

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 859

6
7 H.P. 589

House of Representatives, February 28, 1985

8 On Motion of Representative Kane of S. Portland, referred to the
9 Committee on Judiciary. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative McPherson of Eliot.

11
12 STATE OF MAINE
13

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

17 AN ACT Concerning Visitation Rights in
18 Divorce and Custody Proceedings.
19

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

22 19 MRSA §214, sub-§6, as enacted by PL 1983, c.
23 813, §1, is amended to read:

24 6. Order. The order of the court shall award al-
25 located parental rights and responsibilities, shared
26 parental rights and responsibilities or sole parental
27 rights and responsibilities, according to the best
28 interest of the child. Where the parents have agreed
29 to an award of shared parental rights and responsi-
30 bilities or so agree in open court, the court shall
31 make that award unless there is substantial evidence
32 that it should not be ordered. The court shall state
33 in its decision the reasons for not ordering a shared
34 parental rights and responsibilities award agreed to
35 by the parents.

1 The court may award reasonable rights of contact with
2 a minor child to any 3rd persons. Any 3rd party may
3 petition the court for an order granting contact with
4 a minor child under this subsection.

5 Every final order issued under this section shall
6 contain:

7 A. A provision for child support or a statement
8 of the reasons for not ordering child support;
9 and

10 B. A statement that each parent shall have ac-
11 cess to records and information pertaining to a
12 minor child, including but not limited to, medi-
13 cal, dental and school records, whether or not
14 the child resides with the parent, unless that
15 access is found not to be in the best interest of
16 the child or that access is found to be sought
17 for the purpose of causing detriment to the other
18 parent. If that access is not ordered, the court
19 shall state in the order its reasons for denying
20 that access.

21 STATEMENT OF FACT

22 The purpose of this bill is to permit 3rd parties
23 to petition the court in divorce and related actions
24 to grant them rights of contact with a child.

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