

# Bill May Legalize Native Customs

A bill providing for the recognition of Native customs as law for marriages, divorces and adoption is in the Judiciary Committee of the State Senate.

Senate Bill No. 140, introduced by Brad Phillips of Anchorage, provides that, in a case where the validity of

a marriage, divorce or adoption involving Natives is in issue, the court or administrative agency shall base its resolution of the issue on the Native custom law, as evidenced by the understanding of the Native community where the custom is claimed

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to be established.

A Native community is an unincorporated area or political subdivision with a population of over 50 persons who are predominantly Aleut, Eskimo, or Indian, and where ancestral custom and tradition play the predominant part in the conduct of the affairs of the community.

Native custom law means a usage or practice of the Natives in the State which, by common adoption and acquiescence, and by long and unvarying habit, has acquired the force of law with respect to the people, place, or subject matter to which it relates.

One of the present problems facing Natives in remote areas is that families often have several children living with them as a result of these Native-law adoptions. At present, a welfare agency will not count such children as members of the family in determining relief payments.

As a result, the family does not get an adequate payment for its size. The law would allow the families to obtain support for these adopted children without having to go through the complicated adoption procedures of present laws.