

**§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).

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 Second Regular Session of the 131st Legislature and is current through October 15, 2024. 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.