

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1511

H.P. 1060

House of Representatives, December 10, 2009

**An Act To Remove the Age Limit Governing When a Court Must
Consider the Wishes of a Child in a Proceeding for the Termination
of Parental Rights**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 8, 2009. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WHEELER of Kittery.
Cosponsored by Senator BOWMAN of York.

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

Sec. 1. 22 MRSA §4055, sub-§3, as amended by PL 1997, c. 715, Pt. A, §12, is further amended to read:

3. Wishes of child. The court shall consider, but is not bound by, the wishes of a child ~~12 years of age or older~~ in making an order under this section.

SUMMARY

This bill removes the age limit governing when a court must consider the wishes of a child in a proceeding for the termination of parental rights. Current law requires a court to consider the wishes of a child 12 years of age or older in such a proceeding.