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

550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450
fax 907-269-7461
www.Gov.Alaska.Gov
Governor@Alaska.Gov

Governor Bill Walker
STATE OF ALASKA

April 15, 2015

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Chenault:

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.

I urge your prompt and favorable action on this measure.

Sincerely,

Bill Walker
Governor

Enclosure