

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 869

H.P. 646

House of Representatives, February 20, 2003

**An Act Concerning the Financial Obligations of a Parent Involved
in a Crime against a Child of That Parent**

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TRAHAN of Waldoboro.
Cosponsored by Senator HALL of Lincoln and
Representatives: BOWLES of Sanford, DUGAY of Cherryfield, DUPLESSIE of Westbrook,
McLAUGHLIN of Cape Elizabeth, O'BRIEN of Augusta, RECTOR of Thomaston,
RICHARDSON of Brunswick, Senator: DAVIS of Piscataquis.

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

4 **Sec. 1. 22 MRSA §4056, sub-§5** is enacted to read:

6 5. **Financial support.** If, prior to the termination of
8 parental rights, the parent was convicted of a crime against the
10 child, the court may include in the termination order the
12 requirement that the parent whose rights are terminated make a
14 lump sum payment to assist in the future financial support of the
16 child. The court may direct that the payment be held in trust
18 for the child, or require other protections for the preservation
20 of the payment for support of the child. The court shall use as
22 a guide the child support guidelines of Title 19-A, chapter 63.

16 SUMMARY

18 Under current law, when a person's parental rights are
20 terminated, that person's obligation to support the child
22 financially also terminates. This bill authorizes a court to
24 require a parent to contribute to the financial support of a
26 child at the time the parent's parental rights are terminated.
28 The court may order a lump sum payment if the parent was
30 convicted of a crime against that child prior to the termination
of parental rights. The court may include the requirement in the
termination order. The court may direct that the payment be held
in trust for the child, or may order any other protections
necessary to preserve the payment for the financial support of
the child.