

Sibling Rights in Alaska

Disclaimer: The following material provides a general summary of Alaska law related to sibling connections in foster care. This summary was developed in 2025 and 2026 through a collaborative effort of pro bono attorneys, advocates, and individuals with lived experience as part of the National Network of Fostering Sibling Connections. While efforts have been made to ensure accuracy, laws, regulations, and policies may change, there can be mistakes, and this summary may not reflect the most current legal developments or the full scope of applicable law. This information is provided for educational and informational purposes only and is not intended to serve as legal advice, nor does it create an attorney-client relationship. The material should not be relied upon as a substitute for obtaining legal advice from a qualified attorney regarding a specific situation. Individuals seeking guidance about their rights or obligations should consult a licensed attorney or appropriate legal professional in their jurisdiction. *If you have updated information, or would like to submit changes please join our efforts and email cathy.krebs@americanbar.org.*

Special thank you to the Family Law Section of the Alaska Bar for reviewing and finalizing this summary.

1. Foster Youth Bill of Rights

While Alaska does not have a Foster Youth Bill of Rights passed by the Legislature, there is a [Foster Youth Bill of Rights](#), which is available through policies enacted by the Alaska Department of Family and Community Services. This resource compiles various policies that outline the rights of youth in foster care, including the right to be informed about and maintain family connections, such as those with siblings.

2. Statutory Definition of Siblings

Under [Ak. Stat. § 47.14.100](#) which applies after removal, “sibling” is defined as “two or more persons who are related by blood, adoption, or marriage as a child of one or both parents.” Additionally, for the purposes of disclosure of foster agency records, “sibling” includes “an adult or minor who is related to the child who is the subject of the case by blood, adoption, or marriage as a child of one or both of the parents of the child who is the subject of the case; a sibling who is adopted by a person other than the parent of the child who is the subject of the case remains a sibling of the child.” [Ak. Stat. § 47.10.093\(b\)\(16\)](#).

3. Preference for Sibling Placement

Alaska law establishes a strong presumption in favor of maintaining sibling relationships. The court is required to recognize a presumption that maintenance of a sibling relationship, including with a sibling who is related by blood, marriage, or adoption through one parent, is in a child’s best interest. [Ak. Stat. § 47.10.080](#). The Department of Family and Community Services must make reasonable efforts to place siblings in the same placement if they were residing together when taken into custody. If siblings are not placed together after reasonable efforts, the case supervisor must document the efforts made and the reasons why separation is in the best interest of the children. [Ak. Stat. § 47.14.100\(r\)](#).

4. Guidance for Sibling Contacts

If it is in the best interests of the children to maintain contact, the department is required to provide each sibling with contact information for the other sibling and encourage caregivers to provide opportunities for contact between the siblings. [Ak. Stat. § 47.14.100](#). State policy also emphasizes the importance of frequent, regular, and reasonable visitation with family members, including siblings, for children removed from their homes. [Ak. Stat. § 47.06.030\(2\)\(B\), \(4\)\(E\)](#). Also, the Department is required to provide reasonable visitation with family members pursuant to AS 47.10.080(p). “Family member” is defined as a person of any age who is related to the child, such as the child’s grandparent, aunt, uncle, or sibling. AS 47.10.990(10)(A).

5. Social Service Requirements Regarding Reporting Sibling Placement

Alaska law requires that appropriate confidential information regarding a case be disclosed to a sibling of a child who is the subject of the case, to allow the siblings to contact each other if it is in the best interests of the child to maintain contact. [Ak. Stat. § 47.10.093\(b\)\(16\)](#).

6. Judicial Oversight of Sibling Placement and Contact

The court is required to recognize the presumption that maintaining a sibling relationship is in the child's best interest. [Ak. Stat. § 47.10.080](#).

7. Rights of Adult or Non-Party Siblings

Alaska law provides that when there has been a transfer of legal custody or appointment of a guardian and parental rights have not been terminated, the parents retain residual rights, including reasonable visitation. [Ak. Stat. § 47.10.084\(c\)](#). Foster parents also have the right and responsibility to use a reasonable and prudent parent standard in making decisions for the child, which includes decisions about sibling contact. [Ak. Stat. § 47.10.084\(d\)](#).

8. Guidance for Sibling Adoption

An "adult family member" may adopt a child, and this includes the child's sibling if the sibling is age 18 or older. [Ak. Stat. § 47.10.990](#); [Ak. Stat. § 47.14.100\(e\)](#). OCS would need to consent to the adoption of a youth by a sibling. The sibling could file a proxy to adopt under AS 47.10.112, which would trigger a review of permanency within 60 days if the youth was not placed with the sibling. The court would hold a mandated hearing within 90 days. AS 47.10.080(l). It should be noted that by filing the proxy the sibling would not become a party to the CINA case and could not collaterally attack the permanency plan. If placement with the sibling was denied by the Department, the sibling could file for a placement review.

9. Other Statutory Mentions of Siblings

Alaska statutes reference siblings in a variety of contexts, including adoption, disclosure of records, and placement preferences. The law ensures that the sibling relationship is preserved even after adoption by someone other than the child's parent.

10. Relevant Case Law Interpreting Statutes

In [Blythe P. v. Dep't of Health & Soc. Servs., Off. of Children's Servs., 524 P.3d 238, 253 \(Ak. 2023\)](#), the Alaska Supreme Court found that the superior court adequately considered the relationship and applied the presumption that maintaining a child's relationship with its siblings is in the child's best interests. The court found no error in the treatment of the sibling relationship when the child's placement with a cousin supported the maintenance of sibling relationships.

11. Relationship to Federal Laws [42 U.S.C.A. 671 (a)(31)]

Alaska law is consistent with federal requirements, which mandate that reasonable efforts be made to place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless such placement would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the state must provide for frequent visitation or other ongoing interaction unless it is documented that such contact would not be in the best interests of the siblings.

12. Statutory Provisions That Create a Procedure or Mechanism for People to Actually Enforce Their Sibling Rights (Both Contact and Placement)

Alaska law provides a clear presumption in favor of sibling placement and contact, and requires documentation and judicial oversight when siblings are not placed together. The statutes require the department to document efforts and reasons for separation, and the court to recognize the presumption in favor of sibling relationships. However, while the law provides for these rights and oversight, the ability for individuals to directly enforce sibling rights through a private right of action is not explicitly provided. Enforcement is primarily through the department's obligations and the court's oversight of placement and contact decisions.

The language could be worded more clearly with respect to whether the siblings were or were not parties to the child welfare case – i.e. one sibling could ask for a visitation hearing claiming they were not being provided “reasonable visitation” under Departmental policy; if the sibling was not provided contact information for the youth that is mandated under 147.14.100(r), they could request that it be provided to them if in the youth’s best interest.

This draft was reviewed by members of the Family Law Section of the Alaska Bar.