

MAINE STATE LEGISLATURE

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MS

L.D. 162

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 151, L.D. 162, Bill, "An Act to Change the Criteria for Intervenor Status"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §4005-B, sub-§3, as enacted by PL 1993, c. 697, §1, is repealed and the following enacted in its place:

3. Criteria. The court shall grant standing and intervenor status when the court finds that:

A. The grandparent has an existing relationship or has made sufficient effort to establish a relationship with the child. The criterion described in this paragraph need not be met when the child is 6 months or less in age at the time of the initial child protection petition;

B. Intervenor status would be in the best interests of the child; and

C. Intervenor status would also be consistent with the purposes of this chapter as set forth in section 4003.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill may increase the number of civil suits filed in the court system. The additional workload and administrative

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2 costs associated with the minimal number of new cases filed can
3 be absorbed within the budgeted resources of the Judicial
4 Department. The collection of additional filing fees may also
5 increase General Fund revenue by minor amounts.'

6

SUMMARY

8

10 This amendment rewrites the current law governing the
11 criteria for standing and intervenor status of grandparents in
12 child protective cases to clarify that all 3 criteria are
13 required except when the child is no more than 6 months old at
14 the time of the initial child protection petition. If the child
15 is that young, the grandparents do not have to satisfy the
16 criteria of an existing relationship with the child or sufficient
17 efforts to establish a relationship. In those situations, the
18 other 2 criteria still apply; the court must still find that
19 granting the grandparents intervenor status is in the best
20 interest of the child and that intervenor status is consistent
21 with the purposes of the child protective laws.

22

This amendment also adds a fiscal note to the bill.