Article - Family Law

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§9.5–101.

(a) In this title the following words have the meanings indicated.

(b) "Abandoned" means left without provision for reasonable and necessary care or supervision.

(c) "Child" means an individual under the age of 18 years.

(d) (1) "Child custody determination" means a judgment, decree, or other order of a court providing for the legal custody, physical custody, or visitation with respect to a child.

(2) "Child custody determination" includes a permanent, temporary, initial, and modification order.

(3) "Child custody determination" does not include an order relating to child support or other monetary obligation of an individual.

(e) (1) "Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue.

(2) "Child custody proceeding" includes a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear.

(3) "Child custody proceeding" does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under Subtitle 3 of this title.

(f) "Commencement" means the filing of the first pleading in a proceeding.

(g) "Court" means an entity authorized under the law of a state to establish, enforce, or modify a child custody determination.

(h) "Home state" means:

(1) the state in which a child lived with a parent or a person acting as a parent for at least 6 consecutive months, including any temporary absence, immediately before the commencement of a child custody proceeding; and

(2) in the case of a child less than 6 months of age, the state in which the child lived from birth with any of the persons mentioned, including any temporary absence.

(i) "Initial determination" means the first child custody determination concerning a particular child.

(j) "Issuing court" means the court that makes a child custody determination for which enforcement is sought under this title.

(k) "Issuing state" means the state in which a child custody determination is made.

(l) "Modification" means a child custody determination that changes, replaces, supersedes, or is otherwise made after a previous determination concerning the same child, whether or not it is made by the court that made the previous determination.

(m) "Person" means an individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture, government, public corporation, governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(n) "Person acting as a parent" means a person, other than a parent, who:

(1) has physical custody of the child or has had physical custody for a period of 6 consecutive months, including any temporary absence, within 1 year immediately before the commencement of a child custody proceeding; and

(2) has been awarded legal custody by a court or claims a right to legal custody under the law of this State.

(o) "Physical custody" means the physical care and supervision of a child.

(p) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(q) "Tribe" means an Indian tribe or band or Alaskan Native village that is recognized by federal law or formally acknowledged by a state.

(r) "Warrant" means an order issued by a court authorizing law enforcement officers to take physical custody of a child.

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