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STATE OF MAINE
SENATE
127TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 842, L.D. 1224, Bill, “An Act To Amend the Child Protective Services Laws”

Amend the amendment in the first paragraph after the title in the first line (page 1, line 11 in amendment) by striking out the following: "5." and inserting the following: '5 and inserting the following:

Sec. 1. 22 MRSA §4003, sub-§3-A, as enacted by PL 2005, c. 374, §1, is amended to read:

3-A. Kinship placement. Place children who are taken from the custody of their parents with an adult relative when possible; there is a rebuttable presumption that placement with an adult relative is in the best interests of the child;

Sec. 2. 22 MRSA §4005-E, sub-§2, as amended by PL 2007, c. 371, §2, is further amended to read:

2. Placement. A relative who is designated as an interested person or a participant under section 4005-D or who has been granted intervenor status under the Maine Rules of Civil Procedure, Rule 24 may request the court to order that the child be placed with the relative. A relative who has not been designated as a participant under section 4005-D may make the request for placement in writing. In making a decision on the request, the court shall make placement with a relative a priority for consideration for placement if that placement is in the best interests of the child and consistent with section 4003. There is a rebuttable presumption that placement with an adult relative is in the best interests of the child, as long as that such placement does not substantially interfere with reunification efforts.'

SENATE AMENDMENT

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SUMMARY

This amendment amends the best interests standard when determining the placement of a child in custody such that there is a rebuttable presumption that placement with an adult relative is in the best interests of the child, as long as such placement does not substantially interfere with reunification efforts.

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(Senator BURNS)
COUNTY: Washington