



LAWS OF ALASKA

1982

Source

SCSHB 532(R1s) am S

Chapter No.

15

AN ACT

Providing for the award of visitation rights to grandparents and other persons.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: March 26, 1982
Actual Effective Date: June 24, 1982

AN ACT

Providing for the award of visitation rights to grandparents and other persons.

* Section 1. AS 09.55.205 is amended to read:

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

(b) If [ANY APPOINTMENT OF] a guardian ad litem for a child is appointed, the appointment shall be made under the terms of AS 09.65.130(c) [AS 09.65.130].

(c) The court shall determine custody in accordance with the best interests of the child. Neither parent is entitled to preference as a matter of right in awarding custody of the child. In determining the best interests of the child the court shall consider all relevant factors including:

- (1) the physical, emotional, mental, religious and social

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1 needs of the child;

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

4 (3) the child's preference;

5 (4) the love and affection existing between the child and
6 each parent;

7 (5) the length of time the child has lived in a stable,
8 satisfactory environment and the desirability of maintaining continuity;

9 (6) the desire and ability of each parent to allow an open
10 and loving frequent relationship between the child and his other parent.

11 * Sec. 2. AS 09.55.231(a)(2) is amended to read:

12 (2) if there are minor children of the marriage or the wife
13 is pregnant, the spouses have agreed on which spouse or third party
14 shall be awarded custody of each minor child of the marriage and the
15 extent of visitation, including visitation by grandparents and other
16 persons, and support to be provided on the children's behalf, whether
17 the payments are to be made through the child support enforcement agency
18 and the tax consequences of that agreement;