

**ACTIONS AFFECTING CHILD CUSTODY/VISITATION IN DISTRICT & PROBATE COURT**

<b>Action</b>	<b>Authority</b>	<b>District Court</b>	<b>Probate Court</b>	<b>Party</b>	<b>Standard</b>
<b>Temporary Protection from Abuse Order</b>	19A M.R.S. §4006(3)	<b>X</b>		Parent or legal guardian	"Good cause" including immediate and present danger of abuse to minor child.
<b>Temporary Guardianship</b>	18A §5-207(c) et seq.		<b>X</b>	Any interested person(s)	Parental consent or finding of temporarily intolerable living situation/best interest of child
<b>Prelim. Protect. Order (DHHS or 3-party pet.)</b>	22 M.R.S. §§4032, 4034	<b>X</b>	<b>X</b>	DHHS, 3-party petitioners	"Immediate risk of serious harm" for PPO.
<b>PR&amp;R Action</b>	19A M.R.S. §1653	<b>X</b>	<b>X</b>	Parent	Best interest of the child
<b>Divorce</b>	19A M.R.S. §1653	<b>X</b>		Married parent or legal guardian	Best interest of the child
<b>Protection from Abuse (Final Order)</b>	19A M.R.S. §4007	<b>X</b>		Parent or legal guardian	"Abuse" finding; best interest of child.
<b>Grandparent Visitation Action</b>	19A M.R.S. §1803 (1), (3)	<b>X</b>		Grandparent	"Sufficient existing relationship" to establish standing; then "best interest" plus "not significantly interfere" with parental relationship or authority.
<b>Child Protective Action (DHHS)</b>	22 M.R.S. §§4032, 4035-36	<b>X</b>		DHHS	"Jeopardy" as defined in 22 MRS §4002(6).
<b>3-Party Child Protective Action</b>	22 M.R.S. §§4032, 4035-36	<b>X</b>		"Three or more persons"	"Jeopardy" as defined in 22 MRS §4002(6).
<b>Permanency Guardianship</b>	22 M.R.S. §4038-C	<b>X</b>		Appointed in child protective proceeding	Best interest of child.
<b>Guardianship</b>	18A M.R.S. §5-102, §5-204		<b>X</b>	Any interested person(s)	Parental consent or finding temporarily intolerable living situation/best interest of child
<b>Adoption</b>	18A M.R.S. §9-101 et seq.		<b>X</b>	Any unmarried person(s) or married couple	Parental consent or parental rights termination under 22 M.R.S §4050 et. seq. and best interest