

§4032. Child protection petition; petitioners; content; filing

1. Who may petition. Petitions may be brought by:

A. The department through an authorized agent; [PL 1979, c. 733, §18 (NEW).]

B. A police officer or sheriff; or [PL 1979, c. 733, §18 (NEW).]

C. Three or more persons. [PL 1979, c. 733, §18 (NEW).]

[PL 1979, c. 733, §18 (NEW).]

2. Contents of petition. A petition must be sworn and include at least the following:

A. Name, date, place of birth and municipal residence, if known, of each child; [PL 1979, c. 733, §18 (NEW).]

B. The name and address of the petitioner and the nature of the petitioner's relationship to the child; [PL 2001, c. 696, §24 (AMD).]

C. Name and municipal residence, if known, of each parent and custodian; [PL 1979, c. 733, §18 (NEW).]

C-1. The phone number and e-mail address, if known, of each parent and custodian, unless the petitioner has reason to believe that disclosing the phone number or e-mail address of the parent and custodian to another parent and custodian in the proceeding would create a safety risk or the petitioner has reason to believe that a parent and custodian has taken steps to avoid disclosing that parent's and custodian's phone number or e-mail address to another parent and custodian in the proceeding. [PL 2023, c. 151, §10 (NEW).]

D. A summary statement of the facts that the petitioner believes constitute the basis for the petition; [PL 2001, c. 696, §24 (AMD).]

E. An allegation that is sufficient for court action; [PL 2001, c. 696, §24 (AMD).]

F. A request for specific court action; [PL 1979, c. 733, §18 (NEW).]

G. A statement that the parents and custodians are entitled to legal counsel in the proceedings and that, if they want an attorney but are unable to afford one, they should contact the court as soon as possible to request appointed counsel; [PL 2001, c. 696, §24 (AMD).]

H. A statement that petition proceedings could lead to the termination of parental rights under section 4051 et seq.; [PL 2001, c. 696, §24 (AMD).]

I. A statement explaining the specific reasonable efforts made to prevent the need to remove the child from the home or to resolve jeopardy; [PL 2001, c. 696, §24 (NEW).]

J. The names of relatives who may be able to provide care for the child; and [PL 2001, c. 696, §24 (NEW).]

K. The names of relatives who are members of an Indian tribe. [PL 2001, c. 696, §24 (NEW).]
[PL 2023, c. 151, §10 (AMD).]

3. Hearing date. On the filing of a petition, the court shall set the earliest practicable time and date for a hearing.

[PL 1979, c. 733, §18 (NEW).]

SECTION HISTORY

PL 1979, c. 733, §18 (NEW). PL 2001, c. 696, §24 (AMD). PL 2023, c. 151, §10 (AMD).

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