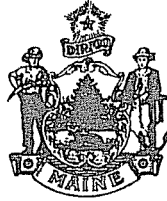


MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

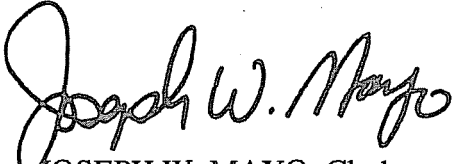
No. 756

H.P. 559

House of Representatives, March 2, 1993

An Act to Clarify the Child and Family Services and Child Protection Act.

Submitted by the Department of the Attorney General pursuant to Joint Rule 24.
Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FAIRCLOTH of Bangor.

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

4 Sec. 1. 22 MRSA §4005-A, as amended by PL 1991, c. 176, §1,
is further amended to read:

6 **§4005-A. Foster parents right to standing and intervenor status**
8 **in child protection proceedings**

10 1. **Definition.** As used in this section, unless the context
indicates otherwise, the following terms have the following
12 meanings.

14 A. "Foster parent" means a person who has had a child in
his that person's home for at least one year and ~~whe has~~
16 ~~received a license for a family foster home as defined in~~
~~section 8101, subsection 3, or whe is a relative.:~~

18 (1) Has received a license for a family foster home as
20 defined in section 8101, subsection 3; or

22 (2) Is a relative.

24 2. **Petition.** A foster parent may petition for standing and
intervenor status in any child protection proceeding under this
chapter regarding a foster child that lives or has lived in the
26 foster parent's home. ~~The standing and intervenor status is~~
~~limited to that proceeding unless otherwise ordered by the court.~~
28 The court shall determine the type and duration of the
intervention and specify the nature of the intervention.

30 3. **Criteria.** The court shall make a determination whether
32 to grant standing based on the strength and duration of the
relationship between the foster parents and the child and allow
34 intervention only if it determines that intervention is in the
36 best interests of the child.

38 **STATEMENT OF FACT**

40 The purpose of this bill is to clarify the current law
42 allowing limited intervention in child protection cases. The
bill requires the court to determine when intervention will occur
and ensures that intervention will occur only when the court
44 determines that the intervention is in the child's best interests.