

April 12, 2005

H 1182. AMEND UCCJEA TO DEFINE DE FACTO CUSTODIAN. TO AMEND THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT TO DEFINE DE FACTO CUSTODIAN. Enacts new GS 50A-102(18) as title indicates. Also enacts new GS 50A-113 to provide that a person is not a de facto custodian if a child's parent was actively serving in the US armed forces and: (1) the parent left the child with a custodial caretaker with the understanding that custody was only for the time parent discharged military service duties, (2) the parent regularly contributes to the child's financial support and maintains contact with the child, and (3) the parent seeks to regain custody as soon as the parent's military duty permits. Provides that any person may petition to be declared a de facto custodian of a child and lists several factors that the court must consider in determining what is in the best interests of the child. States that once court grants custody to a de facto custodian, that person has legal custody for all purposes.

Intro. by Culp.

Ref. to Judiciary IV

GS 50A