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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 765, L.D. 1030, “An Act To Expand Courts' Authority To Protect Children When a Parent Has Been Awarded Sole Parental Rights and Responsibilities”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Courts' Authority To Protect Children When a Parent Has Been Awarded Sole Parental Rights and Responsibilities'

Amend the bill in section 2 in §1658 in subsection 2-A by inserting after paragraph F the following:

'G. Proceedings and records under this section are not public unless the court orders otherwise. The Supreme Judicial Court may adopt rules governing requests for access to these proceedings and records.'

Amend the bill in section 2 in §1658 in subsection 3-A in paragraph B in subparagraph (2) in division (a) in the last line (page 3, line 25 in L.D.) by inserting after the following: "child" the following: 'when that conduct results in harm or threat of harm to the child'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the committee. It amends the title to reflect that the changes in the bill do not expand courts' authority but rather narrow the authority and add procedural safeguards. The amendment adds a paragraph to state that in a termination of parental rights and responsibilities proceeding, all termination proceedings and records are not public unless the court orders otherwise. The amendment provides that the Supreme Judicial Court may adopt rules governing requests for access to these proceedings and records. The amendment also clarifies that a court's finding of serious harm or threat of serious harm may be based in part on proof of the parent's conduct

COMMITTEE AMENDMENT

1 demonstrating an intent to permanently forgo all parental duties or relinquish parental
2 claims regarding the child when such conduct results in harm or threat of harm to the child.

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FISCAL NOTE REQUIRED

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(See attached)