

Appendix L State Law Definitions of Abandonment¹

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Overview – State Law Definitions of Abandonment

This document summarizes the common themes in state definitions of abandonment.³ Some states define abandonment in more than one statute and almost all states have adopted the UCCJEA definition of abandonment. We developed the list below to help courts identify when other states have statutory language similar to their state statute. When state statutes are similar, case law in one jurisdiction can provide persuasive authority interpreting the statute that may be useful to state courts in a wide range of family court proceedings. The information contained in this document will also be helpful to state court judges issuing findings that immigrant children need as a prerequisite to filing for Special Immigrant Juvenile Status (SIJS). Any state law definition of abandonment can apply in any state court proceeding for purposes of issuing the required SIJS findings.

The first section of this document highlights the common themes in state laws defining child abandonment and lists which states define which actions or failures to act as constituting abandonment under state law. The last section of this document contains a list by state of each of the child neglect definitions.

Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA):

- The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) defines as “abandoned” a child who is *left without provision for reasonable and necessary care or supervision*. All states (except D.C., Massachusetts, and Virginia) include this exact definition in their statutes.

States that define abandonment as failure to provide reasonable care, support, communication, or visitation with the child:

- **Failure to provide reasonable support** - Alaska, Arizona, Arkansas, California, Delaware, D.C., Florida, Georgia, Idaho, Iowa, Massachusetts, Nebraska, New Hampshire, New Jersey, New Mexico, North Dakota, Tennessee, Utah, West Virginia;

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² Reports are labeled with the date of last update. If you reach a conclusion that conflicts with the material herein, you can contribute to our knowledge by sending an email to info@niwap.org.

- **Failure to provide reasonable care and protection** - Alabama, Alaska, California, Connecticut, Idaho, Kansas, Louisiana, Nebraska, New Hampshire, New Jersey, North Dakota, Texas, Utah, Vermont, West Virginia;
- **Leaving child at substantial risk of serious harm** - Delaware, Indiana, New Jersey, Texas, Wisconsin;
- **Failure to communicate and visit the child**- Alaska, Arizona, Arkansas, Delaware, Florida, Louisiana, Massachusetts, Mississippi, Nevada, New Hampshire, New Mexico, New York, North Dakota, Ohio, Oklahoma, Tennessee, Wisconsin;

States that define abandonment as failure to perform duties as parents, or as unwillingness to take physical custody of the child or make arrangements for the child's care:

- **Failure to perform duties of a parent** - Alabama, Arizona, Florida, Hawaii, Idaho, Iowa;
- **Unwillingness to have physical custody** - Colorado, Delaware, Louisiana, Maine, Montana, South Carolina, Utah, Vermont;
- **Failure to make appropriate arrangements for the child's care** – Colorado, Montana, South Carolina, Utah, Vermont;
- **Failure to come forward and claim a relationship with the child:** Virginia

States that require evidence of a person's intention or willingness to abandon the child:

- **Intentional abandonment**- Alabama, Alaska, Arkansas, Delaware, Illinois, Indiana, Iowa, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Utah, Washington, Wisconsin

When the parent or his/her location is unknown, it could be declared abandonment in the following states:

- **Identity or location of parent is unknown** - Colorado, Hawaii, Montana, Nevada, Oregon, Vermont, Virginia, and Wisconsin;

States that include incarceration as one of the reasons to declare abandonment of a child:

- **Incarceration** - Florida, Tennessee, West Virginia.

Children present in the state without proper care or supervision- are children that under the laws of all states meet the definition of abandonment including but not limited to in the following ways:

- They are children who have been left without provision for reasonable and necessary care or supervision (48 states)
- The child has not been provided with reasonable care or protection (15 states)
- They are children who have not been provided reasonable support by their parents (20 states); or
- The parent has failed to come forward to claim a relationship with the child (Virginia)

Note: In all states the abandonment definitions included in state law apply to parents. In some states they also apply to other persons who assume responsibility for a child’s care. (Alabama, Alaska, Arkansas, D.C., Florida, Indiana, Iowa, Louisiana, Maine, New Hampshire, New York, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington)

Jurisdiction	Factors a court will consider:
Alabama	<p>UCCJEA - Ala. Code § 30-3B-102</p> <ul style="list-style-type: none"> • Abandoned. — Left without provision for reasonable and necessary care or supervision. <p>Termination of Parental Rights (TPR) - § 12-15-301</p> <ul style="list-style-type: none"> • A voluntary and intentional relinquishment of the custody; care; love; protection; maintenance; or the failure to claim the rights of a parent; or failure to perform the duties of a parent. <p>TPR - § 12-15-319 (b)</p> <ul style="list-style-type: none"> • A rebuttable presumption that the parents are unable or unwilling to act as parents, period of four months. <p>Criminal Code - § 13A-13-5</p> <ul style="list-style-type: none"> • The intent wholly to abandon it.
Alaska	<p>UCCJEA - Alaska Stat. § 25.30.909</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Social Services – Children in need of aid - Alaska Stat. § 47.10.013</p> <ul style="list-style-type: none"> • conscious disregard of parental responsibilities; reasonable support; maintain regular contact, or provide normal supervision • left the child with another person for a period of three months; • communication • a period of at least six months without regular visitation with the child; • failed to participate in a suitable plan or program designed to reunite the parent or guardian with the child; • left the child without affording means of identifying the child and the child’s parent or guardian; • substantial risk of serious harm to a child left in the home; • failed to respond to notice of child protective proceedings; or • unwilling to provide care, support, or supervision for the child.
Arizona	<p>UCCJEA - Ariz. Rev. Stat. § 25-1002</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision. <p>Juvenile Court - Ariz. Rev. Stat. § 8-201; Ariz. Rev. Stat. § 8-531(1)</p> <ul style="list-style-type: none"> • reasonable support; to maintain regular contact with the child; failure to maintain normal parental relationship period of six months.
Arkansas	<p>UCCJEA - Ark. Code Ann. § 9-19-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision;

	<p>Child Maltreatment Act - Ark. Code Ann. § 12-18-103</p> <ul style="list-style-type: none"> reasonable support and to maintain regular contact with a child accompanied by an intention on the part of the parent to permit the condition to continue for an indefinite period in the future OR without just cause; or an articulated intent to forego parental responsibility. <p>Arkansas Juvenile Code - Ark. Code Ann. § 9-27-303</p> <ul style="list-style-type: none"> "Abandoned infant" less than nine (9) months of age parent, guardian, or custodian left the child alone or in the possession of another person without identifying information or with an expression of intent by words, actions, or omissions not to return for the infant.
California	<p>UCCJEA - Cal. Fam. Code § 3402</p> <ul style="list-style-type: none"> “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Abandonment and Neglect of Children - Cal. Penal Code § 270</p> <ul style="list-style-type: none"> to furnish necessary food, clothing, shelter or medical attendance or other remedial care for his or her child willful and without lawful excuse. <p>Abandoned Child – Cal. Fam. Code § 7822</p> <ul style="list-style-type: none"> child has been left without provision for the child’s identification by the child’s parent or parents. child has been left by both parents or the sole parent in the care and custody of another person for a period of six months; without any provision for the child’s support, or without communication from the parent or parents.
Colorado	<p>UCCJEA - Colo. Rev. Stat. § 14-13-102</p> <ul style="list-style-type: none"> “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Colo. Rev. Stat. § 19-3-604</p> <ul style="list-style-type: none"> surrendered physical custody of the child for a period of six months or more and have not manifested the firm intention to resume physical custody or to make permanent legal arrangements for the care of the child; the identity of the parent of the child is unknown and has been unknown for three months or more and that reasonable efforts to identify and locate the parent in accordance with section 19-3-603 have failed.
Connecticut	<p>UCCJEA - Conn. Gen. Stat. § 46b-115a</p> <ul style="list-style-type: none"> “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Conn. Gen. Stat. § 45a-717</p> <ul style="list-style-type: none"> reasonable degree of interest, concern or responsibility as to the welfare of the child.
Delaware	<p>UCCJEA - Del. Code Ann. tit. 13, § 1902</p> <ul style="list-style-type: none"> “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Del. Code Ann. tit. 13, § 1103 and Del. Code Ann. Tit. 13 § 1101</p> <ul style="list-style-type: none"> Intended to abandon the child; and

	<p>Less than 6 months of age:</p> <ul style="list-style-type: none"> • Pay reasonable prenatal, natal and postnatal expenses in accordance with the respondent's financial means; • Visit regularly with the minor; and • Manifest an ability and willingness to assume legal and physical custody of the minor, if, during this time, the minor was not in the physical custody of the other parent; 6 months of age or more: • Communicate or visit regularly with the minor; and • Manifest an ability and willingness to assume legal and physical custody of the minor, if, during this time, the minor was not in the physical custody of the other parent; or • Substantial risk of injury or death.
District of Columbia	<p>Proceedings Regarding Delinquency, Neglect, or Need of Supervision - D.C. Code § 16-2301</p> <ul style="list-style-type: none"> • Parent, guardian, or custodian has failed to make reasonable efforts to prevent the infliction of abuse upon the child.
Florida	<p>UCCJEA - § 61.503.</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Proceedings Relating to Children - § 39.01.</p> <ul style="list-style-type: none"> • Failed to make a significant contribution to the child’s care and maintenance or establish or maintain a substantial and positive relationship with the child, or both. • Frequent and regular contact, visitation, and communication • The exercise of parental rights and responsibilities. • The incarceration, repeated incarceration, or extended incarceration of a parent, legal custodian, or caregiver responsible for a child’s welfare may support a finding of abandonment.
Georgia	<p>UCCJEA - Ga. Code Ann. § 19-9-41</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Abandonment of child - § 19-10-1.</p> <ul style="list-style-type: none"> • Furnish sufficient food, clothing, or shelter for the needs of the child.
Hawaii	<p>UCCJEA - Haw. Rev. Stat. Ann. § 583A-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Child Protective Act - § 587A-4</p> <ul style="list-style-type: none"> • “Abandoned infant” means a child who is three years old or younger • extreme disinterest in or lack of commitment for assuming parental responsibility for the child; • not known the identity or whereabouts of the child's parents for sixty days or more, and reasonable efforts have been made to identify or locate the child's parents.
Hawaii	
Idaho	<p>UCCJEA - Idaho Code § 32-11-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Person with disabilities (minor) - § 15-5-204.</p> <ul style="list-style-type: none"> • Failure to maintain a normal parental relationship with the child;

	<ul style="list-style-type: none"> • Reasonable support or regular personal contact; • Period of 6 (six) months without just cause. <p>Child Protective Act - Idaho Code § 16-1602</p> <ul style="list-style-type: none"> • Failure to maintain a normal parental relationship with the child; • Reasonable support or regular personal contact; • Period of one (1) year without just cause.
Illinois	<p>UCCJEA - 750 Ill. Comp. Stat. Ann. 36/102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Adoption Act - 750 ILCS 50/1 Definitions</p> <ul style="list-style-type: none"> • Evidence suggests that the parent intended to relinquish his or her parental rights. • Failure to maintain a reasonable degree of interest, concern or responsibility as to the child’s welfare. • Desertion of the child for more than 3 months preceding the commencement of the adoption proceeding.
Indiana	<p>UCCJEA - Ind. Code Ann. § 31-21-2-2 and Ind. Code § 31-9-2-0.3</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Family Law and Juvenile Law (abandonment of child) - Ind. Code Ann. § 31-9-2-0.4</p> <ul style="list-style-type: none"> • not more than thirty (30) days of age and whose parent: • has knowingly or intentionally left the child with an emergency medical services provider; and • did not express an intent to return for the child. <p>Title 31 Family Law and Juvenile Law (abandoned infant) - Ind. Code Ann. § 31-9-2-0.5</p> <ul style="list-style-type: none"> • a child who is less than twelve (12) months of age and whose parent, guardian, or custodian has knowingly or intentionally left the child in: • an environment that endangers the child’s life or health; or • a hospital or medical facility; and has no reasonable plan to assume the care, custody, and control of the child; or • a child who is, or who appears to be, not more than thirty (30) days of age and whose parent: • has knowingly or intentionally left the child with an emergency medical services provider; and • Did not express an intent to return for the child.
Iowa	<p>UCCJEA - Iowa Code § 598B.102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Iowa Code § 600A.2</p> <ul style="list-style-type: none"> • A parent, putative father, custodian, or guardian rejects the duties imposed by the parent-child relationship, • Make no provision or making only a marginal effort to provide for the support of the child or to communicate with the child.

	<p>Juvenile Justice - Iowa Code § 232.2</p> <ul style="list-style-type: none"> • The relinquishment or surrender, without reference to any particular person, of the parental rights, duties, or privileges inherent in the parent-child relationship. • Must include both the intention to abandon and the acts by which the intention is evidenced. <p>TPR – Iowa Code § 600A.8</p> <ul style="list-style-type: none"> • The fitness and ability of the parent in personally assuming custody of the child, including a personal and financial commitment which is timely demonstrated. • Whether efforts are substantial enough to evince a settled purpose to personally assume all parental duties. • Whether the putative father publicly acknowledged paternity or held himself out to be the father of the child during the six continuing months immediately prior to the termination proceeding. • Whether the putative father paid a fair and reasonable sum, demonstrated emotional support as evidenced by the putative father’s conduct toward the mother. • Any measures taken by the parent to establish legal responsibility for the child. • Any other factors evincing a commitment to the child.
Kansas	<p>UCCJEA - Kan. Stat. Ann. § 23-37,102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Revised Kansas Code for Care of Children - Kan. Stat. Ann. § 38-2202</p> <ul style="list-style-type: none"> • To forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.
Kentucky	<p>UCCJEA - Ky. Rev. Stat. § 403.800</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Louisiana	<p>UCCJEA – La. Rev. Stat. Ann. § 13:1802 “abandoned” means left without provision for reasonable and necessary care or supervision;</p> <p>TPR - La. Child. Code Ann. § art.1015</p> <ul style="list-style-type: none"> • Abandonment of the child by placing him in the physical custody of a nonparent, or the department, or by otherwise leaving him under circumstances demonstrating an intention to permanently avoid parental responsibility by any of the following: • For a period of at least four months as of the time of the hearing, despite a diligent search, the whereabouts of the child’s parent continue to be unknown. • As of the time the petition is filed, the parent has failed to provide significant contributions to the child’s care and support for any period of six consecutive months. • As of the time the petition is filed, the parent has failed to maintain significant contact with the child by visiting him or communicating with him for any period of six consecutive months. <p>Criminal abandonment - La. Rev. Stat. Ann. § 14:79.1</p>
Louisiana	

	<ul style="list-style-type: none"> • Intentional physical abandonment of a minor child under the age of ten years, unattended and to his own care • Did not intend to return to the minor child or provide for adult supervision of the minor child.
Maine	<p>UCCJEA - Me. Rev. Stat. tit. 19-A, § 1732</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Abandonment of child - Me. Rev. Stat. tit. 17-A, § 553</p> <ul style="list-style-type: none"> • The person leaves the child who is less than 14 years of age in a place with the intent to abandon the child. • The person leaves the child who is less than 6 years of age in a place with the intent to abandon the child. • The person, with the intent to avoid or divest the person of permanent parental responsibility, places the child who is less than 18 years of age with or transfers the physical custody of the child to a nonrelative without court approval. • The person, with the intent to avoid or divest the person of permanent parental responsibility, places the child who is less than 6 years of age with or transfers the physical custody of the child to a nonrelative without court approval.
Maryland	<p>UCCJEA - Md. Code Ann., Fam. Law § 9.5-101</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Massachusetts	<p>Abandonment of Infant Under Ten Years of Age - Mass. Ann. Laws ch. 119, § 39</p> <ul style="list-style-type: none"> • infant under the age of ten within or without any building, or • if of sufficient physical and mental ability, neglects to visit or remove such infant or notify the department of his inability to support such infant.
Michigan	<p>UCCJEA - Mich. Comp. Laws Serv. § 722.1102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Minnesota	<p>UCCJEA - Minn. Stat. Ann. § 518D.102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Mississippi	<p>UCCJEA - Miss. Code Ann. § 93-27-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Miss. Code Ann. § 93-15-103</p> <ul style="list-style-type: none"> • any conduct by the parent, whether consisting of a single incident or actions over an extended period of time, that evinces a settled purpose to relinquish all parental claims and responsibilities to the child. • For a child who is under three (3) years of age on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for six (6) months; • (ii) For a child who is three (3) years of age or older on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for at least one (1) year; or • (iii) If the child is under six (6) years of age, that the parent has exposed the child in any highway, street, field, outhouse, or elsewhere with the intent to wholly abandon the child.
Mississippi	

Missouri	<p>UCCJEA - Mo. Rev. Stat. § 452.705</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Montana	<p>UCCJEA - Mont. Code Ann. § 40-7-103</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Minors - Child Abuse and Neglect - Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> • leaving a child under circumstances that make reasonable the belief that the parent does not intend to resume care of the child in the future; • willfully surrendering physical custody for a period of 6 months or to make permanent legal arrangements for the care of the child; • that the parent is unknown and has been unknown for a period of 90 days and that reasonable efforts to identify and locate the parent have failed; or • the voluntary surrender, as defined in 40-6-402, by a parent of a newborn who is no more than 30 days old to an emergency services provider.
Nebraska	<p>UCCJEA - Neb. Rev. Stat. Ann § 43-1227</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Juvenile Code – Abandonment - Neb. Rev. Stat. Ann § 43-245</p> <ul style="list-style-type: none"> • parent intentionally withholding from a child, without just cause or excuse, the parent’s presence, care, love, protection, and maintenance and the opportunity for the display of parental affection for the child.
Nevada	<p>UCCJEA - Nev. Rev. Stat. Ann. § 125A.025</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - Nev. Rev. Stat. Ann. § 128.012</p> <ul style="list-style-type: none"> • Any conduct of one or both parents of a child which evinces a settled purpose on the part of one or both parents to forego all parental custody and relinquish all claims to the child. • No communication for a period of 6 months; OR • Identity of the parents is unknown and cannot be ascertained despite diligent searching, and the parents do not come forward to claim the child within 3 months after the child is found.
New Hampshire	<p>UCCJEA - N.H. Rev. Stat. Ann. § 458-A:1</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Child Protection Act - N.H. Rev. Stat. Ann. § 169-C:3</p> <ul style="list-style-type: none"> • The child has been left by his parent, guardian or custodian, without provision for his care, supervision or financial support although financially able to provide such support.
New Hampshire	<p>TPR - N.H. Rev. Stat. Ann. § 170-C:5</p> <ul style="list-style-type: none"> • Intention to abandon the child who has been left by his parent without provision for his identification or who has been left by his parent in the care and custody of another without any provision for his support, or • Without communication from such parent for a period of 6 months.

	<ul style="list-style-type: none"> • If the parent has made only minimal efforts to support or communicate with the child, the court may declare the child to be abandoned.
New Jersey	<p>UCCJEA - N.J. Stat. § 2A:34-54</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Juvenile and Domestic Relations Courts - N.J. Stat. § 9:6-1</p> <ul style="list-style-type: none"> • willfully forsaking a child; • failing to care for and keep the control and custody of a child so that the child shall be exposed to physical or moral risk without proper and sufficient protection; • failing to care for and keep the control and custody of a child so that the child shall be liable to be supported and maintained at the expense of the public, or by child caring societies or private persons not legally chargeable with its or their care, custody and control.
New Mexico	<p>UCCJEA - N.M. Stat. Ann. § 40-10A-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Children’s code - N.M. Stat. Ann. § 32A-4-2</p> <ul style="list-style-type: none"> • left the child without provision for the child’s identification for a period of fourteen days; or • left the child with others, including the other parent or an agency, without provision for support and without communication for a period of: • three months if the child was under six years of age at the commencement of the three-month period; or • six months if the child was over six years of age at the commencement of the six-month period.
New York	<p>UCCJEA - N.Y. Dom. Rel. Law § 75-a</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Social Services Law - Children - N.Y. Soc. Serv. Law § 384-b(5)</p> <ul style="list-style-type: none"> • Intention to forego his or her parental rights and obligations as manifested by his or her failure to visit the child and communicate with the child <p>Penal Law- Offenses Relating to Children - N.Y. Penal Law § 260.00</p> <ul style="list-style-type: none"> • child less than fourteen years old, • Deserts such child in any place with intent to wholly abandon such child. <p>Social Services Law - Care and Protection of Children - N.Y. Soc. Serv. Law § 371</p> <ul style="list-style-type: none"> • child under the age of eighteen years who is abandoned by both parents, in accordance with the definition and other criteria set forth in § 384-b(5)
North Carolina	<p>UCCJEA - N.C. Gen. Stat. § 50A-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TPR - N.C. Gen. Stat. § 7B-1111</p>

	<ul style="list-style-type: none"> • The parent has willfully abandoned the juvenile for at least six consecutive months immediately preceding the filing of the petition or motion, or • The parent has voluntarily abandoned an infant pursuant to G.S. 7B-500 for at least 60 consecutive days immediately preceding the filing of the petition or motion.
North Dakota	<p>UCCJEA - N.D. Cent. Code § 14-14.1-01</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Adoption Act - N.D. Cent. Code § 14-15-01</p> <ul style="list-style-type: none"> • As to a parent of a child not in the custody of that parent, failure by the noncustodial parent significantly without justifiable cause to: • Communicate with the child; or • Provide for the care and support of the child as required by law.
Ohio	<p>UCCJEA - Ohio Rev. Code Ann. § 3127.01</p> <ul style="list-style-type: none"> • Failed to visit or maintain contact with the child for more than ninety days.
Oklahoma	<p>UCCJEA - Okla. Stat. tit. 43, § 551-102(1)</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Oklahoma Children's Code - Okla. Stat. tit. 10A, § 1-1-105</p> <ul style="list-style-type: none"> • the willful intent by words, actions, or omissions not to return for a child, or • The failure to maintain a significant parental relationship with a child through visitation or communication in which incidental or token visits or communication are not considered significant, or, the failure to respond to notice of deprived proceedings;
Oregon	<p>UCCJEA - ORS § 109.704</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>TRP - Or. Rev. Stat. Ann. § 419B.508</p> <ul style="list-style-type: none"> • The child or ward was left under circumstances such that the identity of the parent or parents of the child or ward was unknown and could not be ascertained, despite diligent searching, and the parent or parents have not come forward to claim the child or ward within three months following the finding of the child or ward.
Pennsylvania	<p>UCCJEA - 23 Pa. Cons. Stat. Ann. § 5402</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Rhode Island	<p>UCCJEA - 15 R.I. Gen. Laws § 14.1-2</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
South Carolina	<p>UCCJEA - S.C. Code Ann. § 63-15-302</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
South Carolina	<p>Children’s Code - S.C. Code Ann. § 63-7-20</p> <ul style="list-style-type: none"> • Parent or guardian wilfully deserts a child or wilfully surrenders physical possession of a child without making adequate arrangements for the child’s needs or the continuing care of the child.

South Dakota	<p>UCCJEA - S.D. Codified Laws § 26-5B-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision.
Tennessee	<p>UCCJEA - 36-6-205</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision. <p>Adoption – TPR Tenn. Code Ann. § 36-1-102</p> <p>For purposes of TPR or guardian rights of a parent to make that child available for adoption, "abandonment" means that:</p> <ul style="list-style-type: none"> • Willfully failed to visit or have willfully failed to support or have willfully failed to make reasonable payments toward the support of the child, period 4 (four) months. • The child has been removed from the as the result of a petition filed in the juvenile court in which the child was found to be a dependent and neglected child, or the court where the termination of parental rights petition is filed finds, that the department or a licensed child-placing agency made reasonable efforts to prevent removal of the child or that the circumstances of the child's situation prevented reasonable efforts from being made prior to the child's removal; and for a period of four (4) months following the removal, the department or agency has made reasonable efforts to assist the parent or parents or the guardian or guardians to establish a suitable home for the child, but that the parent or parents or the guardian or guardians have made no reasonable efforts to provide a suitable home and have demonstrated a lack of concern for the child to such a degree that it appears unlikely that they will be able to provide a suitable home for the child at an early date.; • willfully failed to visit or willfully failed to make reasonable payments toward the support of the child's mother during the four (4) months immediately preceding the birth of the child • A parent or guardian is incarcerated at the time of the institution of an action or proceeding to declare a child to be an abandoned child, • or the parent or guardian has been incarcerated during all or part of the four (4) months immediately preceding the institution of such action or proceeding, and <ul style="list-style-type: none"> • either has willfully failed to visit or has willfully failed to support or has willfully failed to make reasonable payments toward the support of the child for four (4) consecutive months immediately preceding such parent's or guardian's incarceration, • or the parent or guardian has engaged in conduct prior to incarceration that exhibits a wanton disregard for the welfare of the child. • The child, as a newborn infant aged seventy-two (72) hours or less, was voluntarily left at a facility by such infant's mother pursuant to § 68-11-255; and, for a period of thirty (30) days after the date of voluntary delivery, the mother failed to visit or seek contact with the infant; and, for a period of thirty (30) days after notice was given under § 36-1-142(e), and no less than ninety (90) days cumulatively, the mother failed to seek contact with the infant through the department or to revoke her voluntary delivery of the infant.
Texas	<p>UCCJEA - Tex. Fam. Code § 152.102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision. <p>Offenses Against the Person - Tex. Penal Code § 22.041</p> <ul style="list-style-type: none"> • (I) Leave a child in any place without providing reasonable and necessary care for the child;

	<ul style="list-style-type: none"> • Under circumstances under which no reasonable, similarly situated adult would leave a child of that age and ability. • (II) a child younger than 15 years, • Intentionally abandons the child in any place under circumstances that expose the child to an unreasonable risk of harm.
Utah	<p>UCCJEA - Utah Code Ann. § 78B-13-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Title 76 Utah Criminal Code - Utah Code Ann. § 76-5-109</p> <ul style="list-style-type: none"> • intentionally ceases to maintain physical custody of the child; • intentionally fails to make reasonable arrangements for the safety, care, and physical custody of the child; and • intentionally fails to provide the child with food, shelter, or clothing; • manifests an intent to permanently not resume physical custody of the child; or • for a period of at least 30 days: <ul style="list-style-type: none"> ○ intentionally fails to resume physical custody of the child; and ○ Fails to manifest a genuine intent to resume physical custody of the child.
Vermont	<p>UCCJEA - § 1061</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Human Services – Juvenile proceedings - Vt. Stat. Ann. tit. 33, § 5102</p> <ul style="list-style-type: none"> • unwilling to have physical custody of the child; • unable, unwilling, or has failed to make appropriate arrangements for the child's care; • unable to have physical custody of the child and has not arranged or cannot arrange for the safe and appropriate care of the child; or • has left the child with a care provider and the care provider is unwilling or unable to provide care or support for the child, the whereabouts of the person are unknown, and reasonable efforts to locate the person have been unsuccessful;
Virginia	<p>Juvenile Courts - Va. Code Ann. § 16.1-228</p> <ul style="list-style-type: none"> • When used in this chapter, unless the context otherwise requires: "Abused or neglected child" means any child: <ul style="list-style-type: none"> ○ Whose parents or other person responsible for his care abandons the child; <p>Juvenile and Domestic Relations District Courts - Va. Code Ann. § 16.1-283</p> <ul style="list-style-type: none"> • The child was abandoned under such circumstances that either the identity or the whereabouts of the parent or parents cannot be determined; and • The child's parent or parents, guardian or relatives have not come forward to identify such child and claim a relationship to the child within three months following the issuance of an order by the court placing the child in foster care; and • Diligent efforts have been made to locate the child's parent or parents without avail.
Washington	<p>UCCJEA - Wash. Rev. Code Ann. § 26.27.021</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision;

	<p>TPR - Wash. Rev. Code Ann. § 13.34.030</p> <ul style="list-style-type: none"> • Parent or custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. • Period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.
West Virginia	<p>UCCJEA - W. Va. Code § 48-20-102</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Adoption – Abandonment- W. Va. Code § 48-22-306</p> <ul style="list-style-type: none"> • Abandonment of a child over the age of six months shall be presumed when the birth parent: <ul style="list-style-type: none"> ○ Fails to financially support the child; ○ fails to visit or otherwise communicate with the child; • (b) Abandonment of a child under the age of six months shall be presumed when the birth father: <ul style="list-style-type: none"> ○ (1) Denounces the child’s paternity any time after conception; ○ (2) Fails to contribute within his means toward the expense of the prenatal and postnatal care of the mother and the postnatal care of the child; ○ (3) Fails to financially support the child ○ (4) Fails to visit the child when he knows where the child resides. • (c) Abandonment of a child shall be presumed when the unknown father fails, prior to the entry of the final adoption order, to make reasonable efforts to discover that a pregnancy and birth have occurred as a result of his sexual intercourse with the birth mother. • In no event may incarceration provide a compelling circumstance if the crime resulting in the incarceration involved a rape in which the child was conceived.
Wisconsin	<p>UCCJEA - Wis. Stat. Ann. § 822.02</p> <ul style="list-style-type: none"> • “abandoned” means left without provision for reasonable and necessary care or supervision; <p>Criminal Code - Wis. Stat. Ann. § 948.20</p> <ul style="list-style-type: none"> • intent to abandon the child, leaves any child in a place where the child may suffer because of neglect <p>TPR - Wis. Stat. Ann. § 48.415</p> <ul style="list-style-type: none"> • That the child has been left without provision for the child’s care or support; for 60 days the petitioner has been unable to find either parent. • That the child has been left by the parent without provision for the child’s care or support in a place or manner that exposes the child to substantial risk of great bodily harm or death. • The parent has failed to visit or communicate with the child for a period of 3 months or longer.
Wisconsin	

	<ul style="list-style-type: none"> The child has been left by the parent with any person, the parent knows or could discover the whereabouts of the child and the parent has failed to visit or communicate with the child for a period of 6 months or longer.
Wyoming	<p>UCCJEA - Wyo. Stat. Ann. § 20-5-202</p> <ul style="list-style-type: none"> “abandoned” means left without provision for reasonable and necessary care or supervision;