

THE THIRTY-FIRST LEGISLATURE OF AMERICAN SAMOA

Third Special Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Thursday, the eighth day of April
two thousand and ten

AN ACT PROVIDING FOR LONG TERM GUARDIANSHIPS FOR MINOR CHILDREN UNDER THE JUVENILE JUSTICE ACT OF 1980; CREATING A SECTION 45.0432 A.S.C.A.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:


Section 1. There is created a section 45.0432 which reads:


“45.0432 Long term guardianships for minor children.

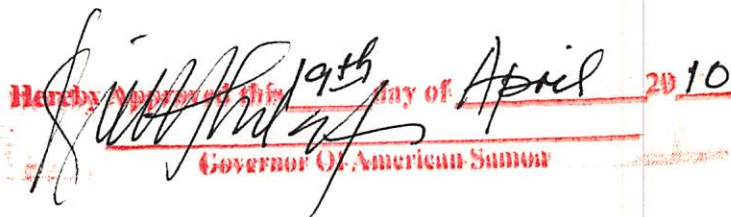
(a) Notwithstanding any other section of law, in appropriate cases serving the best interests of a child, the Court may appoint a qualified person as the child’s guardian with such powers and custodial duties as set forth under 45.0103 (16) and (18), or either, as the Court may order. Guardianships established under this section continue until the child’s age of majority or earlier termination by the Court after a hearing conducted with due notice to all interested parties. An interested party may at any time, with cause, petition the Court to terminate the guardianship.

(b) An individual appointed as guardian or vested with legal custody of a child, or both, may not remove or allow the child to be removed from the Territory for more than thirty days without the prior approval of the Court.

(c) The Court may conduct periodic hearings on its own motion to review and monitor a guardianship authorized under this section.”


GAOTEOTE PALAIE TOFAU
President of the Senate


SAVALI TALAVOU ALE
Speaker, House of Representatives


Hereby Approved this 19th day of April 2010
Governor Of American Samoa

NOFOAIGA TOLUSEFULU-TASI FONO FAITULAFONO A AMERIKA SAMOA:

Fono Fa'apitoa Lona Tolu

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Tofi, aso valu of Aperila
lua afe sefulu

O SE TULAFONO E FA'AVAEINA AI LE UMI O LE
FA'AMATUATAUSI/TAGATA TAUSI MO FANAU LAITI I LALO O LE
TULAFONO O LE FAIGA AMIOTONU O TUPULAGA TALAVOU O LE
1980; FA'AVAEINA AI LE MAGA 45.0432 T.T.A.S.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:


Maga 1. Ua fa'avaeina se maga 45.0432 e faitauina fa'apea:
"45.0432 Fa'amatuatausi umi mo fanau laiti.

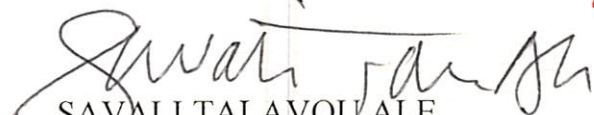
(a) e le afaina ai nisi maga o le tulafono, i vaega tatau e patino i le soifua lelei ma le saogalemu o le tamaitiiti, o le Fa'amasinoga e filifilia se tagata agava'a e fai ma matuatausi ua i ai ma malosi ma tiute fa'a-matuatausi e pei ona ta'ua i lalo o le 45.0103 (16) ma le (18), po'o so'o se maga, e tusa ona fa'atonuina e le Fa'amasinoga. Fa'amatuatausi ua fa'atuina i lalo o lenei maga e fa'aauau pea sei iloga e matua le tama po o le fa'amuta vave e le Fa'amasinoga ina ua uma se iloiloga o tagata uma ua tatau ai e pei o le fa'aaliga tusitusia. So'o se tagata e aia tatau i lenei mea e mafai i so'o se taimi, i le mafua'aga tatau, ona fa'auluina se tagi i le Fa'amasinoga mo le fa'amutaina o le fa'amatuatausi.

(e) O le tagata e filifilia ma matuatausi po'o ua tu'uina atu i ai le tausiga fa'a-tulafono o le tamaitiiti, po'o mea e lua, e le mafai ona aveesea po'o le fa'ataga ona aveesea o le tamaitiiti mai le Teritori e sili atu i le tolusefulu aso e aunoa ma le fa'amaoniga muamua a le Fa'amasinoga.

(i) O le Fa'amasinoga e faia iloiloga i lea taimi ma lea taimi i lana lava pule mo le toe iloiloina ma le tu'uva'ava'aia o le fa'amatuatausi e pei ona fa'atulafonoina i lalo o lenei maga.

HERBY APPROVED THIS day of April 2010
 Governor Of American Samoa


GAOTEOTE PALAIE TOFAU
Peresetene, Maota Mauuluga


SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui