

§1732. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

1. Abandoned. "Abandoned" means left without provision for reasonable and necessary care or supervision.

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

2. Child. "Child" means an individual who has not attained 18 years of age.

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

3. Child custody determination. "Child custody determination" means a judgment, decree or other order of a court providing for the legal custody, physical custody or visitation with respect to a child. The term includes a permanent, temporary, initial and modification order. The term does not include an order relating to child support or other monetary obligation of an individual.

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

4. Child custody proceeding. "Child custody proceeding" means a proceeding in which legal custody, physical custody or visitation with respect to a child is an issue. The term includes a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights and protection from domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, contractual emancipation or enforcement under subchapter III.

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

5. Commencement. "Commencement" means the filing of the first pleading in a proceeding.

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

6. Court. "Court" means an entity authorized under the law of a state to establish, enforce or modify a child custody determination.

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

7. Home state. "Home state" means the state in which a child lived with a parent or a person acting as a parent for at least 6 consecutive months immediately before the commencement of a child custody proceeding. In the case of a child less than 6 months of age, the term means the state in which the child lived from birth with any of the persons mentioned. A period of temporary absence of any of the mentioned persons is part of the period.

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

8. Initial determination. "Initial determination" means the first child custody determination concerning a particular child.

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

9. Issuing court. "Issuing court" means the court that makes a child custody determination for which enforcement is sought under this chapter.

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

10. Issuing state. "Issuing state" means the state in which a child custody determination is made.

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

11. Modification. "Modification" means a child custody determination that changes, replaces, supersedes or is otherwise made after a previous determination concerning the same child, whether or not it is made by the court that made the previous determination.

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

12. Person. "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation; or any other legal or commercial entity.
[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

13. Person acting as a parent. "Person acting as a parent" means a person, other than a parent, who:

A. Has physical custody of the child or has had physical custody for a period of 6 consecutive months, including any temporary absence, within one year immediately before the commencement of a child custody proceeding; and [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

B. Has been awarded legal custody by a court or claims a right to legal custody under the law of this State. [PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]
[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

14. Physical custody. "Physical custody" means the physical care and supervision of a child.
[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

15. State. "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.
[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

16. Tribe. "Tribe" means an Indian tribe or band or an Alaskan Native village recognized by federal law or formally acknowledged by a state.
[PL 1999, c. 486, §3 (NEW); PL 1999, c. 486, §6 (AFF).]

17. Warrant. "Warrant" means an order issued by a court authorizing law enforcement officers to take physical custody of a child.
[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).

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