

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1187

Amending Adoption Rule 8
concerning right to counsel.

IT IS ORDERED:

1. Adoption Rule 8 is amended to read as follows:

(a) **Counsel of Choice.** The court shall ensure at the first appearance of a parent that the parent is informed of the right to counsel of their choice at the parent's own expense. The court shall ensure that a child is advised of the right to counsel at the time the child appears to sign a consent to adoption.

(b) **Appointed Counsel.**

(1) The court shall appoint counsel at public expense pursuant to Administrative Rule 12(d)(2)(B)(i) to represent an indigent parent of an Indian child.

(2) The court shall appoint the Office of Public Advocacy to represent an indigent parent against whom an involuntary termination of parental rights is sought pursuant to AS 25.23.180(c)(3).

(3) The court shall also appoint counsel at public expense pursuant to Administrative Rule 12 to represent:

(A) an indigent parent against whom an involuntary termination of parental rights is sought on grounds other than stated in AS

25.23.180(c)(3), if the action is brought by the state or by a party represented by the Alaska Legal Services Corporation or the Alaska Pro Bono Program; and

(B) an indigent parent who is defending against a claim that the parent's consent to adoption is not required under AS 25.23.050(a).

(4) The court may appoint counsel under AS 25.24.310 to represent a minor child who is to be adopted.

DATED: January 13, 1995

EFFECTIVE DATE: July 15, 1995

/s/
Chief Justice Moore

/s/
Justice Rabinowitz

/s/
Justice Matthews

/s/
Justice Compton

/s/
Justice Eastaugh