

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 505

H.P. 388

House of Representatives, February 1, 2007

An Act To Clarify the Status of a Case following the Establishment of Permanent Guardianship

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PERRY of Calais.
Cosponsored by Representatives: CONNOR of Kennebunk, GROSE of Woolwich,
WALCOTT of Lewiston.

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

2 **Sec. 1. 22 MRSA §4038-B, sub-§2**, as enacted by PL 2005, c. 372, §6, is
3 amended to read:

4 **2. Subsequent permanency planning hearings.** Unless subsequent judicial
5 reviews are not required pursuant to subsection 6 or section 4038, subsection 1-A, the
6 District Court shall conduct a permanency planning hearing within 12 months of the date
7 of any prior permanency planning order.

8 **Sec. 2. 22 MRSA §4038-B, sub-§6** is enacted to read:

9 **6. Permanency guardian.** If a child is placed with a permanency guardian pursuant
10 to subsection 4, paragraph A, subparagraph (3), subsequent judicial review is not required
11 unless a party petitions the court under this chapter to change the permanency plan.

12 **SUMMARY**

13 This bill clarifies that under the child protection laws a court does not need to review
14 a permanency plan once a child has been placed with a permanency guardian unless a
15 party petitions the court to change the plan.