

MAINE STATE LEGISLATURE

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Date 4/28/23 Majority (Filing No H- 86)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H P 343, LD 538, "An Act Regarding the Qualification of Expert Witnesses in Certain Family Court Actions"

Amend the bill by striking out the title and substituting the following

'An Act Regarding the Appointment of Expert Witnesses in Certain Family Court Actions'

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 19-A MRSA §1653, sub-§6, ¶H is enacted to read

H In cases involving past or current allegations of domestic abuse between the parents, if the court orders an assessment or evaluation that will include providing court recommendations regarding the award of parental rights and responsibilities or conditions of parent-child contact that are in the best interest of the child from a person other than a guardian ad litem appointed under Title 4, section 1554, subsection 1, the court may appoint only a licensed clinical social worker, psychologist or psychiatrist who has training and demonstrated expertise on at least the following topics

- (1) The domestic abuse tactics affecting adult and child safety after separation of the parents,
- (2) The effects of domestic abuse and violence on children and conditions that support resilience,
- (3) Best practices for recognizing, asking about and assessing the effects of domestic abuse on the parent-child relationship, and
- (4) Methods for reducing post-separation abuse of the nonabusing parent and promoting child safety and security'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the majority report of the committee, replaces the bill and changes the title. Under the amendment, if the court appoints an expert other than a guardian ad litem to provide recommendations regarding the award of parental rights and responsibilities or conditions of parent-child contact in cases involving allegations of domestic abuse between the parents, that expert must be a licensed clinical social worker, psychologist or psychiatrist who has training and expertise in how domestic abuse tactics affect adult and child safety, the effects of domestic abuse on children, best practices for recognizing and assessing the effects of domestic abuse on the parent-child relationship and methods for reducing post-separation abuse and promoting child safety and security.