

§1775. Role of prosecutor

1. Action by prosecutor. In a case arising under this chapter or involving the Hague Convention on the Civil Aspects of International Child Abduction, the prosecutor may take any lawful action, including resorting to a proceeding under this subchapter or any other available civil proceeding to locate a child, obtain the return of a child or enforce a child custody determination if there is:

A. An existing child custody determination; [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

B. A request to do so from a court in a pending child custody proceeding; [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

C. A reasonable belief that a criminal statute has been violated; or [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

D. A reasonable belief that the child has been wrongfully removed or retained in violation of the Hague Convention on the Civil Aspects of International Child Abduction. [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

2. Prosecutor acts on behalf of court. A prosecutor acting under this section acts on behalf of the court and may not represent any party.

[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

SECTION HISTORY

PL 1999, c. 486, §3 (NEW). PL 1999, c. 486, §6 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 130th Maine Legislature and is current through October 31, 2021. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.