



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 869

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H.P. 555

House of Representatives, March 4, 2025

### **An Act to Give Grandparents Intervenor Status in Certain Child Protection Proceedings**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Robert B. Hunt*  
ROBERT B. HUNT  
Clerk

Presented by Representative FREDETTE of Newport.

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

2 **Sec. 1. 22 MRSA §4005-D, sub-§5-A** is enacted to read:

3 **5-A. Grandparent's right to intervenor status.** Upon request, the court may  
4 designate a grandparent as an intervenor. A judge shall base this decision on whether the  
5 department has placed the child in foster care. A grandparent who has been designated as  
6 an intervenor under this subsection has the right to be heard and the right to present or  
7 cross-examine witnesses, present evidence and have access to pleadings and records.

8 **Sec. 2. 22 MRSA §4005-H, sub-§1**, as enacted by PL 2017, c. 411, §11, is amended  
9 to read:

10 **1. Grandparent visitation or access.** A grandparent who is designated as an  
11 interested person or a participant or who has been granted intervenor status under section  
12 4005-D or ~~who has been granted intervenor status~~ under the Maine Rules of Civil  
13 Procedure, Rule 24 may request the court to grant reasonable rights of visitation or access.  
14 When a child is placed in a prospective adoptive home and the prospective adoptive parents  
15 have signed an adoptive placement agreement, a grandparent's rights of visitation or access  
16 that were granted pursuant to this chapter are suspended unless a court determines that it is  
17 in the best interest of the child to continue the grandparent's rights of visitation or access.  
18 A grandparent's rights of visitation or access terminate when the adoption is finalized  
19 pursuant to Title 18-A, section 9-308. Nothing in this section prohibits prospective  
20 adoptive parents from independently facilitating or permitting contact between a child and  
21 a grandparent, especially when a court has previously ordered rights of visitation or access.

22 For the purposes of this subsection, "grandparent" includes a parent of a child's parent  
23 whose parental rights have been terminated, but only until the child is adopted.

## 24 **SUMMARY**

25 This bill allows, upon request, the court to designate a grandparent as having intervenor  
26 status in child protective proceedings, including the right to be heard and the right to present  
27 or cross-examine witnesses, present evidence and have access to pleadings and records. A  
28 judge is required to base this decision on whether the Department of Health and Human  
29 Services has placed the child in foster care.