

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1165

H.P. 811

House of Representatives, March 18, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CAHILL of Mattawamkeag. (By Request)  
Cosponsored by Senator PEARSON of Penobscot.

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STATE OF MAINE

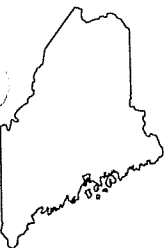
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Amend the Preliminary Protection Order.**

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

2  
3 Sec. 1. 22 MRSA §4033, sub-§3-A, as enacted by PL 1987, c.  
4 395, Pt. A, §90, is amended to read:

6 3-A. Information provided to parents. When the court makes  
7 a preliminary protection order on a child who is physically  
8 removed from his the child's parents or custodians, the following  
9 information shall must be provided to the parents or custodians  
10 in written form by the petitioner at the time of removal of the  
11 child:

12 A. The assigned caseworker's name and work telephone  
13 number; and

14 B. ~~The location where the child will be taken; and~~

15 C. A copy of the complete preliminary protection order.

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19 ~~This information is not required if the petitioner includes in~~  
20 ~~the petition a sworn statement of his belief that providing the~~  
21 ~~information would cause the threat of serious harm to the child,~~  
22 ~~the substitute care giver, the petitioner or any other person.~~

23 Sec. 2. 22 MRSA §4033, sub-§3-B is enacted to read:

24  
25 3-B. Notice of location. Unless the petition includes a  
26 sworn statement that release of information regarding the child's  
27 location will not cause a threat of serious harm to the child,  
28 the substitute care giver, the petitioner or any other person,  
29 the petitioner is barred from notifying the parent or custodian  
30 of the child's location for 30 days from the date of any  
31 preliminary protective order that includes physical removal. At  
32 the expiration of the 30-day period, the petitioner may provide  
33 written notice of the location of the child if the petitioner has  
34 determined that release of the information will not cause a  
35 threat of serious harm.

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40 STATEMENT OF FACT

41  
42 This bill provides that when a child is removed from the  
43 custody of the child's parents or guardian by a preliminary  
44 protection order, the location of the child may not be disclosed  
45 to the parents or guardian for 30 days unless the petition  
46 includes a sworn statement that release of the location  
47 information will not pose a risk of serious harm to any person.  
48