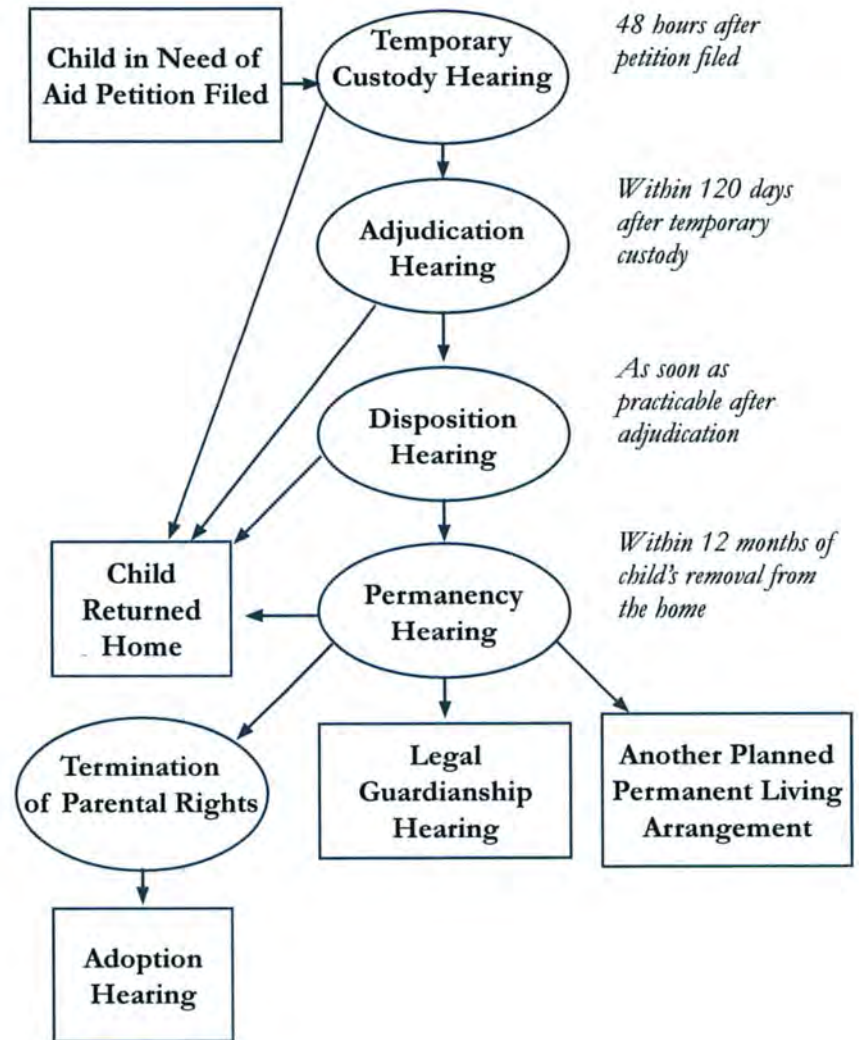
### What should I do if I know about a child who needs help?

Contact the nearest office of the Department of Health and Social Services, Office of Children's Services:

- |                               |                |
|-------------------------------|----------------|
| Southeast Region - Juneau     | 1-888-622-1650 |
| Anchorage Region - Anchorage  | 1-800-478-4444 |
| Northern Region - Fairbanks   | 1-800-353-2650 |
| Southcentral Region - Wasilla | 1-888-304-9780 |

The flow chart on the following page shows how a child in need of aid case might progress through the legal process.

### Child in Need of Aid Court Process



For more information about this publication, please call the Alaska Court System Administrative Office at (907) 264-8240, 820 West Fourth Avenue, Anchorage, Alaska 99501

## David Scott

---

**From:** Lawton, Christy (HSS) <christy.lawton@alaska.gov>  
**Sent:** Monday, February 22, 2016 10:44 AM  
**To:** David Scott  
**Subject:** FW: Support for Senate Bill 112/House Bill 200

FYI

New letter of support.

Christy

**From:** Liz Medicine Crow [mailto:LizMedicineCrow@firstalaskans.org]  
**Sent:** Monday, February 22, 2016 10:35 AM  
**To:** Stedman, Bert K (LAA); Giessel, Cathy (LAA); Kelly, Pete (LAA); Stoltze, Bill (LAA); Ellis, Johnny (LAA)  
**Cc:** Davidson, Valerie J (HSS); Forrest, Karen L (HSS); Lawton, Christy (HSS); Andrea Sanders; Liz Medicine Crow  
**Subject:** Support for Senate Bill 112/House Bill 200

# First Alaska

February 20, 2016

To: Senate Health & Social Services Committee

Re: Senate Bill 112/House Bill 200

Dear Committee Members,

As a statewide Alaska Native nonprofit organization, we would like to express our support for House Bill 200/Senate Bill 112. These bills will have positive and lasting impacts for Alaska's children and families in two important ways: strengthening Alaska by growing healthier children; and eliminating complicated and costly procedural barriers in the adoption process for children in custody. Of critical importance to our communities, these bills pave the way for more Alaska Native children within the OCS system to reach permanency with their family, culture and traditions.

When state intervention occurs and children are removed from their parents, numerous tribal, state, and national policies already dictate familial placements, in recognition that a child's family is the best placement option. While this reflects every family's wish to keep their children with them, in the case of Alaska Native and American Indian children specifically, Congress enacted the Indian Child Welfare Act (ICWA) in 1978 in urgent response to the alarming and extreme occurrences of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes - never to be returned to their families, cultures, or communities.

This federal law mandates placement preferences to a child's Tribe and other Native families when an immediate family placement is not available because of the cultural and familial devastation that occurs when children are removed from the strength of their cultural birthrights and communities. Like all children are to their families and cultures, our children are our lifeblood - and their connection to family and culture is theirs. Growing up connected to and knowing who they are is every child's right, and family preference laws allow that value and the spirit of the law to be equitably implemented.

At nearly 60%, Alaska Native children are disproportionately represented in the overall foster care system today, while well over 40% of Alaska Native children adopted annually are adopted by non-Native, non-family members. Clearly, this is a crisis that was intended to be addressed with the passage of the Act, and can be addressed today through these bills by integrating the spirit of ICWA more equitably for Alaska families, so that no matter where they live they can more readily assert their desire to adopt their family's and communities' children. As you can imagine, this issue is of paramount concern to Alaska Native people across the state.

At First Alaskans Institute, over the past 12 years, we have had the great honor and responsibility of helping develop our communities' leadership with over 8,000 children, youth, and young leaders from across Alaska. Throughout this time, we have seen time and time again that our young people who seek to strengthen or already have strong connection to cultural knowledge, values and relationships have the inherent ability and capacity to lead our peoples, inspire change, promote healing, and support the growth of healthy, thriving communities throughout Alaska and the nation. Culturally connected, confident and healthy young Native leaders are Alaska's greatest treasure and in the promise of their well being lies the key to Alaska's future.

The practical efficiencies of the placement framework offered within the House Bill 200/Senate Bill 112 will reduce government inefficiencies around child placement. These bills also make the process more realistic, accessible, and understandable for those who want to adopt family children or those connected via Tribal membership, thereby increasing the ability of all children in the system - Native or not - to be placed with their families and communities. This is a great example of *what's good for Alaska Native children is good for all children* - a win-win situation for all of Alaska's children, families and state government.

Thank you for all of your hard work to keep Alaska's children with their families and communities. This bill is a sound investment in the future of our state.

Sincerely,

Liz Medicine Crow (*Haida/Tlingit*)

Andrea Sanders (*Yup'ik*)

President/CEO

ANPC Director

Cc:

**House Health & Social Service Committee:**

Representative Paul Seaton, Chair

Representative Liz Vazquez, Vice Chair

Representative Neal Foster, Member

Representative Louise Stutes, Member

Representative Dave Talerico, Member

Representative Geran Tarr, Member

Representative Adam Wool, Member

**Department of Health & Social Services**

Valerie Davidson, Commissioner

Karen Forrest, Deputy Commissioner

Christy Lawton, Office of Children's Services Director

Raymond Watson, Chairperson  
Myron P. Naneng Sr., President  
Phone: (907) 643-7300  
Fax: (907) 643-3369

**AVCP**  
Association of Village Council Presidents  
Administration  
Pouch 219, Bethel, AK 99559



Akiachuk  
Akink  
Alakanuk  
Andreafsky  
Aniak  
Atmautluuk  
Bethel  
Bill Moore's Sl.  
Cheformak  
Chevak  
Chuathbaluk  
Chulonaawick  
Crooked Creek  
Fck  
Enimonak  
Georgetown  
Goodnews Bay  
Hamilton  
Hooper Bay  
Lower Kalskag  
Upper Kalskag  
Kasigluk  
Kipnuk  
Kongiganak  
Kotlik  
Kwethluk  
Kwigillingok  
Lime Village  
Marshall  
Mekoryuk  
Mtn. Village  
Napaimut  
Napakiak  
Napaskiak  
Newtok  
Nighthute  
Nunakauyak  
Nunam Iqua  
Nunapitchuk  
Ohogamiut  
Oscarville  
Paimiut  
Pilot Station  
Pitka's Point  
Platinum  
Quinhagak  
Red Devil  
Russian Mission  
Scammon Bay  
Sleetmute  
St. Mary's  
Stony River  
Tuluksuk  
Tuntutuluuk  
Tununak  
Umkumiut

January 26, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Monique Vondall-Rieck".

Monique Vondall-Rieck, JD  
Tribal Justice Center Director

## David Scott

---

**From:** Randy Ruaro  
**Sent:** Monday, February 01, 2016 2:36 PM  
**To:** David Scott  
**Subject:** FW: Governor's Adoption Bill HB 200/SB 112

**Importance:** High

FYI

**From:** Charity Carmody [mailto:charity.carmody.p8jk@statefarm.com]  
**Sent:** Tuesday, January 26, 2016 10:30 AM  
**To:** Sen. Bert Stedman <Sen.Bert.Stedman@akleg.gov>; Sen. Cathy Giessel <Sen.Cathy.Giessel@akleg.gov>; Sen. Pete Kelly <Sen.Pete.Kelly@akleg.gov>; Sen. Bill Stoltze <Sen.Bill.Stoltze@akleg.gov>; Sen. Johnny Ellis <Sen.Johnny.Ellis@akleg.gov>  
**Subject:** Governor's Adoption Bill HB 200/SB 112  
**Importance:** High

Dear Senators –

I am writing you in support of House Bill 200/Senate Bill 112. I believe this to be a very important piece of legislation at this time. As you know, our child welfare system is in crisis. There are more children in the custody of the state than ever. Roughly 60% of these children are Alaska native. The reality of the situation is that we do not have enough foster and adoptive homes to adequately place these children.

I am the President and Founder of Beacon Hill. We are a foster care and adoption community resource center based in Anchorage. We provide many services to families involved in foster care and work hard to promote adoption for legally free children in our state. Without a doubt, one of the most grievous situations we come across is when an Alaska native child has a family or tribal member that wants to adopt them and yet they are subjected to bureaucracy and further trauma.

As a state and community, we are continuing to suffer from the consequences of our actions prior to ICWA. We must work diligently to remove barriers for Alaska Native families to be able to adopt. I believe that this bill is a good start in promoting permanency, preserving culture, and honoring the traditions of our land and Native people.

I urge you to pass this bill. If you would like to talk with me, I would be honored. Thank you for your taking the time to read this, for your service to our state and for caring about our children.

Charity Carmody, President  
Beacon Hill  
Serving Alaska's foster children and those at risk of going into foster care through the love of Christ.  
PO Box 241764 Anchorage, AK 99524  
907-222-0925 Resource Center Office  
907-632-4862 Personal Cell



January 26, 2016

Sent Via Electronic Mail

The Honorable Bert Stedman  
Chairman of the Senate Health and Social Services Committee  
Alaska State Legislature  
State Capitol, Room 30  
Juneau, AK 99801

Re: SB 112, Adoption of Child in State Custody

Dear Chairman Stedman:

As the president of the largest Native organization in the state, and on behalf of our members – including 185 federally recognized tribes, 153 village corporations, 12 regional corporations, and 12 regional nonprofit associations and tribal consortiums that contract and run federal and state programs – I write to convey the Alaska Federation of Natives' (AFN) strong support of SB 112, Adoption of a Child in State Custody.

As you may know, AFN worked closely with Governor Bill Walker, Commissioner of Health and Social Services Valerie Davidson, and many others during the previous legislative session to remove the barriers that effectively prevent Alaska Native families and individuals from exercising their right to be considered a 'preferred' adoptive placement for Native children in state custody under the Indian Child Welfare Act (ICWA). SB 112 effectively and efficiently accomplishes this task by making two minor administrative changes to state law.

First, the bill proposes to link adoption proceedings to existing child-in-need of aid (CINA) proceedings by ensuring any petition to adopt a child in state custody – who is adjudicated a child in need of aid – is filed and heard within corresponding CINA proceeding. This simple change will better protect Native children, as well as Alaska Native families and individuals who wish to adopt them, and will save the state considerable resources by making certain related adoption and CINA proceedings evolve as one court matter. Under current law, the proceedings are filed and heard separately, which makes it difficult if not impossible for many Alaska Native families and individuals to assert their desire to adopt a Native child in state custody. This is particularly true when the state changes the permanency goal for a Native child from reunification to adoption during the course of an open CINA case, but fails to adequately communicate notice of the change. Once an

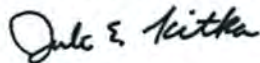
interested relative finds out about the change, it is not enough for them to become involved in the CINA case; they must then also know to initiate a case of their own. SB 112 would streamline the process.

The bill also proposes to allow the use of a 'proxy' in lieu of a formal petition to adopt a child in state custody, and clarifies that the document may be filed by a Native child's relative, tribe (or tribe that the child is eligible to be enrolled in), or another Native family. The filer of the proxy may also communicate his or her request to adopt the child by telephone, mail, facsimile, electronic mail or in person under the bill. The proxy clarification is especially important to the Alaska Native community as many Native peoples may not speak English fluently or may have difficulties obtaining legal counsel.

Congress enacted ICWA in 1978 to combat to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities. Today, upwards of 40% of the Alaska Native children in state custody are adopted annually by non-Native families and individuals. It is the hope of AFN that SB 112 will increase the number of Alaska Native children who achieve permanency in line with the goals of ICWA.

Thank you for your commitment to returning Alaska Native children in state custody to their families, communities, and home regions.

Sincerely,  
ALASKA FEDERATION OF NATIVES



Julie Kitka  
President

Cc: Governor Walker  
Commissioner Davidson  
Senator Cathy Giessel, Committee Vice-Chair  
Senator Pete Kelly, Committee Member  
Senator Bill Stoltze, Committee Member  
Senator Johnny Ellis, Committee Member



2050 VENIA MINOR ROAD  
P.O. BOX 86  
ST. PAUL ISLAND, ALASKA 99660

February 3, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

Amos T. Philemonoff, Sr.  
President, Aleut Community of St. Paul Island

OFFICE OF THE PRESIDENT

JAN 28 2016



CENTRAL COUNCIL  
*Tlingit and Haida Indian Tribes of Alaska*  
Edward K. Thomas Building  
9097 Glacier Highway • Juneau, Alaska 99801

---

January 26, 2016

Senate Health and Social Services Committee Members  
Capitol Building Room 205

**RE: House Bill 200/Senate Bill 112**

Dear Senate Health and Social Services Committee Members,

This letter is to support House Bill 200 and Senate Bill 112. Central Council believes this bill will have positive and lasting impacts for Alaska Native children and families.

The proposed legislation removes barriers for Alaska Native families who want to adopt children connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. This is a concern because our children are our greatest resource, and the long lasting effects of loss of tradition and culture can be measured well into adulthood. It is our hope this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

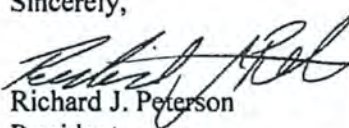
Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska families who live in rural areas do not have fair access to the courts as do urban residents. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Please take into consideration, that while this bill will help Alaska Native foster children, it will also help the 40% of the non-Native children in the system who also deserve to be placed with a family.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,



Richard J. Peterson  
President



January 26, 2016

The Honorable Bert Stedman, Chair  
Senate Health and Social Services Committee  
Alaska State Senate  
State Capitol  
Juneau, AK 99801-1182

*ph.*  
907 793.3600  
*fx.*  
907 793.3602  
*web.*  
CITCI.org

Dear Chairman Stedman:

Cook Inlet Tribal Council (CITC) writes in strong support of Senate Bill 112 because of the significant positive impact it will have on reducing the long term negative effects of placing Native children outside of their own communities and families. As the Senate Health and Social Services Committee is well aware, Native children make up over 60% of the children in out of home care, and Native adoptive families are often difficult to identify and place. CITC offers a wide spectrum of services that assist families both before and after their involvement with the Office of Children's Services. From supervised visitation to intensive in-home services, CITC has a tremendous impact on the families with whom we work. Last year CITC realized the following results in our Child and Family services division:

- 86 percent of program participants referred in the family preservation program maintained their children in their own care
- an average of 90 percent of families maintained care for their own children through the Intensive Family Preservation program
- 638 individuals participated in family support/preservation programs, of whom 100 percent avoided Office of Children's Services (OCS) involvement or placement

In addition, CITC's holistic, wrap-around services, including TANF, Recovery Services and education programs, support families to overcome their barriers and remain intact. Because of the nature of our work, CITC has an inside view of the opportunities to improve outcomes for Native families, and how important it is to make it as efficient as possible for family adoption to occur through the Child in Need of Aid (CINA) process.

SB 112 removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable and by removing obstacles that have resulted in children unnecessarily being disconnected from their families.


The Honorable Bert Stedman  
January 26, 2016  
Page Two

Unfortunately, currently well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. This bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions, and will reduce litigation based on lack of compliance with the Indian Child Welfare Act (ICWA), which Congress enacted in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities. Sadly, after almost forty years, Alaska Native families still experience disproportionate rates of children placed out of their homes and culture.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the CINA proceedings instead of through an entirely different proceeding held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption. As a result, children in out-of-home placement would reach permanency more quickly, lessening the burden on Alaska's Office of Children's Services.

Thank you for supporting keeping Alaska's children with their families and in their own home communities.

Sincerely,



for G. O'Neill

Gloria O'Neill  
President/CEO

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

Raymond J. Mey  
RJM

January 26, 2015

To Senate Health & Social Services Committee Members,

We are parents, school volunteers, and professionals who work with Alaska Native children and families. We are writing as constituents to support House Bill 200/Senate Bill 112. This bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

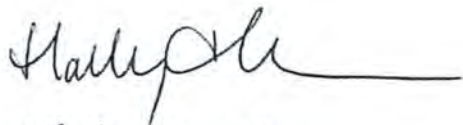
Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

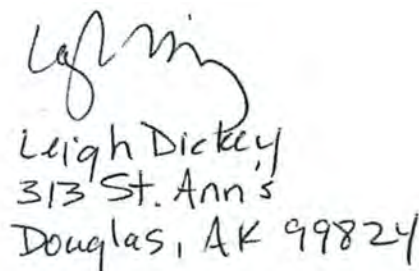
Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,



Holly Handlor  
9831 Nine Mile Creek Rd  
Juneau AK 99801



Leigh Dickey  
313 St. Ann's  
Douglas, AK 99824

1-26-16

Senate Health & Social Services Committee Members:

This is a letter in support of House Bill 200/Senate Bill 112.

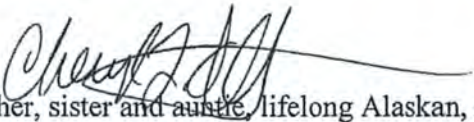
I believe this bill will have important and positive impacts on the outcomes of Alaska Native children and the Alaska Native families who want to adopt them because this bill removes bureaucratic barriers making the process more accessible, understandable, and natural for families.

Alaska Native culture has kept children and families in Alaska safe, happy, and healthy in their communities for thousands of years and all Alaska Native children have the right to be connected to and grow up in their Alaska Native culture and heritage and with their Alaska Native family. I have heard and seen in my nine years of work as an Indian Child Welfare Act department director that over 40% of Alaska Native children adopted annually are adopted by non-Native, non-family members, non-ICWA. ICWA came into being to help prevent this 40% loss of Alaska Native children outside of their families and culture. This bill has the potential to decrease that 40% and increase the number of healthy and happy Alaska Native children who can grow up within their family, culture and traditions.

Passing this bill will help eliminate complicated procedural barriers inherent in probate court proceedings in the adoption process for children in custody-time, access to legal counsel, language, etc. Alaska Native families instead would be considered for adoption through regular Child in Need of Aid (CINA) proceedings, and would have natural opportunities to state their wish to adopt. They would also have the option to make their request through several avenues natural to them, by phone, mail, fax, email, or in person to the Office of Children's Services, and/or through a request made for them by the child's tribe. Providing these options would increase the number of Alaska native families willing and wanting to adopt to be able to be considered for adoption.

Thank you for your work to keep Alaskan's children with their families and in their own home communities and culture.

Sincerely,  
Cheryl Offt

  
Yup'ik, mother, sister and auntie, lifelong Alaskan, and voter



P.O. BOX 286 ILIAMNA AK 99606  
| 907-571-1246 TEL | 907-571-3539 FAX  
Email: [ivc@iliamnavc.org](mailto:ivc@iliamnavc.org)

January 25, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,  
ILIAMNA VILLAGE COUNCIL

A handwritten signature in black ink, appearing to read "Thomas Hedlund", is written over the printed name.

Thomas Hedlund, President



# KTC

## Kasigluk Traditional Council

Post Office Box 19

Kasigluk, Alaska 99609

Ph: (907) 477-6405 / 6406 Fx: (907) 477-6212

[kasigluk.admin@gmail.com](mailto:kasigluk.admin@gmail.com)

[kasigluk.bookkeeper@gmail.com](mailto:kasigluk.bookkeeper@gmail.com)

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January 26, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native Families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native Children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child in Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

*Michael C. Mauts*

*KTC President*



# KTC

**Kasigluk Traditional Council**

Post Office Box 19

Kasigluk, Alaska 99609

Ph: (907) 477-6405 / 6406 Fx: (907) 477-6212

[kasigluk.admin@gmail.com](mailto:kasigluk.admin@gmail.com)

[kasigluk.bookkeeper@gmail.com](mailto:kasigluk.bookkeeper@gmail.com)

January 26, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native Families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native Children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child in Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

*Michael C. Martin*

*KTC President*



**KAWERAK , INC. • P.O. Box 948 • Nome, AK 99762**



TEL: (907) 443-5231 • FAX: (907) 443-4452



SERVING THE  
VILLAGES OF:  
BREVIG MISSION  
COUNCIL  
DIOMEDE  
ELIM  
GAMBELL  
GOLOVIN  
KING ISLAND  
KOYUK  
MARY'S IGLOO  
NOME  
SAVOONGA  
SHAKTOOLIK  
SHISHMAREF  
SOLOMON  
STEBBINS  
ST MICHAEL  
TELLER  
UNALAKLEET  
WALES  
WHITE MOUNTAIN

1/26/16

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska Native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable. Family and tribal members who live in villages have little direct access to the documents required to make a formal request to adopt. Allowing family and tribal members to make their request known to an ICWA worker, OCS worker, or in court instead of with formal documentation, would increase the amount of children returning home.

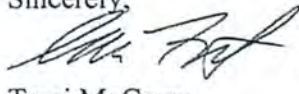
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Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

 For Traci McGarry

Traci McGarry  
Kawerak, Inc. Program Director  
Children & Family Services/ Child Advocacy Center



**VILLAGE of STONY RIVER dba Stony River Traditional**



Village of Stony  
River Box SRV  
Stony River AK,

Phone: 907-537-3258  
Fax: 907-537-3254  
E-mail: stony.river@yahoo.com

President-Mary Willis

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

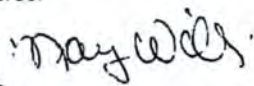
The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,   
Mary Willis  
Village of Stony River

# Tanana Chiefs Conference

Chief Peter John Tribal Building

122 First Avenue, Suite 600

Fairbanks, Alaska 99701-4897

(907) 452-8251 Fax: (907) 459-3850

## SUBREGIONS

### UPPER KUSKOKWIM

McGrath  
Medfra  
Nikolai  
Takatna  
Telida

January 26, 2016

To: Senate Health & Social Services Committee Members  
Re: House Bill 200/Senate Bill 112

### LOWER YUKON

Anvik  
Grayling  
Holy Cross  
Shageluk

Dear Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska.

### UPPER TANANA

Dof Lake  
Eagle  
Healy Lake  
Northway  
Tanacross  
Tetlin  
Tok

Numerous state and national policy already dictate familial placements. This is based on research that proves time and again a child's family is the best placement option. State and federal statute mandate family placements of foster children when possible. For Native children, federal law takes this preference mandate further by ensuring preference to a child's tribe and other Native families when an immediate family placement is not available.

### YUKON FLATS

Arctic Village  
Beaver  
Birch Creek  
Canyon Village  
Chaikytzik  
Circle  
Fort Yukon  
Venette

House Bill 200/Senate Bill 112 removes barriers for families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

### YUKON KORYUKUK

Galena  
Huslia  
Kaitag  
Koyukuk  
Nulato  
Ruby

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. This is a concern because our children are our greatest resource, and too often Native children suffer in adulthood when they lose connection to their Native culture. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

### YUKON TANANA

Alatna  
Allakaket  
Evansville  
Fairbanks  
Hughes  
Lake  
Minchumina  
Manley Hot  
Springs  
Minto  
Nenana  
Rampart  
Stevens Village  
Tanana

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

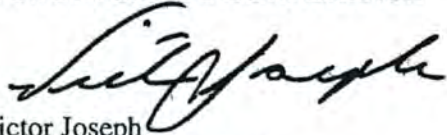
Alaska families who live in rural Alaska do not have fair access to the courts as do urban Alaskans. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Please take into consideration, that while this bill will help Alaska Native foster children, it will also help the 40% of the non-Native children in the system who also deserve to be placed with family.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

TANANA CHIEFS CONFERENCE

A handwritten signature in black ink, appearing to read "Victor Joseph". The signature is written in a cursive style with a large, sweeping initial "V".

Victor Joseph  
TCC President and CEO

January 26<sup>th</sup>, 2016

The Honorable Members of the Senate HSS Committee,

Please join us in making Alaska's children a priority. We are writing in support of House Bill 200/Senate Bill 112 "An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date." We believe this bill will have positive impacts for Alaskan children and families involved in child welfare.

Of the more than 2,800 children in state foster care, Alaska Native children are overrepresented, making up more than 60%. This Bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic, understandable, and conducive to Alaskan communities.

This Bill would allow for the child-in-need and adoption proceeding to be kept as one court matter, ultimately protecting children and families wishing to adopt, and saving state time and resources.

Alaskan children are twice as likely to experience abuse and neglect as children in any other state. Once children enter our foster care system, their hardships are not over. They are shuffled between "placements," waiting to see if they will be reunited with their families or begin the journey to finding some sense of permanency. This Bill could help children move more quickly toward permanency, ideally with relatives or tribal members.

As advocates, constituents, and caring Alaskan's we hope you will join us in making Alaska's children a priority.

Regards,

Amanda Metivier  
Executive Director  
Facing Foster Care in Alaska, Joined by;

Alaska Child & Family  
Alaska Youth and Family Network  
Covenant House Alaska  
My House Inc.  
Alaska Children's Trust  
Beacon Hill  
Volunteers of America, Alaska

**Native Village of Bill Moore's Slough**

**P.O Box 20288**

**Kotlik, Alaska 99620**

**Phone (907)899-4232 Fax (907)899-4232**

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. WE believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption through the Child in Need of Aid (CINA) proceedings instead of through and entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

Stella Fancyboy

Native Village of Bill Moore's Slough President

**Native Village of Kwinhagak  
PO Box 149  
Quinhagak, AK 99655  
Phone 907-556-8165, FAX 907-556-8166**

January 26, 2015

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

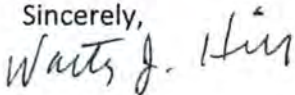
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Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,



Walter J. Hill  
President



## ICWA Office

January 27, 2016

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. I believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. I hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,

A handwritten signature in cursive script that reads "Mary Andrew".

Mary Andrew  
ICWA Caseworker II

---

Kokhanok ICWA Office P.O. Box 1007 Kokhanok, AK 99606

♦ (O) 907.282.2224 ♦ (F) 907.282.2221 ♦ (E) kokhanokicwa@bbna.com



KENAITZE  
INDIAN  
TRIBE

January 26, 2016

The Honorable Bert Stedman  
Chairperson, Senate Health and Social Services Committee  
State Capitol Room 30  
Juneau, AK 99801

Dear Chairperson Stedman:

I am writing on behalf of the Kenaitze Indian Tribe to express support for House Bill 200/Senate Bill 112. The tribe believes this bill will positively affect Alaska Native children and families now and into the future.

The bill simplifies the process for Alaska Native families who wish to adopt children connected to them by family or tribal membership. It also eliminates barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA). Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

We have seen these challenges firsthand at the tribe and believe that if this bill passes, it will benefit many Alaska Native children and families across the state.

Thank you for your consideration and support.

Sincerely,

Jaylene Peterson-Nyren  
Executive Director  
Kenaitze Indian Tribe

WWW.KENAITZE.ORG

PHONE: (907) 335-7200 • FAX: (907) 335-7239

P.O. Box 988 • KENAI, AK 99611



## OHOGAMIUT TRADITIONAL COUNCIL

P.O. Box 49

Marshall, Alaska 99585

Phone: (907) 679-6517/6598 Fax (907) 679-6516

**“Let us put our Minds Together and see what kind of Life we can build  
For our Children” – Sitting Bull**

---

January 26, 2016

To: Senate Health & Social Services Committee Members:

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

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Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,  
OHOGAMIUT TRADITIONAL COUNCIL

*Darlene Isaac*

Darlene Isaac,  
President

Cc: file

January 26, 2016

To Senate Health & Social Services Committee Members:

This letter is to support House Bill 200/Senate Bill 112. The Arctic Slope Native Association (ASNA) believes this bill will have positive and lasting impacts for Alaska Native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions.

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities. By tribal resolution, ASNA is the ICWA representative for the Arctic Slope communities of Atkasuk, Kaktovik, Nuiqsut and Wainwright. The services we provide include representing Tribal children in court cases, handling customary adoptions and working with families, courts, and the state to place children with relatives. This bill will strengthen the services we provide and allow maximum benefit for the people of the North Slope.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child In Need of Aid proceedings and would be considered for adoption after the permanency goal changes to adoption.

Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,



Angela Cox  
Vice President of Administration  
Arctic Slope Native Association

Native Village of Noatak  
ICWA Coordinator  
P.O. Box 89  
Noatak, AK 99761  
PHONE: (907) 485-2173/2172 Ext. 22  
FAX: (907) 485-2137  
nva@nva.ak.us

To Senate Health & Social Services Committee Members,

This letter is to support House Bill 200/Senate Bill 112. We believe this bill will have positive and lasting impacts for Alaska native children and families.

The bill removes barriers for Alaska Native families who want to adopt those connected to them by family or tribal membership by making the process more realistic and understandable.

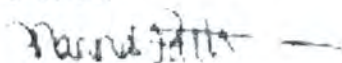
Well over 40% of Alaska Native children who are adopted annually are adopted by non-Native, non-family members. It is our hope that this bill will increase the number of Alaska Native children to reach permanency with their family, culture and traditions. Our native traditions are highly important to us in our native village of Noatak, our love for children and responsibility to tribe are part of our Inupiaq Iitqusiat Values. Iitqusiat meaning, "Our way of life!"

Congress enacted the Indian Child Welfare Act (ICWA) in 1978 due to the alarming numbers of Indian children being removed from their homes by state and private welfare agencies and placed in non-Indian foster and adoptive homes never to be returned to their families, culture, or communities.

Alaska Native families who live in rural Alaska may not speak English fluently or they may have difficulties obtaining legal counsel. This bill seeks to eliminate complicated procedural barriers in the adoption process for children in custody so that Alaska Native families can be considered for adoption through the Child in Need of Aid (CINA) proceedings instead of through an entirely different proceedings held in Probate Court. Families will be able to assert their desire to adopt a child through the Child in Need of Aid proceeding and would be considered for adoption after the permanency goal changes to adoption.

I have attached a copy of our Inupiaq Iitqusiat Values. Thank you for supporting keeping Alaskan's children with their families and in their own home communities.

Sincerely,



Nanna Patterson  
ICWA Coordinator

# Inupiat Ilitqusiatic Values

Knowledge of Language

Knowledge of Family Tree

Sharing

Humility

Respect for Others

Love for Children

Cooperation

Hard Work

Respect for Elders

Respect for Nature

Avoid Conflict

Domestic Skills

Hunter Success

Responsibility to Tribe

Every Inupiaq is responsible to all other Inupiaq for the survival of our culture spirit, and the values and traditions through which it

survives. Through our extended family,

we retain, teach and live our Inupiaq way.

**David Scott**

---

**From:** Trevor Storrs <tstorrs@alaskachildrenstrust.org>  
**Sent:** Sunday, January 24, 2016 4:02 PM  
**To:** Sen. Bert Stedman; Sen. Cathy Giessel; Sen. Pete Kelly; Sen. Bill Stoltze; Sen. Johnny Ellis  
**Cc:** Christy Lawton (christy.lawton@alaska.gov)  
**Subject:** HB200 - Support

Dear Senate HSS Committee,

Alaska Children's Trust (ACT) is the statewide lead organization focused on the prevention of child abuse and neglect. We applaud the Office of Children Services, DHSS and the Walker Administration for addressing the high number of Alaska Native children in state custody and the need for a strong preference that those children be adopted into Native homes. The success of these children overcoming the trauma they experienced and build the resilience they will need to manage the effects of the trauma are influenced by the environment around them. A key component to managing trauma is cultural/social resilience. Native Children who are adopted by native families have a strong linkage to their cultural heritage which builds resilience. Because of this, ACT supports the goal and purpose of HB 200.

Trevor Storrs

Executive Director

Alaska Children's Trust