

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1276

Amending Adoption Rules 9, 13,  
and 14 concerning inheritance  
rights.

IT IS ORDERED:

1. Paragraph (a) of Adoption Rule 9 is amended to read:

(a) **Form.** A consent or relinquishment must be in writing and must include:

\* \* \* \*

(4) a statement concerning whether or not any visitation ~~or inheritance~~ rights are sought to be retained after the adoption;

\* \* \* \*

2. Paragraph (a) of Adoption Rule 13 is amended to read:

(a) **Voluntary Relinquishment.** A decree terminating parental rights may be entered after a voluntary relinquishment pursuant to AS 25.23.180. The court shall enter findings of fact which must include a statement ~~of whether inheritance rights are to be retained by the minor under AS 25.23.130(a) (1) or (e);~~ concerning whether visitation rights are being allowed under AS 25.23.130(c)† and whether the time limit for withdrawal of the relinquishment has elapsed. If the relinquishment was signed in the presence of the court, findings also must be entered as to whether the parent understood the consequences

of the relinquishment, and whether the relinquishment was voluntarily signed.

In the case of a voluntary relinquishment of parental rights to an Indian child, the court shall make additional findings concerning whether any notice required by Rule 10(e) was timely given; whether the relinquishment was voluntary and in compliance with the requirements of 25 U.S.C. Section 1913; and whether the child's placement complies with the preferences set out in 25 U.S.C. Section 1915 or good cause exists for deviation from the placement preference.

3. Paragraph (a) of Adoption Rule 14 is amended to read:

(a) **Findings.** At the conclusion of the hearing, the court shall enter findings of fact concerning:

\* \* \* \*

(6) whether the adoption is in the best interests of the minor; and

(7) ~~whether inheritance rights are to be retained by the minor under AS 25.23.130(a)(1) or (e); and~~

~~(8) whether visitation rights are being allowed under AS 25.23.130(c).~~

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The court's findings also must include a description and an estimate of value of any property of the person to be adopted.

DATED: May 15, 1997

EFFECTIVE DATE: July 15, 1997

/s/  
Chief Justice Compton

/s/  
Justice Matthews

/s/  
Justice Eastaugh

/s/  
Justice Fabe

/s/  
Justice Bryner