**§1753. Information to be submitted to court**

**1. Required information.**  In a child custody proceeding, each party, in its first pleading or in an attached affidavit, shall give information, if reasonably ascertainable, under oath as to the child's present address or whereabouts, the places where the child has lived during the last 5 years and the names and present addresses of the persons with whom the child has lived during that period. The pleading or affidavit must state whether the party:

A. Has participated, as a party or witness or in any other capacity, in any other proceeding concerning the custody of or visitation with the child and, if so, identify the court, the case number and the date of the child custody determination, if any; [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

B. Knows of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions and, if so, identify the court, the case number and the nature of the proceeding; and [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

C. Knows the names and addresses of any person not a party to the proceeding who has physical custody of the child or claims rights of legal custody or physical custody of, or visitation with, the child and, if so, the names and addresses of those persons. [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. Stay until information furnished.**  If the information required by subsection 1 is not furnished, the court, upon motion of a party or its own motion, may stay the proceeding until the information is furnished.

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

**3. Additional information.**  If the declaration as to any of the items described in subsection 1, paragraphs A to C is in the affirmative, the declarant shall give additional information under oath as required by the court. The court may examine the parties under oath as to details of the information furnished and other matters pertinent to the court's jurisdiction and the disposition of the case.

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

**4. Continuing duty to inform court.**  Each party has a continuing duty to inform the court of any proceeding in this or any other state that could affect the current proceeding.

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

**5. Confidentiality.**  Notwithstanding any other provision of law, if a party alleges in an affidavit or a pleading under oath that the health, safety or liberty of a party or child would be jeopardized by disclosure of identifying information, the information must be sealed and may not be disclosed to the other party or the public unless the court orders the disclosure to be made after a hearing in which the court takes into consideration the health, safety or liberty of the party or child and determines that the disclosure is in the interest of justice.

[PL 2009, c. 202, §3 (AMD).]

SECTION HISTORY

PL 1999, c. 486, §3 (NEW). PL 1999, c. 486, §6 (AFF). PL 2009, c. 202, §3 (AMD).

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 Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023
. 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.