

ARTICLE V
PROTECTION OF PERSONS UNDER DISABILITY
AND THEIR PROPERTY

UNIFORM GUARDIANSHIP AND PROTECTIVE PROCEEDINGS ACT

Table of Jurisdictions Wherein Act Has Been Adopted

For Text of Uniform Act, and variation notes and annotation materials for adopting jurisdictions, see Uniform Laws Annotated, Master Edition, Volume 8A.

Jurisdiction	Laws	Effective Date	Statutory Citation
Alabama	1987, No. 87-590	1-1-1988	Code 1975, §§ 26-2A-1 to 26-2A-160.
Alaska	1972, c. 78		AS 13.26.005 to 13.26.320.
Arizona	1973, c. 75	1-1-1974	A.R.S. §§ 14-5201 to 14-5212.
District of Columbia ...	1987, D.C. Law 6-204	5-29-1987	D.C. Official Code, 2001 Ed. §§ 21-2001 to 21-2077.
Idaho	1971, c. 111	7-1-1972	IC §§ 15-5-101 to 15-5-435.
Maine	1979, c. 540	1-1-1981	18-A M.R.S.A. §§ 5-101 to 5-432.
Montana	1974, c. 365	7-1-1975	MCA 72-5-101 to 72-5-439.
Nebraska	1974, LB 354	1-1-1977	R.R.S. 1943, §§ 30-2601 to 30-2661.
New Mexico	1975, c. 257	7-1-1976	NMSA 1978, §§ 45-5-101 to 45-5-432.
North Dakota	1973, c. 257	7-1-1975	NDCC 30.1-26-01 to 30.1-29-32.
South Carolina	1986, Act 539	7-1-1987	Code 1976, §§ 62-5-101 to 62-5-435.
Utah	1975, c. 150	7-1-1977	U.C.A. 1953, 75-5-101 to 75-5-433.

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PART 1

GENERAL PROVISIONS

Section 5-101. Definitions and use of terms.	Section 5-104. Delegation of powers by parent or guardian.
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§ 5-101. Definitions and use of terms

Unless otherwise apparent from the context, in this Code:

(1) "Incapacitated person" means any person who is impaired by reason of mental illness, mental deficiency, physical illness or disability, chronic use of drugs, chronic intoxication, or other cause except minority to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his person;

(1-A) The "best interest of the child" is determined according to this subsection.

(a) In determining the best interest of the child the court shall consider the following factors:

- (1) The wishes of the party or parties as to custody;
- (2) The reasonable preference of the child, if the court considers the child to be of sufficient age to express preference;
- (3) The child's primary caregiver;
- (4) The bonding and attachment between each party and the child;
- (5) The interaction and interrelationship of the child with a party or parties, siblings and any other person who may significantly affect the child's best interest;
- (6) The child's adjustment to home, school and community;
- (7) The length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;

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- (8) The permanence, as a family unit, of the existing or proposed home;
- (9) The mental and physical health of all individuals involved;
- (10) The child's cultural background;
- (11) The capacity and disposition of the parties to give the child love, affection and guidance and to continue educating and raising the child in the child's culture and religion or creed, if any;
- (12) The effect on the child of the actions of an abuser if related to domestic violence that has occurred between the parents or other parties; and
- (13) All other factors having a reasonable bearing on the physical and psychological well-being of the child.

(b) The court may not consider any one of the factors set out in paragraph (a) to the exclusion of all others;

(1-B) "De facto guardian" means an individual with whom, within the 24 months immediately preceding the filing of a petition under section 5-204, subsection (d), a child has resided for the following applicable period and during which period there has been a demonstrated lack of consistent participation by the parent or legal custodian:

(a) If the child at the time of filing the petition is under 3 years of age, 6 months or more, which need not be consecutive; or

(b) If the child at the time of filing the petition is at least 3 years of age, 12 months or more, which need not be consecutive.

"De facto guardian" does not include an individual who has a guardian's powers delegated to the individual by a parent or guardian of a child under section 5-104, adopts a child under Article 9¹ or has a child placed in the individual's care under Title 22, chapter 1071²;

(1-C) "Demonstrated lack of consistent participation" means refusal or failure to comply with the duties imposed upon a parent by the parent-child relationship, including but not limited to providing the child necessary food, clothing, shelter, health care, education, a nurturing and consistent relationship and other care and control necessary for the child's physical, mental and emotional health and development.

In determining whether there has been a demonstrated lack of consistent participation in the child's life by the parent or legal custodian, the court shall consider at least the following factors:

(a) The intent of the parent, parents or legal custodian in placing the child with the person petitioning as a de facto guardian;

(b) The amount of involvement the parent, parents or legal custodian had with the child during the parent's, parents' or legal custodian's absence;

(c) The facts and circumstances of the parent's, parents' or legal custodian's absence;

(d) The parent's, parents' or legal custodian's refusal to comply with conditions for retaining custody set forth in any previous court orders; and

(e) Whether the nonconsenting parent, parents or legal custodian was previously prevented from participating in the child's life as a result of domestic violence or child abuse or neglect.

Serving as a member of the United States Armed Forces may not be considered demonstration of lack of consistent participation;

(2) A "protective proceeding" is a proceeding under the provisions of section 5-401 to determine that a person cannot effectively manage or apply his estate to necessary ends, either because he lacks the ability or is otherwise inconvenienced, or because he is a minor, and to secure administration of his estate by a conservator or other appropriate relief;

(3) A "protected person" is a minor or other person for whom a conservator has been appointed or other protective order has been made;

(4) A "ward" is a person for whom a guardian has been appointed. A "minor ward" is a minor for whom a guardian has been appointed solely because of minority.

1979, c. 540, § 1, eff. Jan. 1, 1981; 2005, c. 371, § 1.

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1 to 26-2A-160.

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1 Ed. §§ 21-2001 to

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19-A § 1653

6. **Order during pending appeal.** Pending the determination of an appeal, the order appealed from remains in force and obedience to it may be enforced as if no appeal had been taken.

1995, c. 694, § B-2, eff. Oct. 1, 1997; 1999, c. 731, § ZZZ-33, eff. Jan. 1, 2001; 2001, c. 554, § 7, eff. March 25, 2002.

¹ 19-A M.R.S.A. § 2001 et seq.

² 19-A M.R.S.A. § 2101 et seq.

Historical and Statutory Notes

1999 Legislation

Laws 1999, c. 731, § ZZZ-33, in subsec. 1, first sentence, deleted "Superior Court,"; and, in the second sentence, substituted "district or county" for "county or district", in two places.

Laws 1999, c. 731, §§ ZZZ-39 and ZZZ-42, eff. Jan. 1, 2001, provide:

"**Sec. ZZZ-39. Application.** The Superior Court continues to have jurisdiction over actions properly filed in the Superior Court prior to the effective date of this Part."

"**Sec. ZZZ-42. Effective date.** This Part takes effect January 1, 2001, except that:

"1. That section of this Part that amends the Maine Revised Statutes, Title 4, section 152, subsections 9 and 10 takes effect March 15, 2001;

"2. That section of this Part that enacts the Maine Revised Statutes, Title 4, chapter 1, subchapter 1-F takes effect 90 days after adjournment of the Second Regular Session of the 119th Legislature;

"3. That section of this Part that charges the Court Unification Oversight Committee with making initial assessments and recommendations takes effect 90 days after adjournment of the Second Regular Session of the 119th Legislature; and

"4. That section of this Part that appropriates funds from the General Fund takes effect on October 1, 2000."

2001 Legislation

Laws 2001, c. 554, § 7, in subsec. 1, substituted "state" for "municipality" in the first sentence.

Notes of Decisions

2. Construction with other laws

Section of domestic relations code governing parental rights and responsibilities, rather than section of statute prohibiting appeals from interlocutory orders entered under Child and Family Services and Child Protection Act, governed appeal from judgment awarding sole parental rights and responsibilities to father, and thus judgment was appealable, notwithstanding that statute pursuant to which court

entered parental rights and responsibilities order fell within subchapter on child protection orders; judgment was, for legal purposes, an order pursuant to domestic relations code provision, as subchapter provided that court's judgment had same effect as, and was subject to modification or termination in the same manner as, an order issued pursuant to domestic relations code provision. In re Jacob C. (2009) Me., 965 A.2d 47. Infants ⇌ 242

§ 1653. Parental rights and responsibilities

1. **Legislative findings and purpose.** The Legislature makes the following findings concerning relationships among family members in determining what is in the best interest of children.

A. The Legislature finds and declares as public policy that encouraging mediated resolutions of disputes between parents is in the best interest of minor children.

B. The Legislature finds that domestic abuse is a serious crime against the individual and society, producing an unhealthy and dangerous family environment, resulting in a pattern of escalating abuse, including violence, that frequently culminates in intrafamily homicide and creating an atmosphere that is not conducive to healthy childhood development.

C. The Legislature finds and declares that it is the public policy of this State to assure minor children of frequent and continuing contact with both parents after the parents have separated or dissolved their marriage and that it is in the public interest to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy.

2. **Parental rights and responsibilities; order.** This subsection governs parental rights and responsibilities and court orders for parental rights and responsibilities.

A. When the parents have agreed to an award of shared parental rights and responsibilities or so agree in open court, the court shall make that award unless there is substantial evidence that it should not be ordered. The court shall state in its decision the reasons for not ordering a shared parental rights and responsibilities award agreed to by the parents.

B. The court may award reasonable rights of contact with a minor child to a 3rd person.

C. The court may award parental rights and responsibilities with respect to the child to a 3rd person, a suitable society or institution for the care and protection of children or the department, upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

D. The order of the court awarding parental rights and responsibilities must include the following:

(1) Allocated parental rights and responsibilities, shared parental rights and responsibilities or sole parental rights and responsibilities, according to the best interest of the child as provided in subsection 3. An award of shared parental rights and responsibilities may include either an allocation of the child's primary residential care to one parent and rights of parent-child contact to the other parent, or a sharing of the child's primary residential care by both parents. If either or both parents request an award of shared primary residential care and the court does not award shared primary residential care of the child, the court shall state in its decision the reasons why shared primary residential care is not in the best interest of the child;

(2) Conditions of parent-child contact in cases involving domestic abuse as provided in subsection 6;

(3) A provision for child support as provided in subsection 8 or a statement of the reasons for not ordering child support;

(4) A statement that each parent must have access to records and information pertaining to a minor child, including, but not limited to, medical, dental and school records and other information on school activities, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access;

(5) A statement that violation of the order may result in a finding of contempt and imposition of sanctions as provided in subsection 7;

(6) A statement of the definition of shared parental rights and responsibilities contained in section 1501, subsection 5, if the order of the court awards shared parental rights and responsibilities; and

(7) If the court appoints a parenting coordinator pursuant to section 1659, a parenting plan defining areas of parental rights and responsibilities within the scope of the parenting coordinator's authority.

An order modifying a previous order is not required to include provisions of the previous order that are not modified.

E. The order of the court may not include a requirement that the State pay for the defendant to attend a batterers' intervention program unless the program is certified under section 4014.

3. **Best interest of child.** The court, in making an award of parental rights and responsibilities with respect to a child, shall apply the standard of the best interest of the child. In making decisions regarding the child's residence and parent-child contact, the court shall consider as primary the safety and well-being of the child. In applying this standard, the court shall consider the following factors:

A. The age of the child;

B. The relationship of the child with the child's parents and any other persons who may significantly affect the child's welfare;

C. The preference of the child, if old enough to express a meaningful preference;

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- D. The duration and adequacy of the child's current living arrangements and the desirability of maintaining continuity;
- E. The stability of any proposed living arrangements for the child;
- F. The motivation of the parties involved and their capacities to give the child love, affection and guidance;
- G. The child's adjustment to the child's present home, school and community;
- H. The capacity of each parent to allow and encourage frequent and continuing contact between the child and the other parent, including physical access;
- I. The capacity of each parent to cooperate or to learn to cooperate in child care;
- J. Methods for assisting parental cooperation and resolving disputes and each parent's willingness to use those methods;
- K. The effect on the child if one parent has sole authority over the child's upbringing;
- L. The existence of domestic abuse between the parents, in the past or currently, and how that abuse affects:
(1) The child emotionally; and
(2) The safety of the child;
- M. The existence of any history of child abuse by a parent;
- N. All other factors having a reasonable bearing on the physical and psychological well-being of the child;
- O. A parent's prior willful misuse of the protection from abuse process in chapter 101¹ in order to gain tactical advantage in a proceeding involving the determination of parental rights and responsibilities of a minor child. Such willful misuse may only be considered if established by clear and convincing evidence, and if it is further found by clear and convincing evidence that in the particular circumstances of the parents and child, that willful misuse tends to show that the acting parent will in the future have a lessened ability and willingness to cooperate and work with the other parent in their shared responsibilities for the child. The court shall articulate findings of fact whenever relying upon this factor as part of its determination of a child's best interest. The voluntary dismissal of a protection from abuse petition may not, taken alone, be treated as evidence of the willful misuse of the protection from abuse process;
- P. If the child is under one year of age, whether the child is being breast-fed;
- Q. The existence of a parent's conviction for a sex offense or a sexually violent offense as those terms are defined in Title 34-A, section 11203; and
- R. If there is a person residing with a parent, whether that person:
(1) Has been convicted of a crime under Title 17-A, chapter 11 or 12² or a comparable crime in another jurisdiction;
(2) Has been adjudicated of a juvenile offense that, if the person had been an adult at the time of the offense, would have been a violation of Title 17-A, chapter 11 or 12; or
(3) Has been adjudicated in a proceeding, in which the person was a party, under Title 22, chapter 1071³ as having committed a sexual offense.
4. **Equal consideration of parents.** The court may not apply a preference for one parent over the other in determining parental rights and responsibilities because of the parent's gender or the child's age or gender.
5. **Departure from family residence.** The court may not consider departure from the family residence as a factor in determining parental rights and responsibilities with respect to a minor child when the departing parent has been physically harmed or seriously threatened with physical harm by the other parent and that harm or threat of harm was causally related to the departure, or when one parent has left the family residence by mutual agreement or at the request or insistence of the other parent.
- 5-A. **Effect of protective order.** Although the court shall consider the fact that a protective order was issued under chapter 101, the court shall determine the proper award of parental rights and responsibilities and award of rights of contact de novo and may not use as

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(6) Sexual misconduct with a child under 14 years of age, under Title 17-A, section 258;

(6-A) Solicitation of a child by computer to commit a prohibited act, under Title 17-A, section 259; or

(7) An offense in another jurisdiction that involves conduct that is substantially similar to that contained in subparagraph (1), (2), (3), (4), (5), (6) or (6-A). For purposes of this subparagraph, "another jurisdiction" means the Federal Government, the United States military, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa and each of the several states except Maine. "Another jurisdiction" also means the Passamaquoddy Tribe when that tribe has acted pursuant to Title 30, section 6209-A, subsection 1, paragraph A or B and the Penobscot Nation when that tribe has acted pursuant to Title 30, section 6209-B, subsection 1, paragraph A or B.

B. A court may award primary residence of a minor child or parent-child contact with a minor child to a parent who has been convicted of a child-related sexual offense only if the court finds that contact between the parent and child is in the best interest of the child and that adequate provision for the safety of the child can be made.

C. In an order of parental rights and responsibilities, a court may require that parent-child contact between a minor child and a person convicted of a child-related sexual offense may occur only if there is another person or agency present to supervise the contact. If the court allows a family or household member to supervise parent-child contact, the court shall establish conditions to be followed during that contact. Conditions include, but are not limited to, those that:

- (1) Minimize circumstances when the family of the parent who is a sex offender or sexually violent predator would be supervising visits;
- (2) Ensure that contact does not damage the relationship with the parent with whom the child has primary physical residence;
- (3) Ensure the safety and well-being of the child; and
- (4) Require that supervision be provided by a person who is physically and mentally capable of supervising a visit and who does not have a criminal history or history of abuse or neglect.

6-B. Conviction or adjudication for certain sex offenses; presumption. There is a rebuttable presumption that the petitioner would create a situation of jeopardy for the child if any contact were to be permitted and that any contact is not in the best interests of the child if the court finds that the person seeking primary residence or contact with the child:

A. Has been convicted of an offense listed in subsection 6-A, paragraph A in which the victim was a minor at the time of the offense and the person was at least 5 years older than the minor at the time of the offense except that, if the offense was gross sexual assault under Title 17-A, section 253, subsection 1, paragraph B or C, or an offense in another jurisdiction that involves conduct that is substantially similar to that contained in Title 17-A, section 253, subsection 1, paragraph B or C, and the minor victim submitted as a result of compulsion, the presumption applies regardless of the ages of the person and the minor victim at the time of the offense; or

B. Has been adjudicated in an action under Title 22, chapter 1071 of sexually abusing a person who was a minor at the time of the abuse.

The person seeking primary residence or contact with the child may present evidence to rebut the presumption.

7. Violation of order concerning parental rights and responsibilities and contact. Either parent may petition the court for a hearing on the issue of noncompliance with the order issued under subsection 2. If the court finds that a parent has violated a part of the order, the court may find that parent in contempt and may:

- A.** Require additional or more specific terms and conditions consistent with the order;
- B.** Order that additional visitation be provided for a parent to take the place of visitation that was wrongfully denied; or
- C.** Order a parent found in contempt to pay a forfeiture of at least \$100.

8. **Child support order.** The court may order conditions of child support as follows.

A. Either parent of a minor child shall contribute reasonable and just sums as child support payable weekly, biweekly, monthly or quarterly. In an action filed under section 1654, the court may require the child's nonprimary care provider to pay past support. Availability of public welfare benefits to the family may not affect the decision of the court as to the responsibility of a parent to provide child support. The court shall inquire of the parties concerning the existence of a child support order entered pursuant to chapter 65, subchapter 2, article 3.⁴ If an order exists, the court shall consider its terms in establishing a child support obligation. A determination or modification of child support under this section and a determination of past support must comply with chapter 63.⁵

B. After January 1, 1990, if the court orders either parent to provide child support, the court order must require that the child support be provided beyond the child's 18th birthday if the child is attending secondary school as defined in Title 20-A, section 1, until the child graduates, withdraws or is expelled from secondary school or attains the age of 19, whichever occurs first.

C. The court may require the payment of part or all of the medical expenses, hospital expenses and other health care expenses of the child. The court order must include a provision requiring at least one parent to obtain and maintain private health insurance for the child, if private health insurance for the child is available at reasonable cost. The court order must also require the parent providing insurance to furnish proof of coverage to the other parent within 15 days of receipt of a copy of the court order. If private health insurance for the child is not available at reasonable cost at the time of the hearing, the court order must include a provision requiring at least one parent to obtain and maintain private health insurance for the child that must be effective immediately upon private health insurance for the child being available at reasonable cost.

When the department provides support enforcement services, the support order must include a provision that requires the responsible parent to keep the department informed of changes in that parent's current address, the name and address of that parent's current employer and whether the responsible parent has access to reasonable cost health insurance coverage and, if so, the health insurance policy information and any subsequent changes.

9. **Enforcement of child support order.** The court may enforce a child support order as provided in chapter 65.⁶

10. **Modification or termination.** Upon the petition of one or both of the parents, an order for parental rights and responsibilities with respect to a minor child may be modified or terminated as circumstances require.

A. Modification and termination of child support orders are governed by section 2009.

B. Modification of and termination orders for parental rights and responsibilities other than child support are governed by section 1657.

11. **Mediation.** Prior to a contested hearing under this chapter relating to initial or modified orders, the court shall refer the parties to mediation as provided in chapter 3.⁷

12. **Termination of order.** A court order requiring the payment of child support remains in force as to each child until the order is altered by the court or until that child:

A. Attains 18 years of age. For orders issued after January 1, 1990, if the child attains 18 years of age while attending secondary school as defined in Title 20-A, section 1, the order remains in force until the child graduates, withdraws or is expelled from secondary school or attains 19 years of age, whichever occurs first;

B. Becomes married; or

C. Becomes a member of the armed services.

13. **Automatic adjustments.** The order of the court or hearing officer may include automatic adjustments to the amount of money paid for the support of a child when the child attains 12 or 18 years of age; or when the child graduates, withdraws or is expelled from secondary school, attains 19 years of age or is otherwise emancipated, whichever occurs first.

14. **Notice of relocation.** The order must require notice of the intended relocation of a child by a parent awarded shared parental rights and responsibilities or allocated parental

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rights and responsibilities. At least 30 days before the intended relocation of a child by a parent, the parent shall provide notice to the other parent of the intended relocation. If the relocation must occur in fewer than 30 days, the parent who is relocating shall provide notice as soon as possible to the other parent. If the parent who is relocating believes notifying the other parent will cause danger to the relocating parent or the child, the relocating parent shall notify the court of the intended relocation, and the court shall provide appropriate notice to the other parent in a manner determined to provide safety to the relocating parent and child.

1995, c. 694, § B-2, eff. Oct. 1, 1997; 1997, c. 187, §§ 2, 3, eff. Oct. 1, 1997; 1997, c. 403, § 1, eff. Oct. 1, 1997; 1997, c. 415, § 3, eff. Oct. 1, 1997; 1999, c. 702, §§ 1 to 3; 2001, c. 273, § 1; 2001, c. 329, §§ 1, 2; 2001, c. 665, §§ 1 to 4; 2003, c. 711, § C-1; 2005, c. 323, § 12; 2005, c. 366, §§ 2, 3; 2005, c. 567, §§ 1 to 3; 2007, c. 142, § 1; 2007, c. 513, §§ 2, 3; 2009, c. 290, § 6; 2009, c. 345, § 1.

¹ 19-A M.R.S.A. § 4001 et seq.

² 17-A M.R.S.A. § 251 et seq. or § 281 et seq.

³ 22 M.R.S.A. § 4001 et seq.

⁴ 19-A M.R.S.A. § 2251 et seq.

⁵ 19-A M.R.S.A. § 2001 et seq.

⁶ 19-A M.R.S.A. § 2101 et seq.

⁷ 19-A M.R.S.A. § 251 et seq.

Historical and Statutory Notes

1999 Legislation

Laws 1999, c. 702, § 1, in subsec. 3, par. N, deleted "and" following "of the child;"

Laws 1999, c. 702, § 2, in subsec. 3, par. O, substituted "process; and" for "process".

Laws 1999, c. 702, § 3, in subsec. 3, added par. P.

2001 Legislation

Laws 2001, c. 273, § 1, added subsec. 5-A.

Laws 2001, c. 329, § 1, in subsec. 1, added par. C.

Laws 2001, c. 329, § 2, in subsec. 2, par. D, subpar. (1), inserted ". If either or both parents request an award of shared primary residential care and the court does not award shared primary residential care of the child, the court shall state in its decision the reasons why shared primary residential care is not in the best interest of the child".

Laws 2001, c. 665, § 1, in subsec. 3, par. O, made nonsubstantive changes.

Laws 2001, c. 665, § 2, in subsec. 3, par. P, made nonsubstantive changes.

Laws 2001, c. 665, § 3, in subsec. 3, added paragraph Q.

Laws 2001, c. 665, § 4, inserted subsec. 6-A.

2003 Legislation

Laws 2003, c. 711, § C-1, in subsec. 6-A, par. A, subpar. (1), substituted "Title 17-A, section 282" for "Title 17, section 2922", and in subpar. (4), inserted "former".

2005 Legislation

Laws 2005, c. 323, § 12, in subsec. 8, rewrote par. C, which read:

"C. The court may require the payment of part or all of the medical expenses, hospital expenses and other health care expenses of the

child. The court order must include a provision requiring the obligated parent to obtain and maintain health insurance coverage for medical, hospitalization and dental expenses, if reasonable cost health insurance is available to the obligated parent. The court order must also require the obligated parent to furnish proof of coverage to the obligee within 15 days of receipt of a copy of the court order. If reasonable cost health insurance is not available at the time of the hearing, the court order must establish the obligation to provide health insurance on the part of the obligated parent, effective immediately upon reasonable cost health insurance being available."

Laws 2005, c. 366, § 2, in subsec. 6-A, par. A, inserted subpar. (6-A) and, in subpar. (7), added a reference to subpar. (6-A).

Laws 2005, c. 366, § 3 inserted subsec. 6-B.

Laws 2005, c. 567, §§ 1 and 2, in subsec. 3, made nonsubstantive changes in pars. P and Q.

Laws 2005, c. 567, § 3, in subsec. 3, added par. R.

2007 Legislation

Laws 2007, c. 142, § 1, in subsec. 8, par. A, in the first sentence, inserted ", biweekly" and, in the fourth sentence, substituted "subchapter 2" for "subchapter II".

Laws 2007, c. 513, § 2, in subsec. 6-A, in par. A, rewrote subpar. (7), which formerly read:

"(7) An offense in another jurisdiction, including, but not limited to, that of a state, federal, military or tribal court, that includes the essential elements of an offense listed in subparagraph (1), (2), (3), (4), (5), (6) or (6-A)."

Laws 2007, c. 513, § 3, in subsec. 6-B, in par. A, deleted "Title 19-A, section 1653," following "of an offense listed in", and inserted ", or an offense in another jurisdiction that involves

