

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2038

H.P. 1548

House of Representatives, February 2, 1984

Reference to the Committee on Judiciary is suggested. Ordered printed and sent up for concurrence.

Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

EDWIN H. PERT, Clerk

Presented by Representative Ketover of Portland.

Cosponsors: Representative Handy of Lewiston, Speaker Martin of Eagle Lake and Representative Theriault of Fort Kent.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

**AN ACT to Permit Reasonable Visitation
Rights for Grandparents when a Parent is
Deceased.**

Be it enacted by the People of the State of Maine as follows:

19 MRSA §222 is enacted to read:

§222. Visitation rights for grandparents when parent is deceased

If the parent of an unmarried minor child is deceased, the District Court or Superior Court may, upon petition, grant to a grandparent who is the parent of the deceased parent reasonable rights of visitation with that child when the court finds that the rights of visitation are in the child's best interest. The petition shall be brought in the division or county where the minor child resides.

1 STATEMENT OF FACT

2 The purpose of this bill is to permit a grandpar-
3 ent to petition a court, in the division or county
4 where the child resides, for the right to visit with
5 his or her grandchild when that child's parent, the
6 son or daughter of the petitioning grandparent, has
7 deceased. In some situations where the parents of the
8 child are divorced, and even in instances when they
9 are not divorced, when one parent dies the other de-
10 nies that person's parents visitation with their
11 grandchild. This bill permits these grandparents to
12 ask a court to grant them rights of visitation. The
13 court is not required to grant these rights to grand-
14 parents, but it may find that guaranteed contact be-
15 tween the child and the grandparents is in the
16 child's best interest.

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