

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 204

6
7 H.P. 170

House of Representatives, January 29, 1985

8 Reference to the Committee on Judiciary suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Murphy of Berwick.

Cosponsored by Representative Handy of Lewiston and Representative Farnum of South Berwick.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Permit Reasonable Visitation Rights
18 for Grandparents when a Parent is
19 Deceased.
20

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

23 19 MRSA §222 is enacted to read:

24 §222. Visitation rights for grandparents when parent
25 is deceased

26 If the parent of an unmarried minor child is de-
27 ceased, the District Court or Superior Court may,
28 upon petition, grant to a grandparent who is the par-
29 ent of the deceased parent reasonable rights of visi-
30 tation with that child when the court finds that the
31 rights of visitation are in the child's best inter-
32 est. The petition shall be brought in the division or
33 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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