

§3951. Improper removal of Indian child from custody; declination of jurisdiction; forthwith return of Indian child; danger exception

When a petitioner in an Indian child custody proceeding before a state court has improperly removed the Indian child from custody of the parent or Indian custodian or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over the petition and shall forthwith return the Indian child to the child's parent or Indian custodian unless returning the Indian child to the child's parent or Indian custodian would subject the Indian child to a substantial and immediate danger or threat of such danger. [PL 2023, c. 359, §5 (NEW).]

SECTION HISTORY

PL 2023, c. 359, §5 (NEW).

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