



Access to Protective Orders

In Alaska, minors can obtain Protective Orders (POs),¹ but the law does not specify whether POs can be granted against minor abusers. Alaska also allows people in dating relationships to seek POs against their abusers.²

Procedure

State law does not specify whether minors can petition for POs on their own behalf. A parent, guardian or court-appointed guardian may petition for a PO on the minor's behalf.³ If a minor is able to file on their own behalf, Alaska law does not specify whether the parent or guardian of the minor will be notified about the PO.

Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner; or damaged the petitioner's property.⁴ The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁵ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- pay child support and/or spousal support;
- participate in a counseling or batterers' intervention program;
- not possess a gun;
- pay attorneys' fees;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Protective Order is modifiable.⁶

Minors' Access to Sensitive Services⁷

All minors can consent to:

- Contraceptive services
- STI testing and treatment
- Prenatal care
- Medical care for child(ren)

State law requires parental consent for abortion services, but is currently enjoined by court order.

School Response to Dating Violence

Alaska law does not explicitly address a school response to teen dating violence.

Recommendations for Immediate Policy Change

In order to improve Alaska's response to teen dating violence, the following changes are recommended:

- Allow POs to be issued against minor respondents.
- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Allow minors to consent to HIV/AIDS testing and treatment and adoption of their child(ren).
- Mandate dating violence education, implement school policies, and provide training for school personnel in all middle schools and high schools.

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References

¹ ALASKA STAT. § 18.66.100(a) (2009).

² *Id.* § 18.66.990(5).

³ *Id.* § 18.66.100(a).

⁴ *Id.* § 18.66.990(3).

⁵ *Id.* § 18.66.100(c).

⁶ *Id.* § 18.66.120.

⁷ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.