

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1398 - L.D. 1888

**An Act To Amend Laws Affecting Sex Offenders and Petitions for the
Determination of Parental Rights and Responsibilities**

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

Sec. 1. 19-A MRSA §1653, sub-§6-C is enacted to read:

6-C. Forensic risk assessment. Upon motion from either party or upon the court's own motion, the court may order a parent to complete a forensic risk assessment performed by a licensed clinical social worker, psychologist or psychiatrist qualified to conduct psychosexual evaluations.

A. In determining whether to order a forensic risk assessment, the court may consider:

(1) The existence of any court findings, including but not limited to a criminal conviction, that the parent has committed a child-related sexual offense as defined in subsection 6-A, paragraph A or dissemination of sexually explicit material or possession of sexually explicit material as described in Title 17-A, chapter 12;

(2) The existence of substantiated findings of abuse or neglect under Title 22, section 4004, subsection 2, paragraph C-1, or an equivalent finding from another state, against the parent involving a child-related sexual offense as defined in subsection 6-A, paragraph A or dissemination of sexually explicit material or possession of sexually explicit material as described in Title 17-A, chapter 12;

(3) Whether a guardian ad litem appointed to the case recommends the assessment;
and

(4) Any other factor the court considers relevant.

B. The court may order that the person performing the forensic risk assessment may interview the parent who is the subject of the order and any other parent of the child and have access to court documents, records of any interview with the child and other relevant documents.

C. The court shall order that the parent ordered to complete the forensic risk assessment is responsible for any fees associated with the assessment unless another parent agrees to pay part or all of the fees.

D. If the parent ordered to complete the forensic risk assessment has completed an assessment in the past year, the court may order the parent to release that assessment to the court, the guardian ad litem or another party and may order the parent to complete a new assessment only if the court determines a new assessment is necessary.