§1844. Binding effect of determination of parentage

1. Determination binding; signatories and parties. Except as otherwise provided in subsection 2, a determination of parentage is binding on:

A. All signatories to an acknowledgment of parentage or denial of parentage as provided in subchapter 3; and [PL 2021, c. 141, §1 (AMD).]

B. All parties to an adjudication by a court acting under circumstances that satisfy the jurisdictional requirements of section 2961. [PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]

[PL 2021, c. 141, §1 (AMD).]

2. Adjudication in divorce, annulment or legal separation proceeding or proceeding to establish parental rights. In a proceeding for divorce, for legal separation, to annul a marriage or to establish parental rights and responsibilities, the court is deemed to have made an adjudication of the parentage of a child if the court acts under circumstances that satisfy the jurisdictional requirements of section 2961 and the final order:

A. Expressly identifies a child as a "child of the parties" or "issue of the marriage" or by similar words indicates that the parties are the parents of the child; or [PL 2023, c. 25, §2 (AMD).]

B. Provides for support of the child by the parent or parents. [PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]

[PL 2023, c. 25, §2 (AMD).]

3. Determination a defense. Except as otherwise provided in this chapter, a determination of parentage may be a defense in a subsequent proceeding seeking to adjudicate parentage by an individual who was not a party to the earlier proceeding.

[PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]

4. Challenge to adjudication. A party to an adjudication of parentage may challenge the adjudication only by appeal or in a manner otherwise consistent with the Maine Rules of Civil Procedure.

[PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]

SECTION HISTORY

PL 2015, c. 296, Pt. A, §1 (NEW). PL 2015, c. 296, Pt. D, §1 (AFF). PL 2021, c. 141, §1 (AMD). PL 2023, c. 25, §2 (AMD).

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