

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1109

H.P. 786

House of Representatives, February 9, 1999

**An Act to Prevent Children From Being Placed with a Parent Who is a  
Batterer or an Abuser.**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden.

Cosponsored by Representatives: BAKER of Bangor, O'BRIEN of Augusta, SCHNEIDER of Durham, THOMPSON of Naples.

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

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Sec. 1. 19-A MRSA §1653, sub-§6, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

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A. A court may award primary residence of a minor child or parent-child contact with a minor child to a parent who has committed domestic abuse only if the court finds by clear and convincing evidence that contact between the parent and child is in the best interest of the child and the court determines that adequate provision for the safety of the child and the parent who is a victim of domestic abuse can be made.

SUMMARY

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This bill increases the standard the court must apply in determining whether contact or residing with a parent that has committed domestic abuse is in the child's best interest. This bill requires that the court find by clear and convincing evidence that residing with that parent or having contact with that parent is in the child's best interest.