

In Alaska, there are different standards for how state courts recognize different types of tribal court orders.

The Indian Child Welfare Act requires state courts to give full faith and credit to tribal court orders for child protection (i.e. when the Tribe makes a child a ward of the tribal government due to abuse or neglect), adoption, guardianship, and some juvenile cases.

The Violence Against Women Act requires state courts to give full faith and credit to tribal court domestic violence protection orders.

“Full faith and credit” refers to the presumptive adoption of another court’s order, unless a party objects and can prove that the order was issued without proper authority, without giving the parties notice, or without allowing the parties a chance to be heard.

As a result of court cases brought to the Alaska Supreme Court, state courts give “comity recognition” to parent vs. parent custody cases, divorces, name changes, and other types of civil cases. “Comity” is the respect that one sovereign gives to another sovereign, treating court orders on their own unless there was some kind of fundamental unfairness with the court process.

<b>TYPE OF CASE</b>	<b>GOVERNED BY</b>	<b>RECOGNITION STANDARD</b>
Adoption	ICWA	Full faith and credit
Child Protection	ICWA	Full faith and credit
Other ICWA-defined cases: guardianship of minor, third-party custody, certain juvenile cases	ICWA	Full faith and credit
Domestic Violence	VAWA	Full faith and credit
Child Support	Full Faith and Credit for Child Support Orders Act/Uniform Interstate Family Support Act (UIFSA)	Full faith and credit/comity
Paternity	UIFSA	Full faith and credit/comity
Parent vs. parent child custody	<i>John v. Baker</i>	Comity
Divorce	<i>John v. Baker</i>	Comity
Marriage	<i>John v. Baker</i>	Comity