



Superior Court
State of Alaska
FOURTH JUDICIAL DISTRICT

DOUGLAS L. BLANKENSHIP
Judge

101 LACEY STREET
FAIRBANKS, ALASKA 99701

(907) 452-9317
FAX (907) 452-9344

February 3, 2010

Dear Ms. Singh:

The Clerk of Court recently received and lodged a Notice of Registering Tribal Order submitted by you on behalf of the Evansville Tribal Court in *IMO Minor Child M.C.*. Your notice indicates the order affects the parental rights of D.T. The notice cannot be accepted for filing in superior court in its present form.

A foreign court order is registered in a state's court so that it may be enforced as an order of the receiving state court against either a party resident in the receiving state or against property located in the receiving state. I am unaware of any registration act that permits a foreign judgment from a foreign jurisdiction to be registered in the Alaska State Courts without first affording to the person against whom the original judgment is to be enforced notice and an opportunity to object to registration and enforcement of the judgment on jurisdictional, constitutional or other appropriate legal grounds.

I acknowledge your citation to ICWA § 1911(d) and *John v. Baker*, 30 P.3d 68 (Alaska 1999). However, Alaska State Courts would not permit a court order or judgment from another jurisdiction to be registered in the fashion you have attempted to register the Tribal order at issue in this case — *i.e.*, without affording notice and an opportunity to object to registration by the party against whom the judgment pertains.

I am, therefore, returning the lodged notice and Tribal order to you for appropriate filing. You must register the order under the procedures of an applicable state or federal statute or court rule that provides for registration of foreign court judgments or orders in this

state. If there is no applicable statute or court rule related to registration, it will be necessary for you to file an appropriate civil action seeking enforcement of the order through state court proceedings against D.T.

Sincerely Yours,

Douglas J. Blankenship

