

# Child Abuse/Neglect Proceedings - Jurisdiction and Service of Process<sup>1</sup>

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## *Introduction*

This publication was developed under grant number SJI-20-E-005 from the State Justice Institute. Most states have statutes that outline requirements for jurisdiction and service in child abuse and neglect cases. Several of these are provisions of more expansive juvenile jurisdiction statutes. The Child Abuse/Neglect Proceedings Jurisdiction and Service of Process chart serves as a powerful tool in determining the criteria for jurisdiction over child abuse and neglect cases by listing all relevant statutes. It also notes who must be notified of child abuse or neglect proceedings according to specific state law. To use the chart most effectively, find the relevant state listed below, which is accompanied by applicable jurisdiction and service requirements.

This chart can also serve as a survey tool, summarizing the law as it stands in all fifty states. Certain themes are consistent across several states, including those resulting from the adoption of the Uniform Child Custody Jurisdiction and Enforcement Act. For example, many states include criteria for the termination of parental rights when considering jurisdiction over a child abuse case. Many states also require notice of child abuse proceedings not only to parents, but to anyone who may have a stake in the child.

When reviewing child abuse and neglect statutes, recognize that jurisdiction and service requirements are impacted by federal law, most notably the Indian Child Welfare Act.<sup>2</sup> The Act limits jurisdiction where a child may fall within the jurisdiction of an Indian tribe. Additionally, multi-state agreements such as the Interstate Compact on Juveniles and the Interstate Compact on the Placement of Children both impact how jurisdiction may be exercised and under what circumstances.

The Child Abuse Neglect Jurisdiction and Service of Process chart may be especially useful in determining how child abuse and neglect proceedings should proceed where one party is absent. Specifically, where the perpetrator is located outside of the state or located abroad.

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<sup>1</sup> **Disclaimer:** The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute. While the Child Abuse/Neglect Jurisdiction and Service of Process chart is a useful resource, it does not remove the responsibility to engage in original analysis and research.

<sup>2</sup> 25 U.S.C. §§ 1901-63 (2020).

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
Alabama	<p><i>Original jurisdiction – Juvenile</i></p> <p><b>AL. St. 12-15-114</b></p> <p>(a) A juvenile court shall exercise exclusive original jurisdiction of juvenile court proceedings in which a child is alleged to have committed a delinquent act, to be dependent, or to be in need of supervision. A dependency action shall not include a custody dispute between parents. Juvenile cases before the juvenile court shall be initiated through the juvenile court intake office pursuant to this chapter.</p> <p>(b) A juvenile court shall not have jurisdiction over any delinquent act committed by an individual before his or her 18th birthday for which a petition has not been filed before the individual reaches 21 years of age, except when the delinquent act is an offense having no statute of limitation as provided in Section 15-3-5.</p> <p>(c) A juvenile court shall also exercise exclusive original jurisdiction over each of the following:</p> <ol style="list-style-type: none"> <li>(1) Proceedings pursuant to the Interstate Compact on Juveniles and the Interstate Compact on Placement of Children pursuant to Chapter 2 of Title 44.</li> <li>(2) Proceedings for termination of parental rights.</li> </ol>	<p><b>Ala. Code § 12-15-122</b></p> <p>(a) After a petition alleging delinquency, in need of supervision, or dependency has been filed, the juvenile court shall direct the issuance of summonses to be directed to the child if he or she is 12 or more years of age, to the parents, legal guardian, or other legal custodian, and to other persons who appear to the juvenile court to be proper or necessary parties to the proceedings, requiring them to appear personally before the juvenile court at the time fixed to answer or testify as to the allegations of the petition. Where the legal custodian is summoned, the parent or legal guardian, or both, shall also be served with a summons.</p> <p>(b) A copy of the petition shall be attached to each summons.</p> <p>(c) The summons shall direct the parents, legal guardian, or other legal custodian having the custody or control of the child to bring him or her to the hearing.</p> <p>(d) An adult who is a party may waive service of the summons by written stipulation or by voluntary appearance at the hearing.</p> <p><b>Ala. Code § 12-15-307</b></p> <p>Relative caregivers, preadoptive parents, and foster parents of a child in foster care under the responsibility of the state shall be given notice, verbally or in writing, of the date, time, and place of any juvenile court proceeding being held with respect to a child in their care.</p>

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		<p>Foster parents, preadoptive parents, and relative caregivers of a child in foster care under the responsibility of the state have a right to be heard in any juvenile court proceeding being held with respect to a child in their care.</p> <p>No foster parent, preadoptive parent, and relative caregiver of a child in foster care under the responsibility of the state shall be made a party to a juvenile court proceeding solely on the basis of this notice and right to be heard pursuant to this section.</p>
Alaska	<p><b>AS 47.10.010</b></p> <p>(a) Proceedings relating to a child under 18 years of age residing or found in the state are governed by this chapter when the child is alleged to be or may be determined by the court to be a child in need of aid under AS 47.10.011 .</p> <p>(b) In a controversy concerning custody of a child under this chapter, the court may appoint a guardian of the person and property of a child, may appoint an attorney to represent the legal interests of the child, and may order support from either or both parents. Custody of a child may be given to the department and payment of support money to the department may be ordered by a court.</p>	<p><b>As 47.10.030</b></p> <p>(a) After a petition is filed and after further investigation that the court directs, if the person having custody or control of the minor has not appeared voluntarily, the court shall issue a summons that</p> <ol style="list-style-type: none"> <li>(1) recites briefly the substance of the petition;</li> <li>(2) clearly states that at the hearing it is possible that parental rights and responsibilities may be terminated forever and that the minor may at the hearing be committed to the department for possible adoption; and</li> <li>(3) directs the person having custody or control of the minor to appear personally in court with the minor at the place and at the time set forth in the summons.</li> </ol> <p>(b) In all cases under this chapter, the child, each parent, the tribe, foster parent or other out-of-home care provider, guardian, and guardian ad litem of the child and, subject to (d)</p>

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		<p>and (e) of this section, each grandparent of the child shall be given notice adequate to give actual notice of the proceedings and the possibility of termination of parental rights and responsibilities, taking into account education and language differences that are known or reasonably ascertainable by the petitioner or the department. The notice of the hearing must contain all names by which the child has been identified. Notice shall be given in the manner appropriate under rules of civil procedure for the service of process in a civil action under Alaska law or in any manner the court by order directs. Proof of the giving of the notice shall be filed with the court before the petition is heard. The court may also subpoena the parent of the child, or any other person whose testimony may be necessary at the hearing. A subpoena or other process may be served by a person authorized by law to make the service, and, where personal service cannot be made, the court may direct that service of process be in a manner appropriate under rules of civil procedure for the service of process in a civil action under Alaska law or in any manner the court directs.</p> <p>(c) If the minor is in such condition or surroundings that the minor's welfare requires the immediate assumption of custody by the court, the court may order, by endorsement upon the summons, that the officer serving the summons shall at once take the minor into custody and make the temporary placement of the minor that the court directs.</p>

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		<p>(d) Except as provided in (e) of this section, the department shall give advance written notice of all court hearings in a child's case to a grandparent of the child if</p> <ul style="list-style-type: none"> <li>(1) the grandparent has contacted the department, provided evidence acceptable to the department of being the child's grandparent, requested notice about the hearings in the child's case, and provided the department with a current mailing address; or</li> <li>(2) the department is aware that the child has a grandparent and the grandparent's mailing address is on file with the department.</li> </ul> <p>(e) Notwithstanding (d) of this section, the department is not required to give advance notice to a grandparent about hearings in a child's case if the grandparent</p> <ul style="list-style-type: none"> <li>(1) has been convicted of a crime in which the child was the victim; or</li> <li>(2) is prohibited by a court order from having contact with the child.</li> </ul>
Arizona	<p><b>A.R.S. § 25-1002(4)(a)</b> 4. "Child custody proceeding": (a) Means a proceeding, including a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights and protection from domestic violence, in which legal custody, physical custody or visitation with respect to a child is an issue or in which that issue may appear.</p>	<p><b>A.R.S. § 25-1035(A)</b> A. Before a child custody determination is made under this chapter, notice and an opportunity to be heard pursuant to section 25-1008 must be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated and any person having physical custody of the child.</p>

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	<p><b>A.R.S. §§ 25-1031 Initial child custody jurisdiction</b></p> <p>A. Except as otherwise provided in section 25-1034 , a court of this state has jurisdiction to make an initial child custody determination only if any of the following is true:</p> <ol style="list-style-type: none"> <li>1. This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state.</li> <li>2. A court of another state does not have jurisdiction under paragraph 1 or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under section 25-1037 or 25-1038 and both of the following are true:               <ol style="list-style-type: none"> <li>(a) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence.</li> <li>(b) Substantial evidence is available in this state concerning the child's care, protection, training and personal relationships.</li> </ol> </li> <li>3. All courts having jurisdiction under paragraph 1 or 2 have declined to exercise jurisdiction on the ground that a court of</li> </ol>	<p><b>A.R.S. § 25-1008(A)</b></p> <p>A. Notice required for the exercise of jurisdiction if a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p> <p><b>AZ R.Civ.P. 5(c)</b></p> <p>(c) Service After Appearance; Service After Judgment; How Made.</p> <ol style="list-style-type: none"> <li>(1) Serving an Attorney. If a party is represented by an attorney, service under this rule must be made on the attorney unless the court orders or a specific rule requires service on the party.</li> <li>(2) Service Generally. A document is served under this rule by any of the following:               <ol style="list-style-type: none"> <li>(A) handing it to the person;</li> <li>(B) leaving it:                   <ol style="list-style-type: none"> <li>(i) at the person's office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or</li> <li>(ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with</li> </ol> </li> </ol> </li> </ol>

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	<p>this state is the more appropriate forum to determine the custody of the child under section 25-1037 or 25-1038 .</p> <p>4. A court of any other state would not have jurisdiction under the criteria specified in paragraph 1, 2 or 3.</p> <p>B. Subsection A of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>C. Physical presence of or personal jurisdiction over a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>A.R.S. § 25-1034 Temporary emergency jurisdiction</b></p> <p>A. A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>B. If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under section 25-1031 , 25-1032 or 25-1033, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under section 25-1031 , 25-1032 or 25-1033 .</p> <p>. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under</p>	<p>someone of suitable age and discretion who resides there;</p> <p>(C) mailing it by U.S. mail to the person's last-known address--in which event service is complete upon mailing;</p> <p>(D) delivering it by any other means, including electronic means other than that described in Rule 5(c)(2)(E), if the recipient consents in writing to that method of service or if the court orders service in that manner--in which event service is complete upon transmission; or</p> <p>(E) transmitting it through an electronic filing service provider approved by the Administrative Office of the Courts, if the recipient is an attorney of record in the action--in which event service is complete upon transmission.</p>

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	<p>section 25-1031 , 25-1032 or 25-1033 , a child custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.</p> <p>C. If there is a previous child custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under section 25-1031 , 25-1032 or 25-1033 , any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under section 25-1031 , 25-1032 or 25-1033 . The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>D. A court of this state that has been asked to make a child custody determination under this section, on being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under section 25-1031 , 25-1032 or 25-1033 , shall immediately communicate with the other court. A court of this state that exercises jurisdiction pursuant to section 25-1031 , 25-1032 or 25-1033 , on being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section, shall immediately</p>	

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	<p>communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child and determine a period for the duration of the temporary order.</p>	
Arkansas	<p><b>A.C.A. § 9-19-102(4)</b>            (4) "Child-custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term 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. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under subchapter 3 of this chapter.</p> <p><b>A.C.A. § 9-19-201</b>            (a) Except as otherwise provided in § 9-19-204 , a court of this state has jurisdiction to make an initial child-custody determination only if:</p> <p style="padding-left: 40px;">(1) this state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six (6) months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</p>	<p>A.C.A. § 9-19-205(a)            (a) Before a child-custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of § 9-19-108 must be given to all persons entitled to notice under the law of this state as in child-custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p>A.C.A. § 9-19-108(a)            (a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p> <p>AR R. Civ. P. 5(b)            (b)Service: How Made.            (1) Whenever under this rule or any statute service is required or permitted to be made upon a party represented</p>

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	<p>(2) a court of another state does not have jurisdiction under subdivision (a)(1) of this section, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under § 9-19-207 or § 9-19-208 , and:</p> <p>(A) the child and the child's parents, or the child and at least one (1) parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</p> <p>(B) substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</p> <p>(3) all courts having jurisdiction under subdivision (a)(1) or (2) of this section have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under § 9-19-207 or § 9-19-208 ; or</p> <p>(4) no court of any other state would have jurisdiction under the criteria specified in subdivision (a)(1), (2), or (3) of this section.</p> <p>(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child-custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child-custody determination.</p>	<p>by an attorney, the service shall be upon the attorney, except that service shall be upon the party if the court so orders or the action is one in which a final judgment has been entered and the court has continuing jurisdiction.</p> <p>(2) Except as provided in paragraph (3) of this subdivision, service upon the attorney or upon the party shall be made by delivering a copy to him or by sending it to him by regular mail or commercial delivery company at his last known address or, if no address is known, by leaving it with the clerk of the court. Delivery of a copy for purposes of this paragraph means handing it to the attorney or to the party; by leaving it at his office with his clerk or other person in charge thereof; or, if the office is closed or the person has no office, leaving it at his dwelling house or usual place of abode with some person residing therein who is at least 14 years of age. Service by mail is presumptively complete upon mailing, and service by commercial delivery company is presumptively complete upon depositing the papers with the company. When service is permitted upon an attorney, such service may be effected by electronic transmission, including e-mail, provided that the attorney being served has facilities within his or her office to receive and reproduce verbatim electronic transmissions. Service is complete upon transmission but is not effective if it does not reach the person to be served. Service by a commercial delivery company shall not be valid unless the company:</p>

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	<p><b>A.C.A. § 9-19-204 Temp. emergency jurisdiction</b></p> <p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(b) If there is no previous child-custody determination that is entitled to be enforced under this chapter, and a child-custody proceeding has not been commenced in a court of a state having jurisdiction under §§ 9-19-201 - 9-19-203 , a child-custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under §§ 9-19-201 - 9-19-203 . If a child-custody proceeding has not been or is not commenced in a court of a state having jurisdiction under §§ 9-19-201 - 9-19-203 , a child-custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.</p> <p>(c) If there is a previous child-custody determination that is entitled to be enforced under this chapter, or a child-custody proceeding has been commenced in a court of a state having jurisdiction under §§ 9-19-201 - 9-19-203 , any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having</p>	<p>(A) maintains permanent records of actual delivery, and (B) has been approved by the circuit court in which the action is filed or in the county where service is to be made.</p> <p>(3) If a final judgment or decree has been entered and the court has continuing jurisdiction, service upon a party by mail or commercial delivery company shall comply with the requirements of Rule 4(d)(8)(A) and (C), respectively.</p>

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	<p>jurisdiction under §§ 9-19-201 - 9-19-203 . The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this state which has been asked to make a child-custody determination under this section, upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of a state having jurisdiction under §§ 9-19-201 - 9-19-203 , shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to §§ 9-19-201 - 9-19-203 , upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
California	<p><b>Cal. Fam. Code § 3402(d)</b></p> <p>(d) "Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term includes a proceeding for dissolution of marriage, legal separation of the parties, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear.</p>	<p><b>Cal. Fam. Code § 3425(a)</b></p> <p>(a) Before a child custody determination is made under this part, notice and an opportunity to be heard in accordance with the standards of Section 3408 must be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p>

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	<p><b>Cal. Fam. Code § 3421</b></p> <p>(a) Except as otherwise provided in Section 3424, a court of this state has jurisdiction to make an initial child custody determination only if any of the following are true:</p> <p>(1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state.</p> <p>(2) A court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the grounds that this state is the more appropriate forum under Section 3427 or 3428, and both of the following are true:</p> <p>(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence</p> <p>(B) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships.</p> <p>(3) All courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to</p>	<p><b>Cal. Fam. Code § 3408(a)</b></p> <p>(a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p>

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	<p>determine the custody of the child under Section 3427 or 3428.</p> <p>(4) No court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).</p> <p>(b) Subdivision (a) is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Cal. Fam. Code § 3424 Temporary emergency jurisdiction</b></p> <p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to, or threatened with, mistreatment or abuse.</p> <p>(b) If there is no previous child custody determination that is entitled to be enforced under this part and a child custody proceeding has not been commenced in a court of a state having jurisdiction under Sections 3421 to 3423, inclusive, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under Sections 3421 to 3423, inclusive. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under Sections 3421 to 3423, inclusive, a child custody determination made under this</p>	

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	<p>section becomes a final determination, if it so provides and this state becomes the home state of the child.</p> <p>(c) If there is a previous child custody determination that is entitled to be enforced under this part, or a child custody proceeding has been commenced in a court of a state having jurisdiction under Sections 3421 to 3423, inclusive, any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under Sections 3421 to 3423, inclusive. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this state that has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under Sections 3421 to 3423, inclusive, shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to Sections 3421 to 3423, inclusive, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the</p>	

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	<p>emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p> <p>(e) It is the intent of the Legislature in enacting subdivision (a) that the grounds on which a court may exercise temporary emergency jurisdiction be expanded. It is further the intent of the Legislature that these grounds include those that existed under Section 3403 of the Family Code as that section read on December 31, 1999, particularly including cases involving domestic violence.</p>	
Colorado	<p><b>CO St. § 19-3-201</b></p> <p>(1) (a) Except as provided in paragraph (b) of this subsection (1), all proceedings brought under this article shall be commenced in the county in which the child resides or is present.</p> <p>(b) A county department, guardian ad litem, or other person filing a petition for reinstatement of the parent-child legal relationship as set forth in section 19-3-612 must file the petition for the reinstatement of the parent-child legal relationship in the county or city and county that has legal custody of the child.</p> <p>(1.5) For purposes of determining proper venue, a child who is placed in the legal custody of a county department shall be deemed for the entire period of placement to reside in the county in which the child's legal parent or guardian resides or is located, even if the child is physically residing in a foster care or residential facility located in another county. In such</p>	<p><b>CO St. § 19-3-201</b></p> <p>(1) The state department shall prepare, with the assistance of the attorney general, on a standardized written form, a detailed informational notice of rights and remedies for families subject to the provisions of this article.</p> <p>(2) The notice prepared pursuant to subsection (1) of this section shall be supplied to all social service and law enforcement agencies in the state and shall be delivered to all parents and families from whom children are removed under court order or by law enforcement personnel, along with a copy of the court order directing removal of the child or children from the home. In addition to the notification on the court order, the informational notice shall contain a statement as to the cause of the removal of the child or children. The notice shall also contain disclosure of the availability of the conflict resolution process to persons who are the subject of any child abuse or neglect report and to the parents, Indian</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>circumstance, if a child is placed out of the home, the court shall not transfer venue pursuant to subsection (2) of this section during the period of out-of-home placement to any county other than the county in which the child's legal parent or guardian resides or is located.</p> <p>(2) When proceedings are commenced under this article in a county other than that of the child's residence, the court in which proceedings were initiated may, on its own motion or on the motion of any interested party, transfer the case to the court in the county where the child's legal parent or guardian resides or is located unless any of the following circumstances exist:</p> <ul style="list-style-type: none"> <li>(a) The transfer would be detrimental to the best interests of the child;</li> <li>(b) Adjudication has taken place and the case has not been continued pursuant to section 19-3-505 (5);</li> <li>(c) The legal parent or guardian has a history of frequent moves unless there is evidence of stability in the most recent move indicating an intent to remain in the new residence for six or more months, such as the legal parent or guardian has signed a lease whose term is six or more months;</li> <li>(d) The case is likely to be closed within three to six months;</li> <li>(e) The transfer will disrupt continuity or provisions of services; or</li> <li>(f) The case is an expedited permanency planning case, unless the requirements of subsection (3) of this section</li> </ul>	<p>custodians, guardian, or legal custodian of a child who is the subject of any child abuse or neglect report. The standardized written notice form prepared pursuant to subsection (1) of this section shall also include a notification of rights of the parents, Indian custodians, guardians, or legal custodians of Indian children under the federal "Indian Child Welfare Act", 25 U.S.C. sec. 1901, et seq.</p> <p>(3) The notice prepared pursuant to subsection (1) of this section shall be available for public inspection at a review and comment hearing prior to its adoption.</p>

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	<p>have been met. Pursuant to subsection (3) of this section, the presumption that a transfer of the proceedings is not in the child's best interest has been rebutted by a preponderance of the evidence.</p> <p>(2.5) The county attorney of a county that files a motion to change venue pursuant to this section shall immediately provide notice of the motion to the proposed receiving county. Upon receipt of a motion to change venue, the court shall set a hearing to rule on the motion. The requesting county attorney shall provide fourteen days written notice of the hearing to the office of the county attorney in the proposed receiving county, who shall have a right to file responsive pleadings and appear at the hearing.</p> <p>(3) In a county designated pursuant to section 19-1-123, if the child is under six years of age at the time a petition is filed in accordance with section 19-3-501 (2), it shall be presumed that any transfer of proceedings pursuant to subsection (2) of this section without good cause shown that results in a delay in the judicial proceedings would be detrimental to the child's best interests. Such presumption may be rebutted by a preponderance of the evidence.</p> <p>(4) (a) An order granting a change of venue and transferring jurisdiction to the court in the county in which the child resides shall be effective fifteen days after the transferring court signs the order. Within thirty days after signing the order, the transferring court shall forward the court file, including</p>	

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	<p>originals or certified copies of all documents and reports, to the receiving court.</p> <p>(b) The order granting a change of venue and transferring jurisdiction shall include:</p> <p>(I) Notice to the receiving court of whether a respondent parent's counsel and the guardian ad litem appointed for the child will remain on the case. If a respondent parent's counsel or the guardian ad litem for the child will not remain on the case, the order shall inform the receiving court that the receiving court shall make a new appointment of counsel or guardian ad litem.</p> <p>(II) Notice that the transferring court shall vacate any existing hearing date after the effective date of the order.</p> <p>(5) When venue is transferred, as set forth in subsection (2) of this section, the receiving court shall proceed with the case as if the petition had been originally filed or adjudication had been originally made in that court. The receiving court shall hold an initial hearing in the case within thirty days after the effective date of the order granting a change of venue and transferring jurisdiction to the receiving court.</p> <p>(6) A motion for change of venue shall be made in writing and shall include a certification by the moving party that the moving party has complied with all statutory requirements. The motion for change of venue shall be mailed to all parties and</p>	

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	attorneys of record in the case and to the county attorney in the receiving county.	
Connecticut	<p><b>C.G.S. § 46b-115a(4)</b>            (4) "Child custody proceeding" means a proceeding in which legal custody, physical custody or visitation with respect to a child is an issue. The term includes a proceeding for dissolution of marriage, divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights and protection from domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, contractual emancipation or enforcement under sections 46b-115u to 46b-115gg , inclusive;</p> <p><b>C.G.S. § 46b-115k</b>            (a) Except as otherwise provided in section 46b-115n , a court of this state has jurisdiction to make an initial child custody determination if:</p> <ul style="list-style-type: none"> <li>(1) This state is the home state of the child on the date of the commencement of the child custody proceeding;</li> <li>(2) This state was the home state of the child within six months of the commencement of the child custody proceeding, the child is absent from the state, and a parent or a person acting as a parent continues to reside in this state;</li> <li>(3) A court of another state does not have jurisdiction under subdivisions (1) or (2) of this subsection, the child and at least one parent or person acting as a parent have a significant</li> </ul>	<p><b>C.G.S. § 46b-115o(a)</b>            (a) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standard established in section 46b-115g shall be given to the parties, any parent whose parental rights have not been previously terminated and any person who has physical custody of the child.</p> <p><b>C.G.S. § 46b-115g(a)</b>            (a) Notice required for the exercise of jurisdiction over a person outside this state shall be given in a manner reasonably calculated to give actual notice, and may be:</p> <ul style="list-style-type: none"> <li>(1) By personal delivery outside this state in the manner prescribed for service of process within this state;</li> <li>(2) in the manner prescribed by the law of the place in which the service is made for service of process in that place in an action in any of its courts of general jurisdiction;</li> <li>(3) any form of mail addressed to the person to be served and requesting a receipt; or</li> <li>(4) as directed by the court including publication, if other means of notification are ineffective.</li> </ul>

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	<p>connection with this state other than mere physical presence, and there is substantial evidence available in this state concerning the child's care, protection, training and personal relationships;</p> <p>(4) A court of another state which is the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under a provision substantially similar to section 46b-115q or section 46b-115r, the child and at least one parent or person acting as a parent have a significant connection with this state other than mere physical presence, and there is substantial evidence available in this state concerning the child's care, protection, training and personal relationships;</p> <p>(5) All courts having jurisdiction under subdivisions (1) to (4), inclusive, of this subsection have declined jurisdiction on the ground that a court of this state is the more appropriate forum to determine custody under a provision substantially similar to section 46b-115q or section 46b-115r ; or</p> <p>(6) No court of any other state would have jurisdiction under subdivisions (1) to (5), inclusive, of this subsection.</p> <p>(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p><b>C.G.S. § 46b-115n Temporary emergency jurisdiction</b></p> <p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and (1) the child has been abandoned, or (2) it is necessary in an emergency to protect the child because the child, a sibling or a parent has been, or is under a threat of being, abused or mistreated. As used in this subsection with respect to a child, "abused" has the same meaning as provided in section 46b-120 .</p> <p>(b) If there is no previous child custody determination that is enforceable under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under a provision substantially similar to section 46b-115k , 46b-115l or 46b-115m , a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under a provision substantially similar to section 46b-115k , 46b-115l or 46b-115m . A child custody determination made under this section shall be a final determination if:</p> <ul style="list-style-type: none"> <li>(1) A child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under a provision substantially similar to section 46b-115k , 46b-115l or 46b-115m ;</li> <li>(2) this state has become the home state of the child; and</li> <li>(3) the child custody determination provides that it is a final determination.</li> </ul>	

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	<p>(c) If there is a previous child custody determination that is enforceable under this chapter or if a child custody proceeding has been commenced in a court of a state having jurisdiction under a provision substantially similar to section 46b-115k , 46b-115l or 46b-115m , the court of this state which issues an order pursuant to this section shall specify that such order is effective for a period of time which the court deems adequate to allow the person seeking an order to obtain such order from the other state which has jurisdiction. Such order shall be effective for that period of time specified in the order or until an order is obtained from the other state whichever occurs first.</p> <p>(d) If the court, in any proceeding commenced pursuant to this section, is informed that a child custody proceeding has been commenced, or that a child custody determination has been made, by a court of another state having jurisdiction pursuant to a provision substantially similar to section 46b-115k , 46b-115l or 46b-115m , such court shall immediately communicate with the court of the other state and take appropriate action, including the making of temporary orders for a specified period of time, to resolve the emergency and to protect the safety of the child and the parties.</p>	
Delaware	<p><b>13 Del. C. § 1902(4)</b></p> <p>(4) "Child custody proceeding" means a proceeding in which legal custody, physical custody or visitation with respect to a child is an issue. The term includes a proceeding for divorce, separation, neglect, abuse, dependency, guardianship,</p>	<p><b>13 Del. C. § 1924(a)</b></p> <p>(a) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of § 1908 of this title must be given to all persons entitled to notice under the law of this State as in child</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>paternity, termination of parental rights and protection from domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, contractual emancipation or enforcement under subchapter III of this chapter.</p> <p><b>13 Del. C. § 1920</b>            (a) Except as otherwise provided in § 1923 of this title, a court of this State has jurisdiction to make an initial child custody determination only if:</p> <p>(1) This State is the home state of the child on the date of the commencement of the proceeding or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State;</p> <p>(2) A court of another state does not have jurisdiction under paragraph (1) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this State is the more appropriate forum under § 1926 or § 1927 of this title; and</p> <p>a. The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this State other than mere physical presence; and</p>	<p>custody proceedings between residents of this State, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>13 Del. C. § 1908(a)</b>            (a) Notice required for the exercise of jurisdiction when a person is outside this State may be given in a manner prescribed by the law of this State for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>b. Substantial evidence is available in this State concerning the child's care, protection, training, and personal relationships;</p> <p>(3) All courts having jurisdiction under paragraph (1) or (2) of this subsection have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine the custody of the child under § 1926 or § 1927 of this title; or</p> <p>(4) No court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2) or (3) of this subsection.</p> <p>(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this State.</p> <p>(c) Physical presence of or personal jurisdiction over a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>13 Del. C. § 1923 Temporary emergency jurisdiction</b></p> <p>(a) A court of this State has temporary emergency jurisdiction if the child is present in this State and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(b) If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>proceeding has not been commenced in a court of a state having jurisdiction under §§ 1920-1922 of this title a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under §§ 1920-1922 of this title. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under §§ 1920-1922 of this title, a child custody determination made under this section becomes a final determination if it so provides and this State becomes the home state of the child.</p> <p>(c) If there is a previous child custody determination that is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under §§ 1920-1922 of this title, any order issued by a court of this State under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under §§ 1920-1922 of this title. The order issued in this State remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this State which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of a state having jurisdiction under §§ 1920-1922 of this title, shall immediately communicate with the other court. A court of this</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>State which is exercising jurisdiction pursuant to §§ 1920-1922 of this title, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of another state under a statute similar to this section, shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
<p>Florida</p>	<p><b>Fla. Stat. 39.013</b>            (2) The circuit court has exclusive original jurisdiction of all proceedings under this chapter, of a child voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, or the department, and of the adoption of children whose parental rights have been terminated under this chapter. Jurisdiction attaches when the initial shelter petition, dependency petition, or termination of parental rights petition, or a petition for an injunction to prevent child abuse issued pursuant to s. 39.504, is filed or when a child is taken into the custody of the department. The circuit court may assume jurisdiction over any such proceeding regardless of whether the child was in the physical custody of both parents, was in the sole legal or physical custody of only one parent, caregiver, or some other person, or was not in the physical or legal custody of any person when the event or condition occurred that brought the child to the attention of the court. When the court obtains jurisdiction of any child who has been found to be</p>	<p><b>Fla. Stat. 39.502</b>            (1) Unless parental rights have been terminated, all parents must be notified of all proceedings or hearings involving the child. Notice in cases involving shelter hearings and hearings resulting from medical emergencies must be that most likely to result in actual notice to the parents. In all other dependency proceedings, notice must be provided in accordance with subsections (4)-(9), except when a relative requests notification pursuant to s. 39.301(14)(b), in which case notice shall be provided pursuant to subsection (19).            (2) Personal appearance of any person in a hearing before the court obviates the necessity of serving process on that person.            (3) Upon the filing of a petition containing allegations of facts which, if true, would establish that the child is a dependent child, and upon the request of the petitioner, the clerk or deputy clerk shall issue a summons.            (4) The summons shall require the person on whom it is served to appear for a hearing at a time and place specified, not less</p>

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	<p>dependent, the court shall retain jurisdiction, unless relinquished by its order, until the child reaches 21 years of age, or 22 years of age if the child has a disability, with the following exceptions:</p> <ul style="list-style-type: none"> <li>a) If a young adult chooses to leave foster care upon reaching 18 years of age.</li> <li>b) If a young adult does not meet the eligibility requirements to remain in foster care under s. 39.6251 or chooses to leave care under that section.</li> <li>c) If a young adult petitions the court at any time before his or her 19th birthday requesting the court’s continued jurisdiction, the juvenile court may retain jurisdiction under this chapter for a period not to exceed 1 year following the young adult’s 18th birthday for the purpose of determining whether appropriate services that were required to be provided to the young adult before reaching 18 years of age have been provided.</li> </ul> <p>If a petition for special immigrant juvenile status and an application for adjustment of status have been filed on behalf of a foster child and the petition and application have not been granted by the time the child reaches 18 years of age, the court may retain jurisdiction over the dependency case solely for the purpose of allowing the continued consideration of the petition and application by federal authorities. Review hearings for the child shall be set solely for the purpose of determining the status of the petition and application. The court’s jurisdiction</p>	<p>than 72 hours after service of the summons. A copy of the petition shall be attached to the summons.</p> <p>(5) The summons shall be directed to, and shall be served upon, all parties other than the petitioner.</p> <p>(6) It is the duty of the petitioner or moving party to notify all participants and parties known to the petitioner or moving party of all hearings subsequent to the initial hearing unless notice is contained in prior court orders and these orders were provided to the participant or party. Proof of notice or provision of orders may be provided by certified mail with a signed return receipt.</p> <p>(7) Service of the summons and service of pleadings, papers, and notices subsequent to the summons on persons outside this state must be made pursuant to s. 61.509.</p> <p>(8) It is not necessary to the validity of a proceeding covered by this part that the parents be present if their identity or residence is unknown after a diligent search has been made, but in this event the petitioner shall file an affidavit of diligent search prepared by the person who made the search and inquiry, and the court may appoint a guardian ad litem for the child.</p> <p>(9) When an affidavit of diligent search has been filed under subsection (8), the petitioner shall continue to search for and attempt to serve the person sought until excused from further search by the court. The petitioner shall report on the results of the search at each court hearing until the person is identified or</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>terminates upon the final decision of the federal authorities. Retention of jurisdiction in this instance does not affect the services available to a young adult under s. 409.1451. The court may not retain jurisdiction of the case after the immigrant child’s 22nd birthday.</p>	<p>located or further search is excused by the court.</p> <p>(10) Service by publication shall not be required for dependency hearings and the failure to serve a party or give notice to a participant shall not affect the validity of an order of adjudication or disposition if the court finds that the petitioner has completed a diligent search for that party.</p> <p>(11) Upon the application of a party or the petitioner, the clerk or deputy clerk shall issue, and the court on its own motion may issue, subpoenas requiring attendance and testimony of witnesses and production of records, documents, and other tangible objects at any hearing.</p> <p>(12) All process and orders issued by the court shall be served or executed as other process and orders of the circuit court and, in addition, may be served or executed by authorized agents of the department or the guardian ad litem.</p> <p>(13) Subpoenas may be served within the state by any person over 18 years of age who is not a party to the proceeding and, in addition, may be served by authorized agents of the department or the guardian ad litem.</p> <p>(14) No fee shall be paid for service of any process or other papers by an agent of the department or the guardian ad litem. If any process, orders, or any other papers are served or executed by any sheriff, the sheriff’s fees shall be paid by the county.</p> <p>(15) A party who is identified as a person who has a mental illness or a developmental disability must be informed by the</p>

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		<p>court of the availability of advocacy services through the department, the Arc of Florida, or other appropriate mental health or developmental disability advocacy groups and encouraged to seek such services.</p> <p>(16) If the party to whom an order is directed is present or represented at the final hearing, service of the order is not required.</p> <p>(17) The parent or legal custodian of the child, the attorney for the department, the guardian ad litem, the foster or preadoptive parents, and all other parties and participants shall be given reasonable notice of all proceedings and hearings provided for under this part. All foster or preadoptive parents must be provided with at least 72 hours’ notice, verbally or in writing, of all proceedings or hearings relating to children in their care or children they are seeking to adopt to ensure the ability to provide input to the court.</p> <p>(18) In all proceedings under this part, the court shall provide to the parent or legal custodian of the child, at the conclusion of any hearing, a written notice containing the date of the next scheduled hearing. The court shall also include the date of the next hearing in any order issued by the court.</p> <p>(19) In all proceedings and hearings under this chapter, the attorney for the department shall notify, orally or in writing, a relative requesting notification pursuant to s. 39.301(14)(b) of the date, time, and location of such proceedings and hearings, and notify the relative that he or she has the right to attend all</p>

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		subsequent proceedings and hearings, to submit reports to the court, and to speak to the court regarding the child, if the relative so desires. The court has the discretion to release the attorney for the department from notifying a relative who requested notification pursuant to s. 39.301(14)(b) if the relative’s involvement is determined to be impeding the dependency process or detrimental to the child’s well-being.
Georgia	<p><b>O.C.G.A. § 15-11-150</b> Although dependency actions are generally initiated by the Division of Family and Children Services, “any person who has actual knowledge of the abuse, neglect, or abandonment of a child or is informed of the abuse, neglect, or abandonment of a child that he or she believes to be truthful may make a petition alleging dependency.”</p> <p><b>GA Code § 15-11-10</b> Except as provided in Code Section 15-11-560, the juvenile court shall have exclusive original jurisdiction over juvenile matters and shall be the sole court for initiating action: (1) Concerning any child who:                      (A) Is alleged to be a delinquent child;                      (B) Is alleged to be a child in need of services;                      (C) Is alleged to be a dependent child;                      (D) Is alleged to be in need of treatment or commitment as a mentally ill or developmentally disabled child;                      (E) Has been placed under the supervision of the court or on</p>	<p><b>GA Code § 15-11-152</b> A petition alleging dependency shall be verified and may rely on information and belief and shall set forth plainly and with particularity:                      (1) The facts which bring a child within the jurisdiction of the court, with a statement that it is in the best interests of the child and the public that the proceeding be brought;                      (2) The name, date of birth, and residence address of the child named in the petition;                      (3) The name and residence address of the parent, guardian, or legal custodian of the child named in the petition; or, if such child's parent, guardian, or legal custodian does not reside or cannot be found within the state or if such place of residence address is unknown, the name of any known adult relative of such child residing within the county or, if there is none, the known adult relative of such child residing nearest to the location of the court;                      (4) Whether the child named in the petition is in protective custody and, if so, the place of his or her foster care and the</p>

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	<p>probation to the court; provided, however, that such jurisdiction shall be for the purpose of completing, effectuating, and enforcing such supervision or a probation begun either prior to such child's seventeenth birthday if the order is entered as a disposition for an adjudication for delinquency or prior to such child's eighteenth birthday if the order is entered for an adjudication for a child in need of services;</p> <p>(F) Has remained in foster care after such child's eighteenth birthday or who is receiving independent living services from DFCS after such child's eighteenth birthday; provided, however, that such jurisdiction shall be for the purpose of reviewing the status of such child and the services being provided to such child as a result of such child's independent living plan or status as a child in foster care; or</p> <p>(G) Requires a comprehensive services plan in accordance with Code Section 15-11-658;</p> <p>(2) Concerning any individual under the age of 17 years alleged to have committed a juvenile traffic offense as defined in Code Section 15-11-630; or</p> <p>(3) Involving any proceedings:</p> <p>(A) For obtaining judicial consent to the marriage, employment, or enlistment in the armed services of any child if such consent is required by law;</p> <p>(B) For permanent guardianship brought pursuant to the provisions of Article 3 of this chapter;</p>	<p>time such child was taken into protective custody; and</p> <p>(5) Whether any of the information required by this Code section is unknown.</p> <p><b>GA Code § 15-11-161</b></p> <p>(a) If a party to be served with a summons is within this state and can be found, the summons shall be served upon him or her personally as soon as possible and at least 72 hours before the adjudication hearing.</p> <p>(b) If a party to be served is within this state and cannot be found but his or her address is known or can be ascertained with due diligence, the summons shall be served upon such party at least five days before the adjudication hearing by mailing him or her a copy by registered or certified mail or statutory overnight delivery, return receipt requested.</p> <p>(c) If a party to be served is outside this state but his or her address is known or can be ascertained with due diligence, service of the summons shall be made at least five days before the adjudication hearing either by delivering a copy to such party personally or by mailing a copy to him or her by registered or certified mail or statutory overnight delivery, return receipt requested.</p> <p>(d) If, after due diligence, a party to be served with a summons cannot be found and such party's address cannot be ascertained, whether he or she is within or outside this state, the court may order service of the summons upon him or her</p>

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	<p>(C) Under Chapter 4B of Title 49, the Interstate Compact for Juveniles, or any comparable law, enacted or adopted in this state;</p> <p>(D) For the termination of the legal parent-child relationship and the rights of the biological father who is not the legal father of the child in accordance with Article 4 of this chapter; provided, however, that such jurisdiction shall not affect the superior court's exclusive jurisdiction to terminate the legal parent-child relationship and the rights of a biological father who is not the legal father of the child as set forth in Chapters 6 through 9 of Title 19;</p> <p>(E) For emancipation brought pursuant to the provisions of Article 10 of this chapter;</p> <p>(F) Under Article 8 of this chapter, relating to prior notice to a parent, guardian, or legal custodian relative to an unemancipated minor's decision to seek an abortion; or</p> <p>(G) Brought by a local board of education pursuant to Code Section 20-2-766.1, relating to court orders requiring that a parent, guardian, or legal custodian attend a conference or participate in programs or treatment to improve a student's behavior.</p>	<p>by publication. The adjudication hearing shall not be earlier than five days after the date of the last publication.</p> <p>(e)</p> <p>(1) Service by publication shall be made once a week for four consecutive weeks in the official organ of the county where the petition alleging dependency has been filed. Service shall be deemed complete upon the date of the last publication.</p> <p>(2) When served by publication, the notice shall contain the names of the parties, except that the anonymity of a child shall be preserved by the use of appropriate initials, and the date the petition alleging dependency was filed. The notice shall indicate the general nature of the allegations and where a copy of the petition alleging dependency can be obtained and require the party to be served by publication to appear before the court at the time fixed to answer the allegations of the petition alleging dependency.</p> <p>(3) Within 15 days after the filing of the order of service by publication, the clerk of court shall mail a copy of the notice, a copy of the order of service by publication, and a copy of the petition alleging dependency to the last known address of the party being served by publication.</p> <p>(f) Service of the summons may be made by any suitable person under the direction of the court.</p> <p>(g) The court may authorize the payment from county funds of the costs of service and of necessary travel expenses incurred</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
<p>Illinois</p>	<p><i>Abused, Neglected or Dependent Minors</i>  <b>705 Ill. Comp. Stat. Ann. 405/2-1</b>            Proceedings may be instituted under the provisions of this Article concerning boys and girls who are abused, neglected or dependent, as defined in Sections 2-3 or 2-4.</p> <p><b>705 Ill. Comp. Stat. Ann. 405/2-2</b>            (1) Venue under this Article lies in the county where the minor resides or is found.            (2) If proceedings are commenced in any county other than that of the minor's residence, the court in which the proceedings were initiated may at any time before or after adjudication of wardship transfer the case to the county of the minor's residence by transmitting to the court in that county an authenticated copy of the court record, including all documents, petitions and orders filed therein, and the minute orders and docket entries of the court. Transfer in like manner may be made in the event of a change of residence from one county to another of a minor concerning whom proceedings are pending.</p> <p><b>705 Ill. Comp. Stat. Ann. 405/3-1</b>            Proceedings may be instituted under this Article concerning boys and girls who require authoritative intervention as defined</p>	<p>by persons summoned or otherwise required to appear at the hearing.</p> <p><i>Summons under the Juvenile Court Act of 1987.</i>  <b>See 705 Ill. Comp. Stat. Ann. 405/2-15, 405/3-17, 405/4-14</b>            When a petition is filed, the clerk of the court shall issue a summons with a copy of the petition attached. The summons shall be directed to the minor's legal guardian or custodian and to each person named as a respondent in the petition, except that summons need not be directed to a minor respondent under 8 years of age for whom the court appoints a guardian ad litem if the guardian ad litem appears on behalf of the minor in any proceeding under this Act.</p> <p>Service of a summons and petition shall be made by: (a) leaving a copy thereof with the person summoned at least 3 days before the time stated therein for appearance; (b) leaving a copy at his usual place of abode with some person of the family, of the age of 10 years or upwards, and informing that person of the contents thereof, provided that the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the person summoned at his usual place of abode, at least 3 days before the time stated therein for appearance; or (c) leaving a copy thereof with the guardian or custodian of a minor, at least 3 days before the time stated therein for appearance. If the guardian or custodian is an</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>in Section 3-3, who are truant minors in need of supervision as defined in Section 3-33.5, or who are minors involved in electronic dissemination of indecent visual depictions in need of supervision as defined in Section 3-40.</p> <p><b>705 Ill. Comp. Stat. Ann. 405/3-2</b>            (1) Venue under this Article lies in the county where the minor resides or is found.            (2) If proceedings are commenced in any county other than that of the minor's residence, the court in which the proceedings were initiated may at any time before or after adjudication of wardship transfer the case to the county of the minor's residence by transmitting to the court in that county an authenticated copy of the court record, including all documents, petitions and orders filed therein, and the minute orders and docket entries of the court. Transfer in like manner may be made in the event of a change of residence from one county to another of a minor concerning whom proceedings are pending.</p> <p><b>705 Ill. Comp. Stat. Ann. 405/4-1</b>            Proceedings may be instituted under the provisions of this Article concerning boys and girls who are addicted as defined in Section 4-3.</p> <p><b>705 Ill. Comp. Stat. Ann. 405/4-2</b></p>	<p>agency of the State of Illinois, proper service may be made by leaving a copy of the summons and petition with any administrative employee of such agency designated by such agency to accept service of summons and petitions. The certificate of the officer or affidavit of the person that he has sent the copy pursuant to this Section is sufficient proof of service.</p> <p><i>Notice by Certified Mail or Publication.</i>  <b>See 705 Ill. Comp. Stat. Ann. 405/2-16, 405/3-18, 405/4-15</b>            If service on individuals as provided above is not made on any respondent within a reasonable time or if it appears that any respondent resides outside the State, service may be made by certified mail. In such case the clerk shall mail the summons and a copy of the petition to that respondent by certified mail marked for delivery to addressee only. The court shall not proceed with the adjudicatory hearing until 5 days after such mailing. The regular return receipt for certified mail is sufficient proof of service.</p> <p>If service upon individuals as provided above is not made on any respondents within a reasonable time or if any person is made a respondent under the designation of "All whom it may Concern", or if service cannot be made because the whereabouts of a respondent are unknown, service may be made by publication. The clerk of the court as soon as possible</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(1) Venue under this Article lies in the county where the minor resides or is found.</p> <p>(2) If proceedings are commenced in any county other than that of the minor's residence, the court in which the proceedings were initiated may at any time before or after adjudication of wardship transfer the case to the county of the minor's residence by transmitting to the court in that county an authenticated copy of the court record, including all documents, petitions and orders filed therein, and the minute orders and docket entries of the court. Transfer in like manner may be made in the event of a change of residence from one county to another of a minor concerning whom proceedings are pending.</p>	<p>shall cause publication to be made once in a newspaper of general circulation in the county where the action is pending. Notice by publication is not required in any case when the person alleged to have legal custody of the minor has been served with summons personally or by certified mail, but the court may not enter any order or judgment against any person who cannot be served with process other than by publication unless notice by publication is given or unless that person appears. When a minor has been sheltered under Section 4-6 of this Act and summons has not been served personally or by certified mail within 20 days from the date of the order of court directing such shelter care, the clerk of the court shall cause publication.</p> <p><i>Notice to the Putative Father.</i></p> <p><b>See 705 III. Comp. Stat. Ann. 405/2-30, 405/3-31, 405/4-28</b></p> <p>Upon the written request to any Clerk of any Circuit Court by any interested party, including persons intending to adopt a child, a child welfare agency with whom the mother has placed or has given written notice of her intention to place a child for adoption, the mother of a child, or any attorney representing an interested party, a notice may be served on a putative father in the same manner as Summons is served in other proceedings under this Act, or in lieu of personal service, service may be made as follows:</p> <p>(a) The person requesting notice shall furnish to the Clerk an</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>original and one copy of a notice together with an Affidavit setting forth the putative father's last known address. The original notice shall be retained by the Clerk.</p> <p>(b) The Clerk forthwith shall mail to the putative father, at the address appearing in the Affidavit, the copy of the notice, certified mail, return receipt requested; the envelope and return receipt shall bear the return address of the Clerk. The receipt for certified mail shall state the name and address of the addressee, and the date of mailing, and shall be attached to the original notice.</p> <p>(c) The return receipt, when returned to the Clerk, shall be attached to the original notice, and shall constitute proof of service.</p> <p>(d) The Clerk shall note the fact of service in a permanent record.</p>
Indiana	<p><b>I.C. § 31-21-2-5</b></p> <p>(a) "Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term includes a proceeding for:</p> <ol style="list-style-type: none"> <li>(1) dissolution of marriage or legal separation;</li> <li>(2) child abuse or neglect;</li> <li>(3) guardianship;</li> <li>(4) paternity;</li> <li>(5) termination of parental rights; and</li> <li>(6) protection from domestic violence;</li> </ol> <p>in which the issue of child custody or visitation may appear.</p>	<p><b>I.C. § 31-21-5-5(a)</b></p> <p>(a) Before a child custody determination is made under this article, notice and an opportunity to be heard in accordance with the standards of IC 31-21-3-3 must be given to the following persons:</p> <ol style="list-style-type: none"> <li>(1) Persons entitled to notice under Indiana law as in child custody proceedings between residents of Indiana.</li> <li>(2) A parent whose parental rights have not been previously terminated.</li> <li>(3) Any person having physical custody of the child.</li> </ol>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(b) The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement of child custody under IC 31-21-6 .</p> <p><b>I.C. § 31-21-5-1</b></p> <p>(a) Except as otherwise provided in section 4 of this chapter, an Indiana court has jurisdiction to make an initial child custody determination only if one (1) of the following applies:</p> <p>(1) Indiana is the home state of the child on the date of the commencement of the proceeding or was the home state of the child within six (6) months before the commencement of the proceeding, and the child is absent from Indiana but a parent or person acting as a parent continues to live in Indiana.</p> <p>(2) A court of another state does not have jurisdiction under subdivision (1) or a court of the home state of the child has declined to exercise jurisdiction on the ground that Indiana is the more appropriate forum under section 8 or 9 of this chapter, and:</p> <p>(A) the child and the child's parents, or the child and at least one (1) parent or person acting as a parent, have a significant connection with Indiana other than mere physical presence; and</p> <p>(B) substantial evidence is available in Indiana concerning the child's care, protection, training, and personal relationships.</p>	<p><b>I.C. § 31-21-3-3(a)</b></p> <p>(a) Notice required for the exercise of jurisdiction when a person is outside Indiana may be given in a manner prescribed by:</p> <p>(1) Indiana law for service of process; or</p> <p>(2) the law of the state in which the service is made.</p> <p>Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective</p> <p><b>Indiana Rules of Trial Procedure, Rule 4.1.</b></p> <p>(A) In General. Service may be made upon an individual, or an individual acting in a representative capacity, by:</p> <p>(1) sending a copy of the summons and complaint by registered or certified mail or other public means by which a written acknowledgment of receipt may be requested and obtained to his residence, place of business or employment with return receipt requested and returned showing receipt of the letter; or</p> <p>(2) delivering a copy of the summons and complaint to him personally; or</p> <p>(3) leaving a copy of the summons and complaint at his dwelling house or usual place of abode; or</p> <p>(4) serving his agent as provided by rule, statute or valid agreement.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(3) All courts having jurisdiction under subdivision (1) or (2) have declined to exercise jurisdiction on the ground that an Indiana court is the more appropriate forum to determine the custody of the child under section 8 or 9 of this chapter.</p> <p>(4) No court of any other state would have jurisdiction under the criteria specified in subdivision (1), (2), or (3).</p> <p>(b) The jurisdictional requirements described in this section provide the exclusive jurisdictional basis for making a child custody determination by an Indiana court.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>I.C. § 31-21-5-4 Temporary emergency jurisdiction</b></p> <p>(a) An Indiana court has temporary emergency jurisdiction if the child is present in Indiana and:</p> <ul style="list-style-type: none"> <li>(1) the child has been abandoned; or</li> <li>(2) it is necessary in an emergency to protect the child because: <ul style="list-style-type: none"> <li>(A) the child;</li> <li>(B) the child's sibling; or</li> <li>(C) the child's parent;</li> </ul> </li> </ul> <p>is subjected to or threatened with mistreatment or abuse.</p> <p>(b) If:</p> <ul style="list-style-type: none"> <li>(1) there is no previous child custody determination that is entitled to be enforced under this article; and</li> </ul>	<p>(B) Copy Service to Be Followed With Mail. Whenever service is made under Clause (3) or (4) of subdivision (A), the person making the service also shall send by first class mail, a copy of the summons and the complaint to the last known address of the person being served, and this fact shall be shown upon the return.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(2) a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 1 through 3 of this chapter;                      a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under sections 1 through 3 of this chapter.</p> <p>(c) If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under sections 1 through 3 of this chapter, a child custody determination made under this section becomes a final determination, and, if it so provides, Indiana becomes the home state of the child.</p> <p>(d) If:</p> <p>(1) there is a previous child custody determination that is entitled to be enforced under this article; or</p> <p>(2) a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 1 through 3 of this chapter;                      an order issued by an Indiana court under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under sections 1 through 3 of this chapter.</p> <p>(e) The order issued in Indiana remains in effect until an order is obtained from the other state within the period specified or the period expires.</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(f) An Indiana court that has been asked to make a child custody determination under this section, on being informed that:</p> <ul style="list-style-type: none"> <li>(1) a child custody proceeding has been commenced in; or</li> <li>(2) a child custody determination has been made by; a court of a state having jurisdiction under sections 1 through 3 of this chapter, shall immediately communicate with the other court.</li> </ul> <p>(g) An Indiana court that is exercising jurisdiction under sections 1 through 3 of this chapter, on being informed that:</p> <ul style="list-style-type: none"> <li>(1) a child custody proceeding has been commenced in; or</li> <li>(2) a child custody determination has been made by; a court of another state under a statute similar to this section, shall immediately communicate with the court of the other state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</li> </ul>	
Iowa	<p><b>I.C.A. 232.61. Jurisdiction</b></p> <ol style="list-style-type: none"> <li>1. The juvenile court shall have exclusive jurisdiction over proceedings under this chapter alleging that a child is a child in need of assistance.</li> <li>2. In determining such jurisdiction the age and marital status of the child at the time the proceedings are initiated is controlling.</li> </ol> <p><b>I.C.A. 232.72. Jurisdiction—transfer</b></p>	<p><b>Iowa Code § 232.88</b></p> <p>After a petition has been filed, the court shall issue and serve summons, subpoenas, and other process in the same manner as for adjudicatory hearings in cases of juvenile delinquency as provided in section 232.37 . Reasonable notice shall be provided to the persons required to be provided notice under section 232.37 , except that notice shall be waived regarding a person who was notified of the adjudicatory hearing and who failed to appear. In addition, reasonable notice for any hearing</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>1. For the purposes of this division, the terms “department of human services”, “department”, or “county attorney” ordinarily refer to the service area or local office of the department of human services or of the county attorney's office serving the county in which the child's home is located.</p> <p>2. If the person making a report of child abuse pursuant to this chapter does not know where the child's home is located, or if the child's home is not located in the service area where the health practitioner examines, attends, or treats the child, the report may be made to the department or to the local office serving the county where the person making the report resides or the county where the health practitioner examines, attends, or treats the child. These agencies shall promptly proceed as provided in section 232.71B, unless the matter is transferred as provided in this section.</p> <p>3. If the child's home is located in a county not served by the office receiving the report, the department shall promptly transfer the matter by transmitting a copy of the report of injury and any other pertinent information to the office and the county attorney serving the other county. They shall promptly proceed as provided in section 232.71B.</p>	<p>under this subchapter shall be provided to the agency, facility, institution, or person, including a foster parent, relative, or other individual providing preadoptive care, with whom a child has been placed.</p> <p><b>Iowa Code § 232.37</b></p> <p>1. After a petition has been filed the court shall set a time for an adjudicatory hearing and unless the parties named in subsection 2 voluntarily appear, shall issue a summons requiring the child to appear before the court at a time and place stated and requiring the person who has custody or control of the child to appear before the court and to bring the child with the person at that time. The summons shall attach a copy of the petition and shall give notification of the right to counsel provided for in section 232.11 .</p> <p>2. Notice of the pendency of the case shall be served upon the known parents, guardians or legal custodians of a child if these persons are not summoned to appear as provided in subsection 1. Notice shall also be served upon the child and upon the child's guardian ad litem, if any. The notice shall attach a copy of the petition and shall give notification of the right to counsel provided for in section 232.11 .</p> <p>3. Upon request of the child who is identified in the petition as a party to the proceeding, the child's parent, guardian , or custodian ; or a county attorney ; or on the court's own motion, the court or the clerk of the court shall issue subpoenas</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>requiring the attendance and testimony of witnesses and production of papers at any hearing under this subchapter .</p> <p>4. Service of summons or notice shall be made personally by the sheriff by delivering a copy of the summons or notice to the person being served. If the court determines that personal service of a summons or notice is impracticable, the court may order service by certified mail addressed to the last known address , or by electronic mail or other electronic means with the consent of the party to be served . Service of summons or notice shall be made not less than five days before the time fixed for hearing. Service of summons, notice, subpoenas or other process, after an initial valid summons or notice, shall be made in accordance with the rules of the court governing such service in civil actions.</p> <p>5. If a person personally served with a summons or subpoena fails without reasonable cause to appear or to bring the child, the person may be proceeded against for contempt of court or the court may issue an order for the arrest of such person or both the arrest of the person and the taking into custody of the child.</p> <p>6. The court may issue an order for the removal of the child from the custody of the child's parent, guardian , or custodian when there exists an immediate threat that the parent, guardian , or custodian will flee the state with the child, or when it appears that the child's immediate removal is necessary to avoid imminent danger to the child's life or health.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
Kansas	<p><b>K.S.A. § 23-37,102(5)</b> (5) "Child-custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term 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. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under K.S.A. 2019 Supp. 23-37,301 through 23-37,317 , and amendments thereto.</p> <p><b>K.S.A. § 23-37,201</b> (a) Except as otherwise provided in K.S.A. 2019 Supp. 23-37,204, and amendments thereto, a court of this state has jurisdiction to make an initial child-custody determination only if:</p> <ul style="list-style-type: none"> <li>(1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</li> <li>(2) a court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state</li> </ul>	<p><b>K.S.A. § 23-37,205(a)</b> (a) Before a child-custody determination is made under this act, notice and an opportunity to be heard in accordance with the standards of K.S.A. 2019 Supp. 23-37,108 , and amendments thereto, must be given to all persons entitled to notice under the law of this state as in child-custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>K.S.A. § 23-37,108(a)</b> (a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>is the more appropriate forum under K.S.A. 2019 Supp. 23-37,207 or 23-37,208 , and amendments thereto, and:</p> <p>(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</p> <p>(B) substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</p> <p>(3) all courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under K.S.A. 2019 Supp. 23-37,207 or 23-37,208 , and amendments thereto; or</p> <p>(4) no court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).</p> <p>(b) Subsection (a) is the exclusive jurisdictional basis for making a child-custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child-custody determination.</p> <p><b>K.S.A. § 23-37,204 Temporary emergency jurisdiction</b></p> <p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(b) If there is no previous child-custody determination that is entitled to be enforced under this act and a child-custody proceeding has not been commenced in a court of a state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto, a child-custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto. If a child-custody proceeding has not been or is not commenced in a court of a state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto, a child-custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.</p> <p>(c) If there is a previous child-custody determination that is entitled to be enforced under this act, or a child-custody proceeding has been commenced in a court of a state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto, any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>37,203 , and amendments thereto. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this state which has been asked to make a child-custody determination under this section, upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of a state having jurisdiction under K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto, shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to K.S.A. 2019 Supp. 23-37,201 through 23-37,203 , and amendments thereto, upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
Kentucky	<p><b>KY Rev. Stats. § 620.027</b></p> <p>The District Court has jurisdiction, concurrent with that of the Circuit Court, to determine matters of child custody and visitation in cases that come before the District Court where the need for a permanent placement and custody order is established as set forth in this chapter. The District Court, in making these determinations, shall utilize the provisions of KRS</p>	<p><b>KY Fam. Ct. R. Prac. P. 18(1)</b></p> <p>A copy of the petition and summons, and an emergency custody order, if any, shall be served upon parents or persons exercising custodial control or supervision or who have been awarded legal custody by a court or claims a right to legal custody under the law of this state. It may be served by any</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	Chapter 403 relating to child custody and visitation. In any case where the child is actually residing with a grandparent in a stable relationship, the court may recognize the grandparent as having the same standing as a parent for evaluating what custody arrangements are in the best interest of the child.	person authorized to serve process except the state child protective service agency.
Louisiana	<p><b>LSA-Ch.C. Art. 303</b> Exclusive jurisdiction over children, youth, and minors. A juvenile court has original jurisdiction over: child in need of care proceedings pursuant to Title VI (See LSA—Ch.C. Art. 601 below).</p> <p><b>LSA-Ch.C. Art. 601</b> The purpose of this Title is to protect children whose physical or mental health and welfare is substantially at risk of harm by physical abuse, neglect, or exploitation and who may be further threatened by the conduct of others, by providing for the reporting of suspected cases of abuse, exploitation, or neglect of children; by providing for the investigation of such complaints; and by providing, if necessary, for the resolution of child in need of care proceedings in the courts.</p>	<p><b>LSA-Ch.C. Art. 640(A)</b> If a parent resides within the state, service of the petition, summons, and notice shall be made as soon as possible, and <u>not less than fifteen days prior to commencement of the adjudication hearing on the matter</u>, by any of the following means:</p> <ol style="list-style-type: none"> <li>(1) Personal service.</li> <li>(2) Domiciliary service.</li> <li>(3) Certified mail.</li> <li>(4) Electronic mail to the electronic mail address expressly designated by the parent in a pleading, at the continued custody or continued safety plan hearing, or at any other hearing at which the parent personally appeared before the court.</li> </ol>
Maine	<p><b>22 M.R.S. § 4031</b> (Child and Family Services and Child Protection Act, Jurisdiction; venue). (A) District court has jurisdiction over child protection proceedings and petitions for adoption from permanency guardianship filed by DHHS. (B) The Probate Court and Superior Court have concurrent</p>	<p><b>22 M.R.S. § 4033 (Service and notice).</b> 1. <i>Petition Service.</i> Child protection petition (and required notice of hearing) must be served: (A) On the parents, legal guardian and custodians, the guardian ad litem for the child and any other party at least 10 days before the hearing date. Party may waive the time</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>jurisdiction over requests for preliminary child protection orders under 22 M.R.S. § 4034. As soon as action is taken by the Probate Court or the Supreme Court, the matter must be transferred to the District Court.</p>	<p>requirement if the waiver is written and voluntarily and knowingly executed in court before a judge. Service must be in accordance with Maine Rules of Civil Procedure. (B) If DHHS is not the petitioner, the petitioner must also serve a copy of the petition and notice of hearing on the State.</p> <p>2. <i>Notice of Preliminary Protection Order.</i> If there is a request for a preliminary protection order, the petitioner shall, by any reasonable means, notify the parents, legal guardian and custodians of the intent to request that order and of the court in which their counsel may file motions, including to modify or vacate any preliminary protection order issued. This notice is not required if petitioner includes in the petition a sworn statement detailing a sufficient factual basis that: (A) the child would suffer serious harm during the time needed to notify the parents, legal guardian or custodians; or (B) prior notice to the parents, legal guardian or custodians would increase the risk of serious harm to the child or petitioner.</p> <p>5. <i>Notice to foster parents, preadoptive parents and relatives providing care.</i> DHHS must provide notice of all proceedings, in advance, to foster parents, preadoptive parents and relatives providing care.</p>
Maryland	<p><b>Md. Code Ann., Fam. Law § 1-201</b> (Jurisdiction of equity court).</p> <p>(b) An equity court has jurisdiction over: . . . (5) custody or guardianship of a child except for a child who is under the</p>	<p><b>Md. Code, Fam. Law § 9.5-205(a)</b></p> <p>(a) Before a child custody determination is made under this title, notice and an opportunity to be heard in accordance with the standards of § 9.5-107 of this title shall be given to all</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>jurisdiction of any juvenile court and who previously has been adjudicated to be a child in need of assistance.</p> <p>(c) In exercising its jurisdiction over the custody, guardianship, visitation, or support of a child, an equity court may: . . . (5) issue an injunction to protect a party to the action from physical harm or harassment.</p> <p><b>Md. Code, Fam. Law § 9.5-101(e)</b></p> <p>(e)</p> <p>(1) "Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue.</p> <p>(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.</p> <p>(3) "Child custody proceeding" does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under Subtitle 3 of this title.</p> <p><b>Md. Code, Fam. Law § 9.5-201</b></p> <p>(a) Except as otherwise provided in § 9.5-204 of this subtitle, a court of this State has jurisdiction to make an initial child custody determination only if:</p>	<p>persons entitled to notice under the law of this State as in child custody proceedings between residents of this State, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>Md. Code, Fam. Law § 9.5-107(a)</b></p> <p>(a)</p> <p>(1) Notice required for the exercise of jurisdiction when a person is outside this State may be given in a manner prescribed by the law of this State for service of process or by the law of the state in which the service is made.</p> <p>(2) Notice shall be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective</p> <p><b>Md. Rule of Civil Procedure, Rule 2-121</b></p> <p>(a) Generally. Service of process may be made within this State or, when authorized by the law of this State, outside of this State</p> <p>(1) by delivering to the person to be served a copy of the summons, complaint, and all other papers filed with it;</p> <p>(2) if the person to be served is an individual, by leaving a copy of the summons, complaint, and all other papers filed with it at the individual's dwelling house or usual place of abode with a resident of suitable age and discretion; or</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(1) this State is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State;</p> <p>(2) a court of another state does not have jurisdiction under item (1) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this State is the more appropriate forum under § 9.5-207 or § 9.5-208 of this subtitle, and:</p> <ul style="list-style-type: none"> <li>(i) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this State other than mere physical presence; and</li> <li>(ii) substantial evidence is available in this State concerning the child's care, protection, training, and personal relationships;</li> </ul> <p>(3) all courts having jurisdiction under item (1) or (2) of this subsection have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine the custody of the child under § 9.5-207 or § 9.5-208 of this subtitle; or</p> <p>(4) no court of any other state would have jurisdiction under the criteria specified in item (1), (2), or (3) of this subsection.</p>	<p>(3) by mailing to the person to be served a copy of the summons, complaint, and all other papers filed with it by certified mail requesting: "Restricted Delivery--show to whom, date, address of delivery." Service by certified mail under this Rule is complete upon delivery. Service outside of the State may also be made in the manner prescribed by the court or prescribed by the foreign jurisdiction if reasonably calculated to give actual notice.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this State.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Md. Code, Fam. Law § 9.5-204 Temp. emergency jurisdiction</b></p> <p>(a) A court of this State has temporary emergency jurisdiction if the child is present in this State and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(b)</p> <p>(1) If there is no previous child custody determination that is entitled to be enforced under this title and a child custody proceeding has not been commenced in a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle.</p> <p>(2) If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle, a child custody</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>determination made under this section becomes a final determination if the determination so provides and this State becomes the home state of the child.</p> <p>(c)</p> <p>(1) If there is a previous child custody determination that is entitled to be enforced under this title, or a child custody proceeding has been commenced in a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle, any order issued by a court of this State under this section shall specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle.</p> <p>(2) The order issued in this State remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d)</p> <p>(1) A court of this State that has been asked to make a child custody determination under this section, on being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this subtitle, shall immediately communicate with the other court.</p> <p>(2) A court of this State that is exercising jurisdiction in accordance with §§ 9.5-201 through 9.5-203 of this subtitle,</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>on being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
Massachusetts	<p><b>Mass. G.L. c. 209B, § 1</b> "Custody proceeding", includes proceedings in which a custody determination is one of several issues presented for resolution, such as an action for divorce or separation, guardianship, and care and protection;</p> <p><b>Mass. G.L. c. 209B, § 2</b> (a) Any court which is competent to decide child custody matters has jurisdiction to make a custody determination by initial or modification judgment if:            (1) the commonwealth (i) is the home state of the child on the commencement of the custody proceeding, or (ii) had been the child's home state within six months before the date of the commencement of the proceeding and the child is absent from the commonwealth because of his or her removal or retention by a person claiming his or her custody or for other reasons, and a parent or person acting as parent continues to reside in the commonwealth; or</p>	<p><b>Mass. G.L. c. 209B, §6</b> (a) Notice to a person in the commonwealth shall be given in accordance with the applicable Massachusetts rules of court or in such other manner as is prescribed by law. (b) Notice required for the exercise of jurisdiction over a person outside the commonwealth shall be given in accordance with the applicable Massachusetts Rules of Court or statute or, in the discretion of the court, in the manner prescribed by the law of the place in which the service is made concerning service of process in an action of its court of general jurisdiction, provided, however, that in no event shall notice under this paragraph be served, mailed, delivered or last published less than twenty days before any custody determination is made in this state, other than a determination made pursuant to clause (ii) of paragraph (3) of subsection (a) of section two. (c) Proof of service outside the commonwealth may be made by affidavit of the individual who made the service, in accordance with the applicable law or the Massachusetts rules of court, in accordance with the order pursuant to which the</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(2) it appears that no other state would have jurisdiction under paragraph (1) and it is in the best interest of the child that a court of the commonwealth assume jurisdiction because (i) the child and his or her parents, or the child and at least one contestant, have a significant connection with the commonwealth, and (ii) there is available in the commonwealth substantial evidence concerning the child's present or future care, protection, training, and personal relationships; or</p> <p>(3) the child is physically present in the commonwealth and (i) the child has been abandoned or (ii) it is necessary in an emergency to protect the child from abuse or neglect or for other good cause shown, provided that in the event that jurisdictional prerequisites are not established pursuant to any other paragraph of this subsection and a court of another state shall be entitled to assert jurisdiction under any other subparagraph of this paragraph then a court exercising jurisdiction pursuant to this clause of paragraph (3) may do so only by entering such temporary order or orders as it deems necessary unless the court of the other state has declined to exercise jurisdiction, has stayed its proceedings or has otherwise deferred to the jurisdiction of a court of the commonwealth; or</p> <p>(4) (i) it appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraph (1), (2) or (3), or another state has declined to</p>	<p>service is made, or, in the discretion of the court, otherwise in accordance with the law of the place in which the service is made.</p> <p>(d) Notice is not required to be given to a contestant who submits to the jurisdiction of the court.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>exercise jurisdiction on the ground that the commonwealth is the more appropriate forum to determine the custody of the child, and (ii) it is in the best interest of the child that a court of the commonwealth assume jurisdiction.</p> <p>(b) Except under subparagraphs (3) and (4) of paragraph (a), physical presence in the commonwealth of the child or of the child and one of the contestants, is not alone sufficient to confer jurisdiction on a court of the commonwealth to make a custody determination.</p> <p>(c) Physical presence of the child, while desirable, is not a prerequisite for jurisdiction to make a custody determination.</p> <p>(d) A court of the commonwealth shall not exercise jurisdiction in any custody proceeding commenced during the pendency of a proceeding in a court of another state where such court of that state is exercising jurisdiction consistently with the provisions of this section for the purpose of making a custody determination, except in accordance with paragraph (3) of subsection (a), unless the court of the other state shall decline jurisdiction pursuant to paragraph (4) of subsection (a) or shall stay its proceedings or otherwise defer to the jurisdiction of a court of the commonwealth.</p> <p>(e) If a court of another state has made a custody determination in substantial conformity with this chapter, a court of the commonwealth shall not modify that determination unless (1) it appears to the court of the commonwealth that the court which made the custody</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>determination does not now have jurisdiction under jurisdictional prerequisites substantially in accordance with this chapter or that such court has declined to assume jurisdiction to modify its determination and (2) a court of the commonwealth now has jurisdiction pursuant to this chapter.</p>	
<p>Michigan</p>	<p><i>Subject Matter Jurisdiction</i>  <b>Mich. Comp. Laws § 600.1021(1)(e); Mich. Comp. Laws § 712A.2(b).</b>                      The Family Division of the Circuit Court has exclusive jurisdiction over protective proceedings.</p> <p><b>Mich. Comp. Laws § 712A.2(b)(3).</b>                      The Family Division also has jurisdiction over “proceedings concerning a juvenile under 18 years of age” if the “juvenile is dependent and is in danger of substantial physical or psychological harm[]” under certain circumstances.</p> <p><b>Mich. Comp. Laws § 712A.2(b)(3)(A)-(D).</b>                      A juvenile is “dependent” when any of the following occurs:                      (A) The juvenile is homeless or not domiciled with a parent or other legally responsible person.                      (B) The juvenile has repeatedly run away from home and is beyond the control of a parent or other legally responsible person.                      (C) The juvenile is alleged to have committed a commercial sexual activity as that term is defined in . . . MCL 750.462a[,] or</p>	<p><b>MCR 3.920.</b></p> <p>(B)(2)(b). Service of a summons in a child protective proceeding must be on any respondent and any nonrespondent parent. A summons may be served on a person having physical custody of the child directing such person to appear with the child for hearing. A guardian or legal custodian who is not a respondent must be served with notice of hearing in the manner provided by subrule (D).</p> <p>(B)(3) Content. The summons must direct the person to whom it is addressed to appear at a time and place specified by the court and must: (a) identify the nature of hearing; (b) explain the right to an attorney and the right to trial by judge or jury, including, where appropriate, that there is no right to a jury at a termination hearing; (c) if the summons is for a child protective proceeding, include a notice that the hearings could result in termination of parental rights; and (d) have a copy of the petition attached.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>a delinquent act that is the result of force, fraud, coercion, or manipulation exercised by a parent or other adult. (D) The juvenile’s custodial parent or legally responsible person has died or has become permanently incapacitated and no appropriate parent or legally responsible person is willing and able to provide care for the juvenile.”</p> <p><i>Personal Jurisdiction.</i> <b>Mich. Comp. Laws § 712A.18(1).</b> Personal jurisdiction over the child may be established only after parties have received proper notice and the finder of fact determines that the child comes within the court’s jurisdiction under MCL 712A.2(b).</p> <p><b>Mich. Comp. Laws § 712A.2(b).</b> Section 712A.2(b) provides the Family Division with personal jurisdiction over a child under 18 years of age if the child is found within the court’s county and one of the following apply: (1) A child’s parent or other person legally responsible for the child’s care and maintenance (when able to do so) neglects or refuses to provide proper or necessary support, education, medical, surgical, or other care necessary for the child’s health or morals; a child who is subject to a substantial risk of harm to his or her mental well-being; a child who is abandoned by his or her parents, guardian, or other custodian; or a child who is without proper custody or guardianship;</p>	<p><b>MCR 3.921.</b> Persons Entitled to Notice. Sets forth those persons entitled to notice of juvenile proceedings, including protective proceedings, dispositional review hearings and permanency planning hearings, juvenile guardianships, and putative fathers. MRC 3.921(e) also authorizes notice by publication and provides that if a person whose whereabouts are unknown fails to appear in response thereto, the court need not provide further notice of subsequent hearings, except a hearing on the termination of parental rights.</p> <p><b>MCR 3.961(B)(4).</b> The petition to initiate a child protective proceeding must contain “[a] citation to the section of the Juvenile Code relied on for jurisdiction.”</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(2) A child whose home or environment, by reason of neglect, cruelty, drunkenness, criminality, or depravity on the part of a parent, guardian, nonparent adult, or other custodian, is an unfit place for the juvenile to live in. As used in this subdivision, "neglect" means that term as defined in section 2 of the child abuse and neglect prevention act, 1982 PA 250, MCL 722.602.</p> <p>(3) A child who is "dependent and in danger of substantial physical or psychological harm." A child may be found to be dependent when any of the following occurs:</p> <ul style="list-style-type: none"> <li>(A) The juvenile is homeless or not domiciled with a parent or other legally responsible person.</li> <li>(B) The juvenile has repeatedly run away from home and is beyond the control of a parent or other legally responsible person.</li> <li>(C) The juvenile is alleged to have committed a commercial sexual activity as that term is defined in section 462a of the Michigan penal code, 1931 PA 328, MCL 750.462a or a delinquent act that is the result of force, fraud, coercion, or manipulation exercised by a parent or other adult.</li> <li>(D) The juvenile's custodial parent or legally responsible person has died or has become permanently incapacitated and no appropriate parent or legally responsible person is willing and able to provide care for the juvenile.</li> </ul> <p>(4) A child whose parent has substantially failed, without good cause, to comply with a limited guardianship placement plan</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>described in section 5205 of the estates and protected individuals code, 1998 PA 386, MCL 700.5205, regarding the juvenile.</p> <p>(5) A child whose parent has substantially failed, without good cause, to comply with a court-structured plan described in section 5207 or 5209 of the estates and protected individuals code, 1998 PA 386, MCL 700.5207 and 700.5209, regarding the juvenile.</p> <p>(6) If the juvenile has a guardian under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, and the juvenile's parent meets both of the following criteria:</p> <p>(A) The parent, having the ability to support or assist in supporting the juvenile, has failed or neglected, without good cause, to provide regular and substantial support for the juvenile for 2 years or more before the filing of the petition or, if a support order has been entered, has failed to substantially comply with the order for 2 years or more before the filing of the petition. As used in this sub-subdivision, "neglect" means that term as defined in section 2 of the child abuse and neglect prevention act, 1982 PA 250, MCL 722.602.</p> <p>(B) The parent, having the ability to visit, contact, or communicate with the juvenile, has regularly and substantially failed or neglected, without good cause, to do so for 2 years or more before the filing of the petition. As</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>used in this sub-subdivision, "neglect" means that term as defined in section 2 of the child abuse and neglect prevention act, 1982 PA 250, MCL 722.602.</p> <p>If a petition is filed in the court alleging that a juvenile is within the provisions of subdivision (b)(1), (2), (3), (4), (5), or (6) and the custody of that juvenile is subject to the prior or continuing order of another court of record of this state, the manner of notice to the other court of record and the authority of the court to proceed is governed by rule of the supreme court.</p>	
Minnesota	<p><b>Minn. Ann. Stat. § 260C.101.</b></p> <p><b>Subd. 1. Children in need of protection or services, or neglected and in foster care.</b> The juvenile court has original and exclusive jurisdiction in proceedings concerning any child who is alleged to be in need of protection or services, or neglected and in foster care.</p> <p><b>Subd. 2. Other matters relating to children.</b> The juvenile court has original and exclusive jurisdiction in proceedings concerning:</p> <ul style="list-style-type: none"> <li>(1) the termination of parental rights to a child in accordance with the provisions of sections 260C.301 to 260C.328;</li> <li>(2) permanency matters under sections 260C.503 to 260C.521;</li> <li>(3) the appointment and removal of a juvenile court guardian for a child, where parental rights have been terminated under the provisions of sections 260C.301 to</li> </ul>	<p><b>Minn. Stat. § 260C.152. Service of Summons; Notice.</b></p> <p><b>Subd. 1. Notice in lieu of summons; personal service.</b> The service of a summons or a notice in lieu of summons shall be as provided in the Rules of Juvenile Procedure.</p> <p><b>Subd. 2. Service; fees.</b> Service of summons, notice, or subpoena required by sections 260C.151 to 260C.307 shall be made by any suitable person under the direction of the court, and upon request of the court shall be made by a probation officer or any peace officer. The fees and mileage of witnesses shall be paid by the county if the subpoena is issued by the court on its own motion or at the request of the county attorney. All other fees shall be paid by the party requesting the subpoena unless otherwise ordered by the court.</p> <p><b>Subd. 3. Notification.</b> In any proceeding regarding a child in need of protection or services in a state court, where the court knows or has reason to know that an Indian child is involved,</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>260C.328;</p> <p>(4) judicial consent to the marriage of a child when required by law;</p> <p>(5) all adoption matters and review of the efforts to finalize the adoption of the child under section 260C.317;</p> <p>(6) the review of the placement of a child who is in foster care pursuant to a voluntary placement agreement between the child's parent or parents and the responsible social services agency under section 260C.227; or between the child, when the child is over age 18, and the agency under section 260C.229;</p> <p>(7) the review of voluntary foster care placement of a child for treatment under chapter 260D according to the review requirements of that chapter; and</p> <p>(8) the reestablishment of a legal parent and child relationship under section 260C.329.</p> <p><b>Subd. 3. Matters relating to domestic child abuse.</b> The juvenile court has jurisdiction in proceedings concerning any alleged acts of domestic child abuse. In a jurisdiction which utilizes referees in child in need of protection or services matters, the court or judge may refer actions under this subdivision to a referee to take and report the evidence in the action. If the respondent does not appear after service is duly made and proved, the court may hear and determine the proceeding as a default matter. Proceedings under this subdivision shall be given docket priority by the court.</p>	<p>the prosecuting authority seeking the foster care placement of, or termination of parental rights to an Indian child, shall notify the parent or Indian custodian and the Indian child's tribe of the pending proceedings and of their right of intervention. The notice must be provided by registered mail with return receipt requested unless personal service is accomplished. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, the notice shall be given to the Secretary of the Interior of the United States in like manner, according to the Indian Child Welfare Act of 1978, United States Code, title 25, section 1912. No foster care placement proceeding or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe or the Secretary. However, the parent or Indian custodian or the tribe shall, upon request, be granted up to 20 additional days to prepare for the proceeding.</p> <p><b>Subd. 4. Proof of service.</b> Proof of the service required by this section shall be made by the person having knowledge thereof.</p> <p><b>Subd. 5. Notice to foster parents and preadoptive parents and relatives.</b> The foster parents, if any, of a child and any preadoptive parent or relative providing care for the child must be provided notice of and a right to be heard in any review or hearing to be held with respect to the child. Any other relative may also request, and must be granted, a notice and the opportunity to be heard under this section. This subdivision</p>

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	<p><b>Subd. 4. Parents and guardians.</b> A parent, guardian, or custodian of a child who is subject to the jurisdiction of the court is also subject to the jurisdiction of the court in any matter in which that parent, guardian, or custodian has a right to notice under section 260C.151 or 260C.152, or the right to participate under section 260C.163. In any proceeding concerning a child alleged to be in need of protection or services, the court has jurisdiction over a parent, guardian, or custodian for the purposes of a disposition order issued under section 260C.201, subdivision 6.</p>	<p>does not require that a foster parent, preadoptive parent, or relative providing care for the child be made a party to a review or hearing solely on the basis of the notice and right to be heard.</p> <p><b>Minn. Ct. Rules, Rules of Juvenile Protection Procedure, Rule 16.02.</b> Governs the types of service permissible in juvenile protection matters in Minnesota juvenile courts. Per Juvenile Court Rule 2.01(19), this includes a child in need of protection or services; neglected children and in foster care’ a review of out-of-home placement; termination of parental rights; and permanent placement matters.</p> <p>Juvenile Court Rule 16.02 covers personal service, including service upon individuals outside of the United States; service by U.S. Mail; and service by publication, among other provisions.</p>
Mississippi	<p><b>MS Code § 93-21-5. Jurisdiction and venue.</b></p> <p>(1) The municipal justice, county or chancery court shall have jurisdiction over proceedings under this chapter as provided in this chapter. The petitioner’s right to relief under this chapter shall not be affected by his leaving the residence or household to avoid further abuse.</p> <p>(2) Venue shall be proper in any county or municipality where the respondent resides or in any county or municipality where the alleged abusive act or acts occurred.</p> <p>(3) If a petition for an order for protection from domestic abuse</p>	<p><b>MS Code § 93-21-9. Contents of petition.</b></p> <p>This section outlines the required contents and substance of any petition for protection from child abuse/neglect under this Chapter. The contents vary depending in part on the type of order the petition seeks, and not all requirements are replicated here.</p> <p><b>MS Code § 93-21-11. Notice and hearing.</b></p> <p>(1) Within ten (10) days of the filing of a petition under the provisions of this chapter, the court shall hold a hearing, at</p>

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	<p>is filed in a court lacking proper venue, the court, upon objection of the respondent, shall transfer the action to the appropriate venue pursuant to other applicable law.</p> <p>(4) A record shall be made of any proceeding in justice or municipal court that involves domestic abuse.</p>	<p>which time the petitioner must prove the allegation of abuse by a preponderance of the evidence.</p> <p>(2) The respondent shall be given notice of the filing of any petition and of the date, time and place set for the hearing by personal service of process. A court may conduct a hearing in the absence of the respondent after first ascertaining that the respondent was properly noticed of the hearing date, time and place.</p>
Missouri	<p><b>MO ST 455.503</b></p> <p>1. A petition for an order of protection for a child shall be filed in the county where the child resides, where the alleged incident of domestic violence, stalking, or sexual assault occurred, or where the respondent may be served.</p> <p>2. Such petition may be filed by any of the following:</p> <ul style="list-style-type: none"> <li>(1) A parent or guardian of the victim;</li> <li>(2) A guardian ad litem or court-appointed special advocate appointed for the victim; or</li> <li>(3) The juvenile officer.</li> </ul> <p><b>MO ST 210.166:</b></p> <p>The children's division, any juvenile officer, any physician licensed under chapter 334, any hospital or other health care institution, and any other person or institution authorized by state or federal law to provide medical care may bring an action in the circuit court in the county where any child under eighteen years of age resides or is located, alleging the child is</p>	<p><b>Missouri Rules of Civil Procedure, Rule 43.01(c)</b></p> <p>(c) Service - How and by Whom Made. Attorneys and self-represented parties shall state in the signature blocks of their pleadings their current mailing addresses, telephone numbers, facsimile numbers, electronic addresses, and Missouri bar numbers if any. This information shall be kept current at all times. Service may be directed to any of these addresses.</p> <p>Unless otherwise ordered by the court, service required by Rules 43.01(a) and 43.01(b) may be made in the following manner:</p> <ul style="list-style-type: none"> <li>(1) Upon the attorney: <ul style="list-style-type: none"> <li>(A) By delivering a copy to the attorney;</li> <li>(B) By leaving a copy at the attorney's office with a clerk, receptionist, or secretary or with an attorney employed by or associated with the attorney to be served;</li> <li>(C) By facsimile transmission;</li> <li>(D) By electronic mail; or</li> </ul> </li> </ul>

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	<p>suffering from the denial or deprivation, by those responsible for the care, custody, and control of the child, of medical or surgical treatment or intervention which is necessary to remedy or ameliorate a medical condition which is life-threatening or causes injury. Those responsible for the care, custody and control of the child include, but is not limited to, the parents or guardian of the child, other members of the child's household, or those exercising supervision over a child for any part of a twenty-four-hour day. A petition filed under this section shall be expedited by the court involved in every manner practicable, including, but not limited to, giving such petition priority over all other matters on the court's docket and holding a hearing, at which the parent, guardian or other person having authority to consent to the medical care in question shall, after being notified thereof, be given the opportunity to be heard, and issuing a ruling as expeditiously as necessary when the child's condition is subject to immediate deterioration. Any circuit or associate circuit judge of this state shall have the authority to ensure that medical services are provided to the child when the child's health requires it.</p>	<p>(E) By mailing a copy to the attorney at the attorney's last known address;</p> <p>(2) Upon a party:</p> <p>(A) By delivering or mailing a copy to the party;</p> <p>(B) By facsimile transmission;</p> <p>(C) By electronic mail; or</p> <p>(D) By serving a copy in the manner provided for service of summons in Rule 54.13.</p>
Montana	<p><b>MT ST 40-6-233:</b></p> <p>The abuse of parental authority is the subject of judicial cognizance in a civil action brought by the child or by its relative within the third degree or by the county commissioners of the county where the child resides. When the abuse is established, the child may be freed from the dominion of the</p>	<p><b>Montana Rules of Civil Procedure, Rule 4(d)-(e)</b></p> <p>(d) Service</p> <p>(1) In General. The summons and complaint must be served together. The plaintiff must furnish the necessary copies to the person who makes service.</p>

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	<p>parent and the duty of support and education enforced. A parent or guardian of a child has the right to give the child medicine prescribed for the child, and exercise of the right is not an abuse of parental authority.</p> <p><b>MT ST 41-3-103:</b>            (1) Except as provided in the federal Indian Child Welfare Act, in all matters arising under this chapter, a person is subject to a proceeding under this chapter and the district court has jurisdiction over:</p> <ul style="list-style-type: none"> <li>(a) a youth who is within the state of Montana for any purpose;</li> <li>(b) a youth or other person subject to this chapter who under a temporary or permanent order of the court has voluntarily or involuntarily left the state or the jurisdiction of the court;</li> <li>(c) a person who is alleged to have abused or neglected a youth who is in the state of Montana for any purpose;</li> <li>(d) a youth or youth's parent or guardian who resides in Montana;</li> <li>(e) a youth or youth's parent or guardian who resided in Montana within 180 days before the filing of a petition under this chapter if the alleged abuse and neglect is alleged to have occurred in whole or in part in Montana.</li> </ul> <p>(2) Venue is proper in the county where a youth is located or has resided within 180 days before the filing of a petition under</p>	<p>(2) In Person. Service of all process may be made in the county where the party to be served is found by a sheriff, deputy sheriff, constable, or any other person over the age of 18 not a party to the action.</p> <p>(3)</p> <ul style="list-style-type: none"> <li>(A) By Mail. A summons and complaint may also be served by mailing via first class mail, postage prepaid, the following to the person to be served:               <ul style="list-style-type: none"> <li>(i) a copy of the summons and complaint;</li> <li>(ii) two copies of a notice and acknowledgment conforming substantially to form 18-A; and</li> <li>(iii) a return envelope, postage prepaid, addressed to the sender.</li> </ul> </li> <li>(B) A summons and complaint may not be served by mail to the following:               <ul style="list-style-type: none"> <li>(i) A minor;</li> <li>(ii) An incompetent person; or</li> <li>(iii) A corporation, partnership, or other unincorporated association, whether domestic or foreign.</li> </ul> </li> <li>(C) If no acknowledgment of service by mail is received by the sender within 21 days after the date of mailing, service of the summons and complaint must be made in person.</li> <li>(D) If a person served by mail does not complete and return the notice and acknowledgment within 21 days,</li> </ul>

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	<p>this part or a county where the youth's parent or guardian resides or has resided within 180 days before the filing of a petition under this part.”</p>	<p>the court must order that person to pay the costs of personal service unless good cause is shown for not doing so.</p> <p>(E) The notice and acknowledgment must be signed and dated by the defendant, and service of summons and complaint will be deemed complete on the date shown.</p> <p>(e) Serving an Individual. An individual -- other than a minor or an incompetent person -- must be served by either:</p> <p>(1) delivering a copy of the summons and complaint to the individual personally; or</p> <p>(2) delivering a copy of the summons and complaint to an agent authorized by appointment or law to receive service of process. If the agent is one designated by statute to receive service, such further notice as the statute requires must be given.</p>
Nebraska	<p><b>Neb. Rev. Stat. § 43-1227(4)</b></p> <p>(4) Child custody proceeding means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term 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. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under sections 43-1248 to 43-1264.</p>	<p><b>Neb. Rev. Stat. § 43-1233(a)</b></p> <p>(a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p>

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	<p><b>Neb. Rev. Stat. § 43-1238</b></p> <p>(a) Except as otherwise provided in section 43-1241 , a court of this state has jurisdiction to make an initial child custody determination only if:</p> <ul style="list-style-type: none"> <li>(1) this state is the home state of the child on the date of the commencement of the proceeding or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</li> <li>(2) a court of another state does not have jurisdiction under subdivision (a)(1) of this section, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under section 43-1244 or 43-1245 , and:               <ul style="list-style-type: none"> <li>(A) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</li> <li>(B) substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</li> </ul> </li> <li>(3) all courts having jurisdiction under subdivision (a)(1) or (a)(2) of this section have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate</li> </ul>	

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	<p>forum to determine the custody of the child under section 43-1244 or 43-1245 ; or</p> <p>(4) no court of any other state would have jurisdiction under the criteria specified in subdivision (a)(1), (a)(2), or (a)(3) of this section.</p> <p>(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state. In addition to having jurisdiction to make judicial determinations about the custody and care of the child, a court of this state with exclusive jurisdiction under subsection (a) of this section has jurisdiction and authority to make factual findings regarding (1) the abuse, abandonment, or neglect of the child, (2) the nonviability of reunification with at least one of the child's parents due to such abuse, abandonment, neglect, or a similar basis under state law, and (3) whether it would be in the best interests of such child to be removed from the United States to a foreign country, including the child's country of origin or last habitual residence. If there is sufficient evidence to support such factual findings, the court shall issue an order containing such findings when requested by one of the parties or upon the court's own motion.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Neb. Rev. Stat. § 43-1241 Temp. emergency jurisdiction</b></p>	

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	<p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(b) If there is no previous child custody determination that is entitled to be enforced under the Uniform Child Custody Jurisdiction and Enforcement Act and a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 43-1238 to 43-1240 , a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under such sections. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under such sections, a child custody determination made under this section becomes a final determination, if it so provides, and this state becomes the home state of the child.</p> <p>(c) If there is a previous child custody determination that is entitled to be enforced under the act, or a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 43-1238 to 43-1240 , any order issued by a court of this state under this section shall specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under such sections. The order issued in this</p>	

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	<p>state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this state which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under sections 43-1238 to 43-1240 , shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to such sections, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
Nevada	<p><b>NV Rev St 432B.410</b></p> <p>Except if the child involved is subject to the jurisdiction of an Indian tribe pursuant to the Indian Child Welfare Act, the court has exclusive original jurisdiction in proceedings concerning any child living or found within the county who is a child in need of protection or may be a child in need of protection.</p>	<p><b>NV Rev St 432B.315</b></p> <p>If an agency which provides child welfare services determines pursuant to NRS 432B.300 that a report made pursuant to NRS 432B.220 is substantiated, the agency shall provide written notification to the person responsible for the child’s welfare who is named in the report as allegedly causing the abuse or neglect of the child which includes statements indicating that:</p> <p>(1) The report which was made against the person has been substantiated and the agency which provides child welfare services intends to place the person’s name in the Central</p>

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		<p>Registry pursuant to NRS 432B.310; and                      (2) The person may request an administrative appeal of the substantiation of the report and the agency’s intention to place the person’s name in the Central Registry by submitting a written request to the agency which provides child welfare services within the time required pursuant to NRS 432B.317.</p>
<p>New Hampshire</p>	<p><b>NH Rev. St. Sec. 169-C:4</b>                      I. The court shall have exclusive original jurisdiction over all proceedings alleging the abuse or neglect of a child.                      II. The court may, with the consent of the child, retain jurisdiction over any child, who, prior to his or her eighteenth birthday, was found to be neglected or abused and who is attending school until such child completes high school or until his or her twenty-first birthday, whichever occurs first; and the court is authorized to and shall make such orders relative to the support and maintenance of said child during the period after the child's eighteenth birthday as justice may require.</p> <p>II-a. A child who has consented to the continued jurisdiction of the court pursuant to paragraph II, may revoke his or her consent and request that the case be closed. The revocation of consent and request to close a case shall be made in writing and filed with the court. Upon receipt of the request, the court shall forward copies to all parties of record at their last known address. If no party objects within 10 business days of the date the court forwarded copies of the request to the parties, the</p>	<p><b>NH Rev. St. Sec 169-C:8</b>                      I. After a petition has been filed or an ex parte order issued, the court shall issue a summons to all persons named in the petition to be served by a law enforcement officer personally, or if personal service is not possible, at their usual place of abode. Such summons shall require the person or persons having custody or control of the child to appear personally, unless otherwise ordered, before the court at a time and place set for a preliminary hearing, which shall not be less than 24 hours nor more than 7 days after return of service of the petition.</p> <p>II. A copy of the petition shall be attached to each summons or incorporated therein.</p> <p>III. The summons shall contain a notice that the child shall have a guardian ad litem, appointed by the court. The summons shall also state as follows: "Parents and other individuals chargeable by law for the child's support and necessities may be liable for expenses incurred in this proceeding including the</p>

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	<p>court shall accept the child's revocation of consent and shall close the case. If a party objects, the court may, after consideration of the objection, either grant the request and close the case without hearing or schedule the matter for hearing. If the matter is scheduled for hearing, the court shall accept the child's revocation of consent and close the case unless the court finds that immediate closure would create a risk of substantial harm to the child. If the court finds that immediate closure would create a risk of substantial harm to the child, the court shall continue the matter for a period not to exceed 30 days and direct that the department work with the child to develop an independent living plan which shall include referrals to appropriate services. If at the end of such period, the child still wishes to revoke his or her consent and to request that the case be closed, the court shall accept the revocation of consent and close the case.</p> <p>III. When a custody award has been made pursuant to this chapter, said order shall not be modified or changed nor shall another order affecting the status of the child be issued by the superior court except on appeal under RSA 169-C:28.</p>	<p>costs of certain evaluations and placements. RSA 186-C regarding children with disabilities grants children and their parents certain rights to services from school districts at public expense and to appeal school district decisions regarding services to be provided."</p> <p>IV. The summons shall also contain a description and explanation of the proceedings and a statement of the rights of the person or persons summoned, under this chapter, RSA 170-C, and under the rules of court.</p>
New Jersey	<p><b>NJ Rev Stat 9:6-8.34</b></p> <p>The following persons may originate a proceeding under this act:</p> <ol style="list-style-type: none"> <li>a. A parent or other person interested in the child.</li> <li>b. A duly authorized agency, association, society, institution or</li> </ol>	<p><b>NJ Rev Stat 9:6-8.19</b></p> <ol style="list-style-type: none"> <li>a. The Division of Child Protection and Permanency, shall immediately after the receipt of such report, and after making a determination to take the child into protective custody, shall serve or attempt to serve, written notice upon the parents or</li> </ol>

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	<p>the division.</p> <p>c. A police officer.</p> <p>d. Any person having knowledge or information of a nature which convinces him that a child is abused or neglected.</p> <p>e. A person on the court's direction.</p> <p>f. The county prosecutor.</p> <p>g. In cases where a private individual is unwilling or reluctant to file a complaint, he may request the division to initiate a complaint in his stead.</p>	<p>guardian that the said child has been taken into protective custody. The notice shall contain a statement of the maximum duration of the protective custody and the location of the child during protective custody.</p> <p>b. The parents or guardian of a child in protective custody may, upon request and in the reasonable discretion of the physician, director, or his designate, or appropriate official of the Division of Child Protection and Permanency, visit the child, provided that the life or health of the child will not be endangered by such visit.</p> <p><b>NJ Rev Stat 9:6-8.19a</b> In any case in which the Division of Child Protection and Permanency accepts a child in its care or custody, the child's resource family parent or relative providing care for the child, as applicable, shall receive written notice of and an opportunity to be heard at any review or hearing held with respect to the child, but the resource family parent or relative shall not be made a party to the review or hearing solely on the basis of the notice and opportunity to be heard.</p>
New Mexico	<p><b>N.M. Stat. 32A-4-18-A</b> When a child alleged to be neglected or abused has been placed in the legal custody of the department or the department has petitioned the court for temporary custody, a custody hearing shall be held within ten days from the date the</p>	<p><b>N.M. Stat. 40-10A-309</b> Service of petition and order Except as otherwise provided in Section 311 [40-10A-311 NMSA 1978], the petition and order must be served, by any method authorized by the law of this state, upon the respondent and any person who has physical custody of the child.</p>

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	<p>petition is filed to determine if the child should remain in or be placed in the department's custody pending adjudication.</p>	<p><b>N.M. Stat. 32A-4-18-B</b> The parent, guardian or custodian of the child alleged to be abused or neglected shall be given reasonable notice of the time and place of the custody hearing.</p> <p><b>N.M. Stat. 32A-4-17.1</b> Within thirty days after a child is taken into custody by law enforcement, or when the department files a petition seeking legal custody of the child, whichever occurs first, the department shall exercise due diligence and make reasonable efforts to identify and provide notice to all grandparents; all parents of a sibling of the child, when the parent has legal custody of the sibling; and other adult relatives of the child, including adult relatives suggested by the parents, unless such notice would be contrary to the best interests of the child due to family or domestic violence.</p>
<p>New York</p>	<p><b>N.Y. FAMILY CT ACT § 115 (a)(i)</b> New York family court has exclusive original jurisdiction for abuse and neglect proceedings, as set forth in article ten.</p> <p><b>N.Y. Family CT Act §§ 1013-1017</b> <b>N.Y. Family CT Act § 1013(a)</b> states that the family court has exclusive original jurisdiction over proceedings under this article alleging the abuse or neglect of a child. The family court has jurisdiction over the proceedings even if a criminal court</p>	<p><b>N.Y. FAMILY CT ACT §154</b> (a) The family court may send process or other mandates in any matter in which it has jurisdiction into any county of the state for service or execution in like manner and with the same force and effect as similar process or mandates of county courts as provided by law. (b) In a proceeding to establish paternity or to establish, modify or enforce support, the court may send process without the state in the same manner and with the same effect as</p>

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	<p>also has or may be exercising jurisdiction over the facts alleged in the petition or complaint. § 1013(b). In determining jurisdiction of the court, the age of the child at the time the proceedings are initiated is controlling. § 1013(c). The child need not be currently in the care or custody of the respondent if the court otherwise has jurisdiction over the matter. § 1013(d).</p> <p><b>N.Y. Family CT Act § 1015(a)</b> Proceedings may be originated in the county in which the child resides or is domiciled at the time of the filing of the petition or in the county in which the person having custody of the child resides or is domiciled.</p> <p><b>N.Y. Family CT Act § 1017</b> directs the placement of the child when the court determines that a child must be removed from his or her home.</p>	<p>process sent within the state in the exercise of personal jurisdiction over any person subject to the jurisdiction of the court under section three hundred one or three hundred two of the civil practice law and rules or under section 580-201 of article five-B of the family court act, notwithstanding that such person is not a resident or domiciliary of the state.</p> <p>(c) In a proceeding arising under article four, five, six, eight or ten of this act in which an order of protection is sought or in which a violation of an order of protection is alleged, the court may send process without the state in the same manner and with the same effect as process sent within the state in the exercise of personal jurisdiction over any person, subject to the jurisdiction of the court under section three hundred one or three hundred two of the civil practice law and rules, notwithstanding that such person is not a resident or domiciliary of the state, so long as: (1) the act or acts giving rise to the application for issuance or enforcement of the order of protection occurred within the state; and (2) the applicant for the order of protection resides or is domiciled in the state or has substantial contacts in the state, including but not limited to, presence on a regular basis in the state. Upon good cause shown, the court may issue a temporary order of protection in accordance with article four, five, six, eight or ten of this act. Where personal jurisdiction over a non-resident or non-domiciliary respondent would not be obtainable but for this subdivision, the papers to be served shall include a</p>

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		<p>conspicuous notice that the exercise of such jurisdiction is limited to the issue of the order of protection. Where service of a petition and summons upon a non-resident or non-domiciliary respondent is required, such service shall be made at least twenty days before the return date. Where service is effected on an out-of-state respondent and the respondent defaults by failing to appear, the court may on its own motion, or upon application of any party or the attorney for the child, proceed to a hearing with respect to issuance or enforcement of the order of protection. Nothing in this section shall be construed to affect or alter the exercise of personal jurisdiction with respect to issues other than the order of protection.</p>
<p>North Carolina</p>	<p><b>N.C. Gen. Stat. § 7B-101</b> defines “court” as the “district court division of the General Court of Justice.”</p> <p><i>Jurisdiction</i></p> <p><b>N.C. Gen. Stat. § 7B-200</b> deals with jurisdiction. This section states that:</p> <p>(a) The court has exclusive, original jurisdiction over any case involving a juvenile who is alleged to be abused, neglected, or dependent. This jurisdiction does not extend to cases involving adult defendants alleged to be guilty of abuse or neglect. The court also has exclusive original jurisdiction of the following proceedings:</p> <p>(3) Proceedings to determine whether a juvenile should be emancipated.</p>	<p><b>N.C.G.S. § 1A-1, Rule 5(b)</b></p> <p>(b) Service - How made. - A pleading setting forth a counterclaim or cross claim shall be filed with the court and a copy thereof shall be served on the party against whom it is asserted or on the party's attorney of record as provided by this subsection.</p> <p>With respect to all pleadings subsequent to the original complaint and other papers required or permitted to be served, service shall be made upon the party's attorney of record and, if ordered by the court, also upon the party. If the party has no attorney of record, service shall be made upon the party. Service is made under this subsection if performed through the court's electronic filing system. When service through the</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(4) Proceedings to terminate parental rights.            (4a) Proceedings for reinstatement of parental rights.            (5) Proceedings to review the placement of a juvenile in foster care pursuant to an agreement between the juvenile's parents or guardian and a county department of social services.</p> <p>(b) The court shall have jurisdiction over the parent, guardian, custodian, or caretaker of a juvenile who has been adjudicated abused, neglected, or dependent, provided the parent, guardian, custodian, or caretaker has (i) been properly served with summons (ii) waived service of process, or (iii) automatically become a party pursuant to G.S. 7B-401.1(c) or (d).</p> <p><i>Venue</i>  <b>N.C. Gen Stat. § 7B-400</b> deals with venue. This section states that:            (a) A proceeding in which a juvenile is alleged to be abused, neglected, or dependent may be commenced in the judicial district in which the juvenile resides or is present at the time the petition is filed. If a regional social services department includes counties in more than one judicial district, the department shall file in the judicial district where the child resides or was present when the report required by G.S. 7B-301 was received.</p>	<p>court's electronic filing system is not available, or the party is not registered to receive service through the court's electronic filing system, service may be made as follows:</p> <p>(1) Upon a party's attorney of record:            a. By delivering a copy to the attorney. Delivery of a copy within this sub-subdivision means handing it to the attorney, leaving it at the attorney's office with a partner or employee, or sending it to the attorney's office by a confirmed telefacsimile transmittal for receipt by 5:00 P.M. Eastern Time on a regular business day, as evidenced by a telefacsimile receipt confirmation. If receipt of delivery by telefacsimile is after 5:00 P.M., service will be deemed to have been completed on the next business day. Service may also be made on the attorney by electronic mail (e-mail) to an e-mail address of record with the court in the case. Such e-mail must be sent by 5:00 P.M. Eastern Time on a regular business day. If the e-mail is sent after 5:00 P.M., it will be deemed to have been sent on the next business day.            b. By mailing a copy to the attorney's office.            c. In the manner provided in Rule 4 for service and return of process.</p> <p>(2) Upon a party:            a. By delivering a copy to the party. Delivery of a copy within this sub-subdivision means handing it to the party.</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>b. By mailing a copy to the party at the party's last known address or, if no address is known, by filing it with the clerk of court.</p> <p>c. Service may also be made on the party by electronic mail (e-mail) if the party has consented to receive e-mail service in the case at a particular e-mail address, and a copy of the consent is filed with the court by any party. Such e-mail must be sent by 5:00 P.M. Eastern Time on a regular business day. If the e-mail is sent after 5:00 P.M. Eastern Time, it will be deemed to have been sent on the next business day.</p> <p>d. In the manner provided in Rule 4 for service and return of process.</p> <p>Service by mail shall be complete upon deposit of the pleading or paper enclosed in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service.</p> <p><b>N.C.G.S. § 1A-1, Rule 4(j)(1-2)</b>  (j) Process - Manner of service to exercise personal jurisdiction. In any action commenced in a court of this State having jurisdiction of the subject matter and grounds for personal jurisdiction as provided in G.S. 1-75.4 , the manner of service of process within or without the State shall be as follows:</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>(1) Natural Person. - Except as provided in subdivision (2) below, upon a natural person by one of the following:</p> <ul style="list-style-type: none"> <li>a. By delivering a copy of the summons and of the complaint to the natural person or by leaving copies thereof at the defendant's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.</li> <li>b. By delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to be served or to accept service of process or by serving process upon such agent or the party in a manner specified by any statute.</li> <li>c. By mailing a copy of the summons and of the complaint, registered or certified mail, return receipt requested, addressed to the party to be served, and delivering to the addressee.</li> <li>d. By depositing with a designated delivery service authorized pursuant to 26 U.S.C. § 7502 (f)(2) a copy of the summons and complaint, addressed to the party to be served, delivering to the addressee, and obtaining a delivery receipt. As used in this sub-subdivision, "delivery receipt" includes an electronic or facsimile receipt.</li> <li>e. By mailing a copy of the summons and of the complaint by signature confirmation as provided by the United States Postal Service, addressed to the party to be served, and delivering to the addressee.</li> </ul>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>(2) Natural Person under Disability. - Upon a natural person under disability by serving process in any manner prescribed in this section (j) for service upon a natural person and, in addition, where required by paragraph a or b below, upon a person therein designated.</p> <p>a. Where the person under disability is a minor, process shall be served separately in any manner prescribed for service upon a natural person upon a parent or guardian having custody of the child, or if there be none, upon any other person having the care and control of the child. If there is no parent, guardian, or other person having care and control of the child when service is made upon the child, then service of process must also be made upon a guardian ad litem who has been appointed pursuant to Rule 17.</p> <p>b. If the plaintiff actually knows that a person under disability is under guardianship of any kind, process shall be served separately upon his guardian in any manner applicable and appropriate under this section (j). If the plaintiff does not actually know that a guardian has been appointed when service is made upon a person known to him to be incompetent to have charge of his affairs, then service of process must be made upon a guardian ad litem who has been appointed pursuant to Rule 17.</p>
North Dakota	<p><b>N.D. Cent. Code § 14-14.1</b> North Dakota courts have jurisdiction as discussed below under</p>	<p><b>N.D. Cent. Code § 14-15-11 (8).</b> Service: Notice must be given in the manner appropriate under the</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>the Uniform Child Custody Jurisdiction and Enforcement Act Chapter 14-14.1 for a child custody proceeding in cases of neglect, abuse or dependency.</p> <p><b>N.D. Cent. Code § 14-14.1-12</b></p> <p>1. Except as otherwise provided in section 14-14.1-15, a court of this state has jurisdiction to make an initial child custody determination only if:</p> <ul style="list-style-type: none"> <li>a. This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding, and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</li> <li>b. A court of another state does not have jurisdiction under subdivision a, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under section 14-14.1-18 or 14-14.1-19, and:               <ul style="list-style-type: none"> <li>(1) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</li> <li>(2) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</li> </ul> </li> </ul>	<p>North Dakota Rules of Civil Procedure for the service of process in a civil action in this state or in any manner the court by order directs. Proof of the giving of the notice must be filed with the court before the petition is heard.</p> <p><b>N.D. R. Civ. P. 5(b)</b></p> <p>(b) Service—How made.</p> <ul style="list-style-type: none"> <li>(1) Service in general. A document that is required to be filed must be served electronically under the procedure specified in N.D.R.Ct. 3.5. Electronic service on an attorney must be made to the designated e-mail service address posted on the N.D. Supreme Court website. Electronic service is complete on transmission. Except as provided in N.D.R.Ct. 3.5(e)(4), electronic service is not effective if the serving party learns through any means that the document did not reach the person to be served.</li> <li>(2) Persons Served.           <ul style="list-style-type: none"> <li>(A) Service on a Party Represented by an Attorney. If a party is represented by an attorney, service under this rule must be made on the attorney unless the court orders service on the party. If an attorney is providing limited representation under Rule 11(e), service must be made on the party and on the attorney for matters within the scope of the limited representation.</li> </ul> </li> </ul>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>c. All courts having jurisdiction under subdivision a or b have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under section 14-14.1-18 or 14-14.1-19; or</p> <p>d. No court of any other state would have jurisdiction under the criteria specified in subdivision a, b, or c.</p> <p>2. Subsection 1 is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>3. Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p>	<p>(B) Persons Exempt from Electronic Service. Persons who are exempt from electronic service and filing under N.D.R.Ct. 3.5 must serve documents under Rule 5(b)(3).</p> <p>(3) Other Service. A document that is not required to be filed, or that will be served on a person exempt from electronic service, is served under this rule by:</p> <p>(A) handing it to the person;</p> <p>(B) leaving it:</p> <p>(i) at the person's office with a clerk or other person in charge or, if no one is in charge, leaving it in a conspicuous place in the office; or,</p> <p>(ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there;</p> <p>(C) mailing it to the person's last known address, in which event service is complete upon mailing;</p> <p>(D) sending it by a third-party commercial carrier to the person's last known address, in which event service is complete upon deposit of the document to be served with the commercial carrier;</p> <p>(E) if no address is known, on order of the court by leaving it with the clerk of court;</p> <p>(F) sending it by electronic means if the person consented in writing, in which event service is complete on</p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
		<p>transmission, but is not effective if the serving party learns that it did not reach the person to be served; or (G) delivering it by any other means that the person consented to in writing.</p>
Ohio	<p><b>Ohio R.C. 3127.01(B)(4)</b> (B)(4) "Child custody proceeding" means a proceeding in which legal custody, physical custody, parenting time, or visitation with respect to a child is an issue. "Child custody proceeding" may include a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or protection from domestic violence. "Child custody proceeding" does not include a proceeding regarding juvenile delinquency, contractual emancipation, or enforcement pursuant to sections 3127.31 to 3127.47 of the Revised Code.</p> <p><b>Ohio R.C. 3127.15</b> (A) Except as otherwise provided in section 3127.18 of the Revised Code, a court of this state has jurisdiction to make an initial determination in a child custody proceeding only if one of the following applies: (1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state.</p>	<p><b>Ohio R.C. 3127.19(A)</b> (A) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards set forth in section 3127.07 of the Revised Code shall be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>Ohio R.C. 3127.07(A)</b></p>

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(2) A court of another state does not have jurisdiction under division (A)(1) of this section or a court of the home state of the child has declined to exercise jurisdiction on the basis that this state is the more appropriate forum under section 3127.21 or 3127.22 of the Revised Code, or a similar statute of the other state, and both of the following are the case:</p> <ul style="list-style-type: none"> <li>(a) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence.</li> <li>(b) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships.</li> </ul> <p>(3) All courts having jurisdiction under division (A)(1) or (2) of this section have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under section 3127.21 or 3127.22 of the Revised Code or a similar statute enacted by another state.</p> <p>(4) No court of any other state would have jurisdiction under the criteria specified in division (A)(1), (2), or (3) of this section.</p> <p>(B) Division (A) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>(C) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Ohio R.C. 3127.18 Temporary emergency jurisdiction</b></p> <p>(A) A court of this state has temporary emergency jurisdiction if a child is present in this state and either of the following applies:</p> <ul style="list-style-type: none"> <li>(1) The child has been abandoned.</li> <li>(2) It is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</li> </ul> <p>(B) If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state, a child custody determination made under this section becomes a final</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	<p>determination, if it so provides and this state becomes the home state of the child.</p> <p>(C) If there is a previous child custody determination that is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state, any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or until the period expires.</p> <p>(D) A court of this state that has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of a state having jurisdiction under sections 3127.15 to 3127.17 of the Revised Code or a similar statute of another state, shall immediately communicate with the other court. A court of this state that is exercising jurisdiction pursuant to sections 3127.15 to 3127.17 of the Revised Code, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of another</p>	

Jurisdiction	Child Abuse/Neglect Proceeding – Jurisdiction	Child Abuse/Neglect Proceeding – Service/Notification Requirements
	state under a statute similar to this section, shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.	

(A) Notice required for the exercise of jurisdiction over a person outside this state may be given in a manner prescribed by the Rules of Civil Procedure, or the Rules of Juvenile Procedure, as appropriate, for service of process or by the law of the state in which the service is made. Notice shall be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.

**Ohio R.Civ.P. 4.1**  
 (A) Service by clerk.  
 (1) Methods of service.  
 (a) Service by United States certified or express mail. Evidenced by return receipt signed by any person, service of any process shall be by United States certified or express mail unless otherwise permitted by these rules. The clerk shall deliver a copy of the process and complaint or other document to be served to the United States Postal Service for mailing at the address set forth in the caption or at the address set forth in written instructions furnished to the clerk as certified or express mail return receipt requested, with instructions to the delivering postal employee to show to whom delivered, date of delivery, and address where delivered.  
 (b) Service by commercial carrier service. Unless the serving party furnishes written instructions to the clerk that service be made pursuant to Civ.R. 4.1(A)(1)(a), the

clerk may make service of any process by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The clerk shall deliver a copy of the process and complaint or other document to be served to a commercial carrier service for delivery at the address set forth in the caption or at the address set forth in written instructions furnished to the clerk, with instructions to the carrier to return a signed receipt showing to whom delivered, date of delivery, and address where delivered.

(B) Personal service. When the plaintiff files a written request with the clerk for personal service, service of process shall be made by that method.

When process issued from the Supreme Court, a court of appeals, a court of common pleas, or a county court is to be served personally under this division, the clerk of the court shall deliver the process and sufficient copies of the process and complaint, or other document to be served, to the sheriff of the county in which the party to be served resides or may be found. When process issues from the municipal court, delivery shall be to the bailiff of the court for service on all defendants who reside or may be found within the county or counties in which that court has territorial jurisdiction and to the sheriff of any other county in this state for service upon a defendant who resides in or may be found in that other county. In the alternative, process issuing from any of these courts may be delivered by the clerk to any person not less than eighteen years of age, who is not a party and who has been designated

by order of the court to make personal service of process under this division. The person serving process shall locate the person to be served and shall tender a copy of the process and accompanying documents to the person to be served. When the copy of the process has been served, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the appearance docket.

When the person serving process is unable to serve a copy of the process within twenty-eight days, the person shall endorse that fact and the reasons therefor on the process and return the process and copies to the clerk who shall make the appropriate entry on the appearance docket. In the event of failure of service, the clerk shall follow the notification procedure set forth in division (A)(2) of this rule. Failure to make service within the twenty-eight day period and failure to make proof of service do not affect the validity of the service.

(C) Residence service. When the plaintiff files a written request with the clerk for residence service, service of process shall be made by that method.

When process is to be served under this division, deliver the process and sufficient copies of the process and complaint, or other document to be served, to the sheriff of the county in which the party to be served resides or may be found. When process issues from the municipal court, delivery shall be to the

bailiff of the court for service on all defendants who reside or may be found within the county or counties in which that court has territorial jurisdiction and to the sheriff of any other county in this state for service upon a defendant who resides in or may be found in that county. In the alternative, process may be delivered by the clerk to any person not less than eighteen years of age, who is not a party and who has been designated by order of the court to make residence service of process under this division. The person serving process shall effect service by leaving a copy of the process and the complaint, or other document to be served, at the usual place of residence of the person to be served with some person of suitable age and discretion then residing therein. When the copy of the process has been served, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the appearance docket.

When the person serving process is unable to serve a copy of the process within twenty-eight days, the person shall endorse that fact and the reasons therefor on the process, and return the process and copies to the clerk, who shall make the appropriate entry on the appearance docket. In the event of failure of service, the clerk shall follow the notification procedure set forth in division (A)(2) of this rule. Failure to make service within the twenty-eight-day period and failure to make proof of service do not affect the validity of service.

**Ohio R.Civ.P. 5**

*Service in General.* A paper is served under this rule by:

- (A) handing it to the person;
- (B) leaving it:
  - (i) at the person's office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or
  - (ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there;
- (C) mailing it to the person's last known address—in which event service is complete upon mailing;
- (D) leaving it with the court clerk if the person has no known address;
- (E) sending it to a registered user by filing it with the court's electronic-filing system or sending it by other electronic means that the person consented to in writing—in either of which events service is complete upon filing or sending, but is not effective if the filer or sender learns that it did not reach the person to be served; or
- (F) delivering it by any other means that the person consented to in writing—in which event service is complete when the person making service delivers it to the agency designated to make delivery.

Oklahoma

**See 10 OK Stat § 7502-1.1.**

Jurisdiction over proceedings to terminate parental rights and proceedings for the adoption of a minor commenced pursuant to the Oklahoma Adoption Code shall be governed by the

**12 OK Stat § 12-2004(C)(1)-(2)**

**1. Service by Personal Delivery**

(c) Service shall be made as follows:

	<p>Uniform Child Custody Jurisdiction and Enforcement Act as provided in Sections 551-101 through 551-402 of Title 43 of the Oklahoma Statutes.</p>	<p>(1) an individual other than an infant who is less than fifteen (15) years of age or an incompetent person, by delivering a copy of the summons and of the petition personally or by leaving copies thereof at the person's dwelling house or usual place of abode with some person then residing therein who is fifteen (15) years of age or older or by delivering a copy of the summons and of the petition to an agent authorized by appointment or by law to receive service of process,</p> <p>(2) upon an infant who is less than fifteen (15) years of age, by serving the summons and petition personally and upon either of the infant's parents or guardian, or if they cannot be found, then upon the person having the care or control of the infant or with whom the infant lives; and upon an incompetent person by serving the summons and petition personally and upon the incompetent person's guardian,</p> <p>(3) upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name, by delivering a copy of the summons and of the petition to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant,</p> <p>(4) upon the United States or an officer or agency thereof in the manner specified by Federal Rule of Civil Procedure 4,</p> <p>(5) upon a state, county, school district, public trust or</p>
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municipal corporation or other governmental organization thereof subject to suit, by delivering a copy of the summons and of the petition to the officer or individual designated by specific statute; however, if there is no statute, then upon the chief executive officer or a clerk, secretary, or other official whose duty it is to maintain the official records of the organization, and

(6) upon an inmate incarcerated in an institution under the jurisdiction and control of the Department of Corrections, by delivering a copy of the summons and of the petition to the warden or superintendent or the designee of the warden or superintendent of the institution where the inmate is housed. It shall be the duty of the receiving warden or superintendent or a designee to promptly deliver the summons and petition to the inmate named therein. The warden or superintendent or his or her designee shall reject service of process for any inmate who is not actually present in said institution.

**(2) SERVICE BY MAIL.**

a. At the election of the plaintiff, a summons and petition may be served by mail by the plaintiff's attorney, any person authorized to serve process pursuant to subparagraph a of paragraph 1 of this subsection, or by the court clerk upon a defendant of any class referred to in division (1), (3) or (5) of subparagraph c of paragraph 1 of this subsection. Service by mail shall be effective on the date of receipt or if refused, on the date of refusal of the summons and petition by the

		<p>defendant.</p> <p>b. Service by mail shall be accomplished by mailing a copy of the summons and petition by certified mail, return receipt requested and delivery restricted to the addressee. When there is more than one defendant, the summons and a copy of the petition or order shall be mailed in a separate envelope to each defendant. If the summons is to be served by mail by the court clerk, the court clerk shall enclose the summons and a copy of the petition or order of the court to be served in an envelope, prepared by the plaintiff, addressed to the defendant, or to the resident service agent if one has been appointed. The court clerk shall prepay the postage and mail the envelope to the defendant, or service agent, by certified mail, return receipt requested and delivery restricted to the addressee. The return receipt shall be prepared by the plaintiff. Service by mail to a garnishee shall be accomplished by mailing a copy of the summons and notice by certified mail, return receipt requested, and at the election of the judgment creditor by restricted delivery, to the addressee.</p> <p>c. Service by mail shall not be the basis for the entry of a default or a judgment by default unless the record contains a return receipt showing acceptance by the defendant or a returned envelope showing refusal of the process by the defendant. Acceptance or refusal of service by mail by a person who is fifteen (15) years of age or older who resides at the defendant's dwelling house or usual place of abode shall constitute acceptance or refusal by the party addressed.</p>
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<p>Oregon</p>	<p><b>ORS 419B.100</b>                  (1) Except as otherwise provided in subsection (5) of this section and ORS 107.726, the juvenile court has exclusive original jurisdiction in any case involving a person who is under 18 years of age and:                  (a) Who is beyond the control of the person's parents, guardian or other person having custody of the person;                  (b) Whose behavior is such as to endanger the welfare of the person or of others;                  (c) Whose condition or circumstances are such as to endanger the welfare of the person or of others;                  (d) Who is dependent for care and support on a public or private child-caring agency that needs the services of the court in planning for the best interest of the person;                  (e) Whose parents or any other person or persons having custody of the person have:                      (A) Abandoned the person;                      (B) Failed to provide the person with the care or education required by law;                      (C) Subjected the person to cruelty, depravity or unexplained physical injury; or                      (D) Failed to provide the person with the care, guidance and protection necessary for the physical, mental or emotional well-being of the person;                  (f) Who has run away from the home of the person;                  (g) Who has filed a petition for emancipation pursuant to ORS 419B.550 to 419B.558; or</p>	<p><b>ORS 419B.875</b>                  (1)                  (a) Parties to proceedings in the juvenile court under ORS 419B.100 and 419B.500 are:                      (A) The child or ward;                      (B) The parents or guardian of the child or ward;                      (C) A putative father of the child or ward who has demonstrated a direct and significant commitment to the child or ward by assuming, or attempting to assume, responsibilities normally associated with parenthood, including but not limited to:                          (i) Residing with the child or ward;                          (ii) Contributing to the financial support of the child or ward; or                          (iii) Establishing psychological ties with the child or ward;                      (D) The state;                      (E) The juvenile department;                      (F) A court appointed special advocate, if appointed;                      (G) The Department of Human Services or other child-caring agency if the agency has temporary custody of the child or ward; and                      (H) The tribe in cases subject to the Indian Child Welfare Act if the tribe has intervened pursuant to the Indian Child Welfare Act.                  (b) An intervenor who is granted intervention under ORS 419B.116 is a party to a proceeding under ORS 419B.100. An</p>
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	<p>(h) Who is subject to an order entered under ORS 419C.411 (7)(a).</p> <p>(2) The court shall have jurisdiction under subsection (1) of this section even though the child is receiving adequate care from the person having physical custody of the child.</p> <p>(3) The provisions of subsection (1) of this section do not prevent a court of competent jurisdiction from entertaining a civil action or suit involving a child.</p> <p>(4) The court does not have further jurisdiction as provided in subsection (1) of this section after a minor has been emancipated pursuant to ORS 419B.550 to 419B.558.</p> <p>(5)(a) An Indian tribe has exclusive jurisdiction over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of the tribe, except where the jurisdiction is otherwise vested in the state by existing federal law.</p> <p>(b) Upon the petition of either parent, the Indian custodian or the Indian child's tribe, the juvenile court, absent good cause to the contrary and absent objection by either parent, shall transfer a proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, to the jurisdiction of the tribe.</p> <p>(c) The juvenile court shall give full faith and credit to the public acts, records and judicial proceedings of an Indian tribe applicable to an Indian child custody proceeding to the same extent that the juvenile court gives full faith and credit to the public acts, records and judicial proceedings of any</p>	<p>intervenor under this paragraph is not a party to a proceeding under ORS 419B.500.</p> <p>(2) The rights of the parties include, but are not limited to:</p> <p>(a) The right to notice of the proceeding and copies of the petitions, answers, motions and other papers;</p> <p>(b) The right to appear with counsel and, except for intervenors under subsection (1)(b) of this section, to have counsel appointed as otherwise provided by law;</p> <p>(c) The right to call witnesses, cross-examine witnesses and participate in hearings;</p> <p>(d) The right of appeal; and</p> <p>(e) The right to request a hearing.</p> <p>(3) A putative father who satisfies the criteria set out in subsection (1)(a)(C) of this section shall be treated as a parent, as that term is used in this chapter and ORS chapters 419A and 419C, until the court confirms his parentage or finds that he is not the legal or biological parent of the child or ward.</p> <p>(4) If no appeal from the judgment or order is pending, a putative father whom a court of competent jurisdiction has found not to be the child or ward's legal or biological parent or who has filed a petition for filiation that was dismissed is not a party under subsection (1) of this section.</p> <p>(5)</p> <p>(a) A person granted rights of limited participation under ORS 419B.116 is not a party to a proceeding under ORS 419B.100 or 419B.500 but has only those rights specified in the order granting rights of limited participation.</p> <p>(b) Persons moving for or granted rights of limited</p>
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	<p>other entity.</p> <p><b>ORS 419B.803</b></p> <p>(1) A juvenile court having subject matter jurisdiction has jurisdiction over:</p> <p>(a) A party, who has been served in the matter as provided in ORS 419B.812 to 419B.839 to the extent that prosecution of the action is not inconsistent with the Constitution of this state and the Constitution of the United States;</p> <p>(b) A child under 12 years of age who is the subject of a petition filed pursuant to ORS 419B.100; and</p> <p>(c) Any other party specified in ORS 419B.875 (1).</p> <p>(2) Juvenile court jurisdiction is subject to ORS 109.701 to 109.834.</p>	<p>participation are not entitled to appointed counsel but may appear with retained counsel.</p> <p>(6) If a foster parent, preadoptive parent or relative is currently providing care for a child or ward, the Department of Human Services shall give the foster parent, preadoptive parent or relative notice of a proceeding concerning the child or ward. A foster parent, preadoptive parent or relative providing care for a child or ward has the right to be heard at the proceeding. Except when allowed to intervene, the foster parent, preadoptive parent or relative providing care for the child or ward is not considered a party to the juvenile court proceeding solely because of notice and the right to be heard at the proceeding.</p> <p>(7)</p> <p>(a) The Department of Human Services shall make diligent efforts to identify and obtain contact information for the grandparents of a child or ward committed to the department's custody. Except as provided in paragraph (b) of this subsection, when the department knows the identity of and has contact information for a grandparent, the department shall give the grandparent notice of a hearing concerning the child or ward. Upon a showing of good cause, the court may relieve the department of its responsibility to provide notice under this paragraph.</p> <p>(b) If a grandparent of a child or ward is present at a hearing concerning the child or ward, and the court informs the grandparent of the date and time of a future hearing, the department is not required to give notice of the future</p>
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		<p>hearing to the grandparent.</p> <p>(c) If a grandparent is present at a hearing concerning a child or ward, the court shall give the grandparent an opportunity to be heard.</p> <p>(d) The court's orders or judgments entered in proceedings under ORS 419B.185, 419B.310, 419B.325, 419B.449, 419B.476 and 419B.500 must include findings of the court as to whether the grandparent had notice of the hearing, attended the hearing and had an opportunity to be heard.</p> <p>(e) Notwithstanding the provisions of this subsection, a grandparent is not a party to the juvenile court proceeding unless the grandparent has been granted rights of intervention under ORS 419B.116.</p> <p>(f) As used in this subsection, "grandparent" means the legal parent of the child's or ward's legal parent, regardless of whether the parental rights of the child's or ward's legal parent have been terminated under ORS 419B.500 to 419B.524.</p> <p>(8) Interpreters for parties and persons granted rights of limited participation shall be appointed in the manner specified by ORS 45.275 and 45.285.</p> <p><b>ORS 419B.819</b></p> <p>(1) A court may make an order establishing permanent guardianship under ORS 419B.365 or terminating parental rights under ORS 419B.500, 419B.502, 419B.504, 419B.506 or 419B.508 only after service of summons and a true copy of the petition on the parent, as provided in ORS 419B.812, 419B.823,</p>
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		<p>419B.824, 419B.827, 419B.830 and 419B.833. A putative father who satisfies the criteria set out in ORS 419B.839 (1)(d) or 419B.875 (1)(a)(C) also must be served with summons and a true copy of the petition, unless a court of competent jurisdiction has found him not to be the child or ward's legal or biological father or he has filed a petition for filiation that was dismissed and no appeal of the judgment or order is pending.</p>
<p>Pennsylvania</p>	<p><b>23 Pa. C.S.A. § 6103</b>  <b>(a) General rule.</b>—The court shall have jurisdiction over all proceedings under this chapter.  <b>(b) Effect of departure and nonresidence.</b>—The right of the plaintiff to relief under this chapter shall not be affected by either of the following:          (1) The plaintiff's leaving the residence or household to avoid further abuse.          (2) The defendant's absence from this Commonwealth or the defendant's nonresidence in this Commonwealth, provided that the court has personal jurisdiction over the defendant in accordance with 42 Pa. C.S. § 5322 (relating to bases of personal jurisdiction over persons outside this Commonwealth).</p>	<p><b>23 Pa. C.S.A. § 6109</b>  <b>(a) Issuance.</b>—A copy of an order under this chapter shall be issued to the plaintiff, the defendant and the police department with appropriate jurisdiction to enforce the order or agreement in accordance with the provisions of this chapter or as ordered by the court or hearing officer.  <b>(b) Placement in registry.</b>—Upon receipt of an order, the police department shall immediately place the order in a county registry of protection orders. The police department shall assure that the registry is current at all times and that orders are removed upon expiration thereof. County registries shall not be required when the Pennsylvania State Police registry provided for in section 6105(e) (relating to responsibilities of law enforcement agencies) is established and is fully operational.</p>
<p>Rhode Island</p>	<p><b>14 R.I. Gen. Laws Ann. § 14-1-5</b>          The court shall, as set forth in this chapter, have exclusive original jurisdiction in proceedings:          (1) Concerning any child residing or being within the state who is:</p>	<p><b>14 R.I. Gen. Laws Ann. § 14-1-16</b>          Upon the filing of a petition, the justice, if satisfied that there is reasonable cause for the petition, may issue a summons requiring the child to appear before the court at a time and place named in it, and shall also cause a summons to be issued to at least one of the parents of the child if either of them is</p>

	<p>(i) delinquent;                  (ii) wayward;                  (iii) dependent;                  (iv) neglected; or                  (v) mentally disabled;</p> <p>(2) Concerning adoption of children;</p> <p>(3) To determine the paternity of any child alleged to have been born out of wedlock and to provide for the support and disposition of that child in case that child or its mother has residence within the state</p> <p><b>14 R.I. Gen. Laws Ann. § 14-1-6</b></p> <p>(a) When the court shall have obtained jurisdiction over any child prior to the child having attained the age of eighteen (18) years by the filing of a petition alleging that the child is wayward or delinquent pursuant to § 14-1-5, the child shall, except as specifically provided in this chapter, continue under the jurisdiction of the court until he or she becomes nineteen (19) years of age, unless discharged prior to turning nineteen (19).</p> <p>(b) When the court shall have obtained jurisdiction over any child prior to the child's eighteenth (18th) birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent, neglected, or abused pursuant to §§ 14-1-5 and 40-11-7 or 42-72-14, the child shall, except as specifically provided in this chapter, continue under the jurisdiction of the court until he or she becomes eighteen (18) years of age; provided, that at least six (6) months prior to a child turning</p>	<p>known to reside within the state, or if there is no parent, then to the guardian or other lawful custodian of the child, if there is one known to be so resident, and, if not, then to the person with whom the child resides, if known.</p>
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eighteen (18) years of age, the court shall require the department of children, youth and families to provide a description of the transition services including the child's housing, health insurance, education and/or employment plan, available mentors and continuing support services, including workforce supports and employment services afforded the child in placement, or a detailed explanation as to the reason those services were not offered. As part of the transition planning, the child shall be informed by the department of the opportunity to voluntarily agree to extended care and placement by the department and legal supervision by the court until age twenty-one (21). The details of a child's transition plan shall be developed in consultation with the child, wherever possible, and approved by the court prior to the dismissal of an abuse, neglect, dependency, or miscellaneous petition before the child's twenty-first birthday.

(c) A child, who is in foster care on their eighteenth birthday due to the filing of a miscellaneous petition or a petition alleging that the child is dependent, neglected, or abused pursuant to §§ 14-1-5, 40-11-7 or 42-72-14, may voluntarily elect to continue responsibility for care and placement from DCYF and to remain under the legal supervision of the court as a young adult until age twenty-one (21), provided:

- (1) The young adult was in the legal custody of the department at age eighteen (18); and
- (2) The young adult is participating in at least one of the following:

	<p>(i) Completing the requirements to receive a high school diploma or GED;</p> <p>(ii) Completing a secondary education or a program leading to an equivalent credential; enrolled in an institution that provides postsecondary or vocational education;</p> <p>(iii) Participating in a job-training program or an activity designed to promote or remove barriers to employment;</p> <p>(iv) Be employed for at least eighty (80) hours per month; or</p> <p>(v) Incapable of doing any of the foregoing due to a medical condition that is regularly updated and documented in the case plan.</p> <p>(d) A former foster child who was adopted or placed in guardianship with an adoption assistance agreement or a guardianship assistance agreement that was executed on or after his or her sixteenth birthday and prior to his or her eighteenth birthday may voluntarily agree to extended care and placement by the department and legal supervision by the court until age twenty-one (21) if the young adult satisfies the requirements in subsection (c)(2). Provided, however, the department retains the right to review the request and first attempt to address the issues through the adoption assistance agreement by providing post adoptive or post guardianship support services to the young adult and his or her adoptive or guardianship family.</p> <p>(e) Upon the request of the young adult, who voluntarily</p>	
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agreed to the extension of care and placement by the department and legal supervision by the court, pursuant to subsections (c) and (d) of this section, the court's legal supervision and the department's responsibility for care and placement may be terminated. Provided, however, the young adult may request reinstatement of responsibility and resumption of the court's legal supervision at any time prior to his or her twenty-first birthday if the young adult meets the requirements set forth in subsection (c)(2). If the department wishes to terminate the court's legal supervision and its responsibility for care and placement, it may file a motion for good cause. The court may exercise its discretion to terminate legal supervision over the young adult at any time.

(f) The court may retain jurisdiction of any child who is seriously emotionally disturbed or developmentally delayed pursuant to § 42-72-5(b)(24)(v) until that child turns age twenty-one (21) when the court shall have obtained jurisdiction over any child prior to the child's eighteenth birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent, neglected, and/or abused pursuant to §§ 14-1-5, and 40-11-7, or 42-72-14.

(g) The department of children, youth and families shall work collaboratively with the department of behavioral healthcare, developmental disabilities and hospitals, and other agencies, in accordance with § 14-1-59, to provide the family court with a transition plan for those individuals who come under the court's jurisdiction pursuant to a petition alleging that the child is dependent, neglected, and/or abused and who are seriously

emotionally disturbed or developmentally delayed pursuant to § 42-72-5(b)(24)(v). This plan shall be a joint plan presented to the court by the department of children, youth and families and the department of behavioral healthcare, developmental disabilities and hospitals. The plan shall include the behavioral healthcare, developmental disabilities and hospitals' community or residential service level, health insurance option, education plan, available mentors, continuing support services, workforce supports and employment services, and the plan shall be provided to the court at least twelve (12) months prior to discharge. At least three (3) months prior to discharge, the plan shall identify the specific placement for the child, if a residential placement is needed. The court shall monitor the transition plan. In the instance where the department of behavioral healthcare, developmental disabilities and hospitals has not made timely referrals to appropriate placements and services, the department of children, youth and families may initiate referrals.

(h) The parent and/or guardian and/or guardian ad litem of a child who is seriously emotionally disturbed or developmentally delayed pursuant to § 42-72-5(b)(24)(v), and who is before the court pursuant to §§ 14-1-5(1)(iii) through 14-1-5(1)(v), 40-11-7 or 42-72-14, shall be entitled to a transition hearing, as needed, when the child reaches the age of twenty (20) if no appropriate transition plan has been submitted to the court by the department of children, youth and families and the department of behavioral healthcare, developmental disabilities and hospitals. The family court shall require that the department of

	<p>behavioral healthcare, developmental disabilities and hospitals shall immediately identify a liaison to work with the department of children, youth and families until the child reaches the age of twenty-one (21) and an immediate transition plan be submitted if the following facts are found:</p> <ul style="list-style-type: none"><li>(1) No suitable transition plan has been presented to the court addressing the levels of service appropriate to meet the needs of the child as identified by the department of behavioral healthcare, developmental disabilities and hospitals; or</li><li>(2) No suitable housing options, health insurance, educational plan, available mentors, continuing support services, workforce supports, and employment services have been identified for the child.</li></ul> <p>(i) In any case where the court shall not have acquired jurisdiction over any person prior to the person's eighteenth (18th) birthday by the filing of a petition alleging that the person had committed an offense, but a petition alleging that the person had committed an offense that would be punishable as a felony if committed by an adult has been filed before that person attains the age of nineteen (19) years of age, that person shall, except as specifically provided in this chapter, be subject to the jurisdiction of the court until he or she becomes nineteen (19) years of age, unless discharged prior to turning nineteen (19).</p> <p>(j) In any case where the court shall not have acquired jurisdiction over any person prior to the person attaining the age of nineteen (19) years by the filing of a petition alleging</p>	
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	<p>that the person had committed an offense prior to the person attaining the age of eighteen (18) years that would be punishable as a felony if committed by an adult, that person shall be referred to the court that had jurisdiction over the offense if it had been committed by an adult. The court shall have jurisdiction to try that person for the offense committed prior to the person attaining the age of eighteen (18) years and, upon conviction, may impose a sentence not exceeding the maximum penalty provided for the conviction of that offense.</p> <p>(k) In any case where the court has certified and adjudicated a child in accordance with the provisions of §§ 14-1-7.2 and 14-1-7.3, the jurisdiction of the court shall encompass the power and authority to sentence the child to a period in excess of the age of nineteen (19) years. However, in no case shall the sentence be in excess of the maximum penalty provided by statute for the conviction of the offense.</p> <p>(l) Nothing in this section shall be construed to affect the jurisdiction of other courts over offenses committed by any person after he or she reaches the age of eighteen (18) years.</p>	
<p>South Carolina</p>	<p><b>S.C. Code Ann. § 63-7-1610</b></p> <p>(A) The family court has exclusive jurisdiction over all proceedings held pursuant to this article.</p> <p>(B) The county in which the child resides is the legal place of venue.</p>	<p><b>S.C. Code Ann. § 63-7-1630</b></p> <p>The department shall provide notice of a hearing held in connection with an action filed or pursued under this chapter to the foster parent, the preadoptive parent, or the relative who is providing care for a child. The notice must be in writing and may be delivered in person or by regular mail. The notice shall inform the foster parent, preadoptive parent, or relative of the date, place, and time of the hearing and of the right to attend</p>

		<p>the hearing and to address the court concerning the child. Notice provided pursuant to this section does not confer on the foster parent, preadoptive parent, or relative the status of a party to the action.</p>
<p>South Dakota</p>	<p><b>S.D. Codified Laws § 26-5-B-102(4)</b>          (4) "Child-custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term 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. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under Article 3.</p> <p><b>S.D. Codified Laws § 26-5-B-201</b>          (a) Except as otherwise provided in § 26-5B-204 , a court of this state has jurisdiction to make an initial child-custody determination only if:</p> <p>(1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</p> <p>(2) A court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state</p>	<p><b>S.D. Codified Laws § 26-5B-205(a)</b>          (a) Before a child-custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of § 26-5B-108 must be given to all persons entitled to notice under the law of this state as in child-custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>S.D. Codified Laws § 26-5B-108(a)</b>          (a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p> <p><b>S.D. Codified Laws § 26-8A-28</b>          Notice of entry of order of adjudication or final decree of disposition issued by the court in any action involving an abused or neglected child shall be served on the child's attorney and the child's guardian ad litem or special advocate, if any, and on all respondent parents and other respondent</p>

	<p>is the more appropriate forum under § 26-5B-207 or 26-5B-208 , and:</p> <p>(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</p> <p>(B) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</p> <p>(3) All courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under § 26-5B-207 or 26-5B-208 ; or</p> <p>(4) No court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).</p> <p>(b) Subsection (a) is the exclusive jurisdictional basis for making a child-custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child-custody determination.</p> <p><b>S.D. Codified Laws § 26-5B-204 Temp. emergency juris.</b></p> <p>(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p>	<p>parties in any manner authorized by the rules of civil procedure. The notice of entry may be served by publication in the same manner as service of the summons in the action as provided in § 26-7A-48. If the notice of entry is served by publication, the service is completed five days after the date of publication. The time for appeal commences on the day following the date of completed service of the notice of entry regardless of the manner in which the notice of entry is served.</p>
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(b) If there is no previous child-custody determination that is entitled to be enforced under this chapter and a child-custody proceeding has not been commenced in a court of a state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive, a child-custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive. If a child-custody proceeding has not been or is not commenced in a court of a state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive, a child-custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(c) If there is a previous child-custody determination that is entitled to be enforced under this chapter, or a child-custody proceeding has been commenced in a court of a state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive, any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.

(d) A court of this state which has been asked to make a child-custody determination under this section, upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of a

	<p>state having jurisdiction under §§ 26-5B-201 to 26-5B-203 , inclusive, shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to §§ 26-5B-201 to 26-5B-203 , inclusive, upon being informed that a child-custody proceeding has been commenced in, or a child-custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
<p>Tennessee</p>	<p><b>Tenn. Code Ann. § 36-1-114</b>  A petition to terminate parental rights under Tenn. Code Ann. § 36-1-113 due to abuse, dependency, or neglect of a child as defined in Tenn. Code Ann. 37-1-102 may be brought:</p> <ul style="list-style-type: none"> <li>(1) Where the petitioners reside;</li> <li>(2) Where the child resides;</li> <li>(3) Where, at the time the petition is filed, any respondent resides;</li> <li>(4) In which is located any licensed child-placing agency or institution operated under the laws of this state having custody or guardianship of the child or to which the child has been surrendered as provided in this part;</li> <li>(5) Where the child became subject to the care and control of a public or private child-caring or child-placing agency; or</li> <li>(6) Where the child became subject to partial or complete guardianship or legal custody of the petitioners as provided in this part.</li> </ul>	<p><b>Tenn. Code Ann. § 36-1-113</b>  (d)(4)The petition to terminate parental rights, if filed separately from an adoption petition, may be filed as provided in § 36-1-114. If the petition is filed in a court different from the court where there is a pending custody, dependency, neglect or abuse proceeding concerning a person whose parental rights are sought to be terminated in the petition, a notice of the filing of the petition, together with a copy of the petition, shall be sent by the petitioner to the court where the prior proceeding is pending. In addition, the petitioner filing a petition under this section shall comply with the requirements of § 36-1-117(e).  (e) Service of process of the petition shall be made as provided in § 36-1-117.</p> <p><b>Tenn. Code Ann. § 36-1-117(e)</b>  Any public or private agency that may have custody or</p>

		<p>complete or partial guardianship of the child and that has not given consent as provided under this part shall be made a defendant and given notice of the filing of the termination of parental or guardian rights petition filed under this part or under title 37, and shall be permitted to assert its rights to custody or guardianship of the child.</p> <p><b>Tenn. Code Ann. § 36-1-117(m)</b>          (1) Service of process for adoption proceedings and termination proceedings in chancery and circuit courts pursuant to this part shall be made pursuant to the Tennessee Rules of Civil Procedure and the statutes governing substituted service.          (2) Service of process for proceedings to terminate parental rights in juvenile court shall be pursuant to the Tennessee Rules of Civil Procedure, unless a finding is made pursuant to Tennessee Rules of Juvenile Procedure Rule 1 that the interests of justice require otherwise, the statutory requirements of title 37, chapter 1, part 1, where not otherwise in conflict with this part, and the statutes governing substituted service.          (3) Any motion for an order for publication in these proceedings shall be accompanied by an affidavit of the petitioners or their legal counsel attesting, in detail, to all efforts to determine the identity and whereabouts of the parties against whom substituted service is sought.</p>
Texas	<p><b>Tex. Fam. Code Ann. § 262.002</b>          A suit brought by a governmental entity to protect the health and safety of a child from abuse or neglect may be filed in a</p>	<p><b>Tex. Fam. Code Ann. § 262.101</b>          An original suit filed by a governmental entity that requests permission to take possession of a child without prior notice</p>

	<p>court with jurisdiction to hear the suit in the county in which the child is found.</p>	<p>and a hearing must be supported by an affidavit sworn to by a person with personal knowledge and stating facts sufficient to satisfy a person of ordinary prudence and caution that:</p> <ul style="list-style-type: none"> <li>(1) there is an immediate danger to the physical health or safety of the child or the child has been a victim of neglect or sexual abuse;</li> <li>(2) continuation in the home would be contrary to the child 's welfare;</li> <li>(3) there is no time, consistent with the physical health or safety of the child, for a full adversary hearing under Subchapter C; and</li> <li>(4) reasonable efforts, consistent with the circumstances and providing for the safety of the child, were made to prevent or eliminate the need for the removal of the child.</li> </ul> <p><b>Tex. Fam. Code Ann. § 262.102</b></p> <p>Before a court may, without prior notice and a hearing, issue a temporary order for the conservatorship of a child under Section 105.001(a)(1) or a temporary restraining order or attachment of a child authorizing a governmental entity to take possession of a child in a suit brought by a governmental entity, the court must find that:</p> <ul style="list-style-type: none"> <li>(1) there is an immediate danger to the physical health or safety of the child or the child has been a victim of neglect or sexual abuse;</li> <li>(2) continuation in the home would be contrary to the child 's welfare;</li> <li>(3) there is no time, consistent with the physical health or</li> </ul>
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		<p>safety of the child and the nature of the emergency, for a full adversary hearing under Subchapter C; and</p> <p>(4) reasonable efforts, consistent with the circumstances and providing for the safety of the child, were made to prevent or eliminate the need for removal of the child.</p> <p><b>Tex. Fam. Code Ann. § 262.109</b></p> <p>(a) The state must give written notice to each parent of the child or to the child 's conservator or legal guardian when a representative of the state takes possession of a child under this chapter.</p> <p>(b) The written notice must be given as soon as practicable, but in any event not later than the first business day after the date the child is taken into possession.</p>
<p>Utah</p>	<p><b>Utah Code Ann. § 78A-6-103</b></p> <p>Except as otherwise provided by law, the juvenile court has exclusive original jurisdiction in proceedings concerning a child who is an abused child, neglected child, or dependent child, as those terms are defined in Section 78A-6-105.</p> <p><b>Utah Code Ann. § 78A-6-104</b></p> <p>The district court or other court has concurrent jurisdiction with the juvenile court in establishing paternity and ordering testing for the purposes of establishing paternity, in accordance with Title 78B, Chapter 15, Utah Uniform Parentage Act, with regard to proceedings initiated under Part 3, Abuse, Neglect, and Dependency Proceedings, or Part 5, Termination of Parental Rights Act.</p>	<p><b>Utah Code Ann. § 78A-6-310</b></p> <p>(1) Upon the filing of a petition pursuant to Section 78A-6-304, the petitioner shall cause the petition and notice to be served on:</p> <ul style="list-style-type: none"> <li>(a) the guardian ad litem;</li> <li>(b) both parents and any guardian of the child; and</li> <li>(c) the child's foster parents.</li> </ul> <p>(2) The notice shall contain all of the following:</p> <ul style="list-style-type: none"> <li>(a) the name and address of the person to whom the notice is directed;</li> <li>(b) the date, time, and place of the hearing on the petition;</li> <li>(c) the name of the child on whose behalf the petition has been brought;</li> <li>(d) a statement that the parent or guardian to whom notice is</li> </ul>

		<p>given, and the child, are entitled to have an attorney present at the hearing on the petition, and that if the parent or guardian is indigent and cannot afford an attorney, and desires to be represented by an attorney, one will be provided; and</p> <p>(e) a statement that the parent or legal guardian is liable for the cost of support of the child in the protective custody, temporary custody, and custody of the division, and for legal counsel appointed for the parent or guardian under Subsection (2)(d), according to the parent's or guardian's financial ability.</p> <p>(3) Notice and a copy of the petition shall be served on all persons required to receive notice under Subsection (1) as soon as possible after the petition is filed and at least five days prior to the time set for the hearing.</p> <p><b>Utah Code Ann. § 78A-6-317(1)</b>          A child who is the subject of a juvenile court hearing, any person entitled to notice pursuant to Section 78A-6-306 or 78A-6-310, preadoptive parents, foster parents, and any relative providing care for the child, are:</p> <p>(a) entitled to notice of, and to be present at, each hearing and proceeding held under this part, including administrative reviews; and</p> <p>(b) have a right to be heard at each hearing and proceeding described in Subsection (1)(a).</p>
Vermont	<p><b>15 V.S.A. § 1102</b>          (a) The family division of the superior court shall have</p>	<p><b>15 V.S.A. § 1105</b>          (a) A complaint or ex parte temporary order or final order</p>

	<p>jurisdiction over proceedings under this chapter.</p> <p>(b) Emergency orders under section 1104 of this title may be issued by a judge of the criminal, civil, or family division of the superior court.</p> <p>(c) Proceedings under this chapter may be commenced in the county in which the plaintiff resides. If the plaintiff has left the residence or household to avoid abuse, the plaintiff shall have the option to bring an action in the county of the previous residence or household or the county of the new residence or household.</p>	<p>issued under this chapter shall be served in accordance with the Vermont Rules of Civil Procedure and may be served by any law enforcement officer. A court that issues an order under this chapter during court hours shall promptly transmit the order electronically or by other means to a law enforcement agency for service.</p> <p>(b) A defendant who attends a hearing held under section 1103 or 1104 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. However, even when the court has previously notified the defendant of the order, the court shall transmit the order for additional service by a law enforcement agency.</p> <p>(c) Abuse orders shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders. Orders shall be served in a manner calculated to ensure the safety of the plaintiff. Methods of service which include advance notification to the defendant shall not be used. The person making service shall file a return of service with the court stating the date, time, and place at which the order was delivered personally to the defendant.</p> <p>(d) If service of a notice of hearing issued under section 1103 or 1104 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time</p>
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		<p>as it deems necessary to achieve service on the defendant.</p> <p><b>15 V.S.A. § 1103</b></p> <p>(a) Any family or household member may seek relief from abuse by another family or household member on behalf of himself or herself or his or her children by filing a complaint under this chapter. A minor 16 years of age or older, or a minor of any age who is in a dating relationship as defined in subdivision 1101(2) of this chapter, may file a complaint under this chapter seeking relief on his or her own behalf. The plaintiff shall submit an affidavit in support of the order.</p> <p>(b) Except as provided in section 1104 of this title, the court shall grant relief only after notice to the defendant and a hearing. The plaintiff shall have the burden of proving abuse by a preponderance of the evidence.</p> <p>(c)</p> <p>(1) The court shall make such orders as it deems necessary to protect the plaintiff or the children, or both, if the court finds that the defendant has abused the plaintiff, and:</p> <p>(A) there is a danger of further abuse; or</p> <p>(B) the defendant is currently incarcerated and has been convicted of one of the following: murder, attempted murder, kidnapping, domestic assault, aggravated domestic assault, sexual assault, aggravated sexual assault, stalking, aggravated stalking, lewd or lascivious conduct with a child, use of a child in a sexual performance, or consenting to a sexual performance.</p> <p>(2) The court order may include the following:</p>
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		<p>(A) an order that the defendant refrain from abusing the plaintiff or his or her children, or both, and from interfering with their personal liberty, including restrictions on the defendant's ability to contact the plaintiff or the plaintiff's children, or both, in any way, whether directly, indirectly, or through a third party, with the purpose of making contact with the plaintiff, including in writing or by telephone, e-mail, or other electronic communication, and restrictions prohibiting the defendant from coming within a fixed distance of the plaintiff, the children, the plaintiff's residence, or other designated locations where the plaintiff or the plaintiff's children are likely to spend time;</p> <p>(B) an order that the defendant immediately vacate the household and that the plaintiff be awarded sole possession of a residence;</p> <p>(C) a temporary award of parental rights and responsibilities in accordance with the criteria in section 665 of this title;</p> <p>(D) an order for parent-child contact under such conditions as are necessary to protect the child or the plaintiff, or both, from abuse. An order for parent-child contact may if necessary include conditions under which the plaintiff may deny parent-child contact pending further order of the court;</p> <p>(E) if the court finds that the defendant has a duty to support the plaintiff, an order that the defendant pay the plaintiff's living expenses for a fixed period of time not to exceed three months;</p> <p>(F) if the court finds that the defendant has a duty to</p>
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		<p>support the child or children, a temporary order of child support pursuant to chapter 5 of this title, for a period not to exceed three months. A support order granted under this section may be extended if the relief from abuse proceeding is consolidated with an action for legal separation, divorce, or parentage;</p> <p>(G) an order concerning the possession, care, and control of any animal owned, possessed, leased, kept, or held as a pet by either party or a minor child residing in the household; and</p> <p>(H) an order that the defendant return any personal documentation in his or her possession, including immigration documentation, birth certificates, and identification cards:</p> <ul style="list-style-type: none"> <li>(i) pertaining to the plaintiff; or</li> <li>(ii) pertaining to the plaintiff's children if relief is sought for the children or for good cause shown.</li> </ul> <p>(d) In a hearing under this chapter, neither opinion evidence of nor evidence of the reputation of the plaintiff's sexual conduct shall be admitted. Evidence of prior sexual conduct of the plaintiff shall not be admitted; provided, however, where it bears on the credibility of the plaintiff or it is material to a fact at issue and its probative value outweighs its private character, the court may admit:</p> <ul style="list-style-type: none"> <li>(1) Evidence of the plaintiff's past sexual conduct with the defendant.</li> <li>(2) Evidence of specific instances of the plaintiff's sexual conduct showing the source of origin of semen, pregnancy,</li> </ul>
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		<p>or disease.</p> <p>(3) Evidence of specific instances of the plaintiff's past false allegations of violations of 13 V.S.A. chapter 59 or 72.</p> <p>(e) Relief shall be granted for a fixed period, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff, the children, or both, from abuse. It is not necessary for the court to find that abuse has occurred during the pendency of the order to extend the terms of the order. The court may modify its order at any subsequent time upon motion by either party and a showing of a substantial change in circumstance.</p> <p>(f) No filing fee shall be required.</p> <p>(g) Every order under this chapter shall contain the name of the court, the names of the parties, the date of the petition, the date and time of the order, and shall be signed by the judge.</p> <p>(h) Form complaints and form orders shall be provided by the Court Administrator and shall be maintained by the clerks of the courts.</p> <p>(i) When findings are required under this section, the court shall make either written findings of fact or oral findings of fact on the record.</p>
Virginia	<p><b>Code of Virginia § 20-146.1</b></p> <p>"Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term includes a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from</p>	<p><b>Code of Virginia § 20-146.16(A)</b></p> <p>A. Before a child's custody determination is made under this act, notice and an opportunity to be heard in accordance with the standards of § 20-146.7 must be given to all persons entitled to notice under the laws of this Commonwealth as in child custody proceedings between residents of this</p>

	<p>domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under Article 3 (§ 20-146.22 et seq.) of this chapter.</p> <p><b>Code of Virginia § 20-146.12</b></p> <p>A. Except as otherwise provided in § 20-146.15, a court of this Commonwealth has jurisdiction to make an initial child custody determination only if:</p> <ol style="list-style-type: none"> <li>1. This Commonwealth is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this Commonwealth but a parent or person acting as a parent continues to live in this Commonwealth;</li> <li>2. A court of another state does not have jurisdiction under subdivision 1, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this Commonwealth is the more appropriate forum under § 20-146.18 or § 20-146.19, and (i) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this Commonwealth other than mere physical presence and (ii) substantial evidence is available in this Commonwealth concerning the child's care, protection, training, and personal relationships;</li> <li>3. All courts having jurisdiction under subdivision 1 or 2 have declined to exercise jurisdiction on the ground that a court of</li> </ol>	<p>Commonwealth, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.</p> <p><b>Code of Virginia § 20-146.7(A)</b></p> <p>A. Notice required for the exercise of jurisdiction when a person is outside this Commonwealth may be given in a manner prescribed by the law of this Commonwealth for service of process or by the law of the state in which the service is attempted or made. Notice may also be by certified or registered mail, return receipt requested, addressed to the last known address of the person to be served. Notice must be given in a manner reasonably calculated to give actual notice and an opportunity to be heard but may be by publication pursuant to §§ 8.01-316 and 8.01-317 if other means are not effective.</p>
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	<p>this Commonwealth is the more appropriate forum to determine the custody of the child under § 20-146.18 or § 20-146.19; or</p> <p>4. No court of any other state would have jurisdiction under the criteria specified in subdivision 1, 2, or 3.</p> <p>B. Subsection A is the exclusive jurisdictional basis for making a child custody determination by a court of this Commonwealth.</p> <p>C. Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Code of Virginia § 20-146.15 Temp. emergency jurisdiction</b></p> <p>A. A court of this Commonwealth has temporary emergency jurisdiction if the child is present in this Commonwealth and the child has been abandoned or if it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to mistreatment or abuse or placed in reasonable apprehension of mistreatment or abuse or there is reasonable apprehension that such person is threatened with mistreatment or abuse.</p> <p>B. If there is no previous child custody determination that is entitled to be enforced under this act and a child custody proceeding has not been commenced in a court of a state having jurisdiction under §§ 20-146.12, 20-146.13 or § 20-146.14, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under §§ 20-146.12, 20-146.13 or § 20-146.14. If a child custody proceeding has not been or is not</p>	
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commenced in a court of a state having jurisdiction under §§ 20-146.12, 20-146.13 or § 20-146.14, a child custody determination made under this section becomes a final determination, if it so provides and this Commonwealth becomes the home state of the child.

C. If there is a previous child custody determination that is entitled to be enforced under this act, or a child custody proceeding has been commenced in a court of a state having jurisdiction under §§ 20-146.12, 20-146.13 or § 20-146.14, any order issued by a court of this Commonwealth under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction. The order issued in this Commonwealth remains in effect until an order is obtained from the other state within the period specified or until the period expires.

D. A court of this Commonwealth that has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under §§ 20-146.12, 20-146.13 or § 20-146.14, shall immediately communicate with the other court. A court of this Commonwealth that is exercising jurisdiction pursuant to §§ 20-146.12, 20-146.13 or § 20-146.14, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section, shall immediately

	<p>communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
<p>Washington</p>	<p><b>R.C.W. 26.27.021(4)</b>          (4) "Child custody proceeding" means a proceeding in which legal custody, physical custody, a parenting plan, or visitation with respect to a child is an issue. The term includes a proceeding for dissolution, divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, emancipation proceedings under chapter 13.64 RCW, proceedings under chapter 13.32A RCW, or enforcement under Article 3.</p> <p><b>R.C.W. 26.27.201</b>          (1) Except as otherwise provided in RCW 26.27.231 , a court of this state has jurisdiction to make an initial child custody determination only if:</p> <ul style="list-style-type: none"> <li>(a) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</li> <li>(b) A court of another state does not have jurisdiction under (a) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that</li> </ul>	<p><b>R.C.W. 26.27.241(1)</b>          (1) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of RCW 26.27.081 must be given to:</p> <ul style="list-style-type: none"> <li>(a) All persons entitled to notice under the law of this state as in child custody proceedings between residents of this state;</li> </ul>

	<p>this state is the more appropriate forum under RCW 26.27.261 or 26.27.271 , and:</p> <ul style="list-style-type: none"> <li>(i) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</li> <li>(ii) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;</li> <li>(c) All courts having jurisdiction under (a) of this subsection have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or 26.27.271 ; or</li> <li>(d) No court of any other state would have jurisdiction under the criteria specified in (a), (b), or (c) of this subsection.</li> </ul> <p>(2) Subsection (1) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>(3) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>R.C.W. 26.27.231 Temporary emergency jurisdiction</b></p> <p>(1) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the</p>	
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child because the child, or a sibling or parent of the child, is subjected to or threatened with abuse.

(2) If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221 , a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221 . If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221 , a child custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(3) If there is a previous child custody determination that is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221 , any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under RCW 26.27.201 through 26.27.221 . The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.

(4) A court of this state that has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a

	<p>child custody determination has been made by, a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221 , shall immediately communicate with the other court. A court of this state that is exercising jurisdiction pursuant to RCW 26.27.201 through 26.27.221 , upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
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(b) any parent whose parental rights have not been previously terminated; and

(c) any person having physical custody of the child.

**R.C.W. 26.27.081(1)**

(1) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed for service of process by the law of the state in which the service is made or given in a manner reasonably calculated to give actual notice, and may be made in any of the following ways:

(a) Personal delivery outside this state in the manner prescribed for service of process within this state;

(b) By any form of mail addressed to the person to be served and requesting a receipt; or

(c) As directed by the court, including publication if other means of notification are ineffective

**R.C.W. 4.28.080(16)-(17)**

Service made in the modes provided in this section is personal service. The summons shall be served by delivering a copy thereof, as follows:

(16) In all other cases, to the defendant personally, or by leaving a copy of the summons at the house of his or her usual abode with some person of suitable age and discretion then resident therein.

(17) In lieu of service under subsection (16) of this section, where the person cannot with reasonable diligence be served as described, the summons may be served as provided in this subsection, and shall be deemed complete on the tenth day after the required mailing: By leaving a copy at his or her usual mailing address with a person of suitable age and discretion who is a resident, proprietor, or agent thereof, and by thereafter mailing a copy by first-class mail, postage prepaid, to the person to be served at his or her usual mailing address. For the purposes of this subsection, "usual mailing address" does not include a United States postal service post office box or the person's place of employment.

West Virginia

**W. Va. Code § 48-20-102(d)**

(d) "Child custody proceeding" means a proceeding in which legal custody, physical custody or visitation with respect to a child is an issue. The term 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. The term does not include a proceeding involving juvenile delinquency, contractual emancipation or enforcement under part 20-301, et seq.

**W. Va. Code § 48-20-201**

**W. Va. Code § 48-20-205(a)**

(a) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of section 20-108, must be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated and any person having physical custody of the child.

**W. Va. Code § 48-20-108(a)**

	<p>(a) Except as otherwise provided in section 20-204, a court of this state has jurisdiction to make an initial child custody determination only if:</p> <p>(1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding, and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</p> <p>(2) A court of another state does not have jurisdiction under subdivision (1) of this subsection, or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under section 20-207 or 20-208, and:</p> <p>(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</p> <p>(B) Substantial evidence is available in this state concerning the child's care, protection, training and personal relationships;</p> <p>(3) All courts having jurisdiction under subdivision (1) or (2) of this subdivision have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under section 20-207 or 20-208; or</p>	<p>(a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p> <p><b>West Virginia Rules of Civil Procedure, Rule 5(b)</b></p> <p>(b) Same: how made – Whenever under these rules service is required or permitted to be made upon a party represented by an attorney, the service shall be made upon the attorney unless service upon the party is ordered by the court. Service upon the attorney or upon a party shall be made by delivering a copy to the attorney or party; or by mailing it to the attorney or party at the attorney's or party's last-known address, or, if no address is known, by leaving it with the clerk of the court; or by facsimile transmission to the attorney or party pursuant to the West Virginia Supreme Court of Appeals Rules for Filing and Service by Facsimile Transmission (see Editor's Note). Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at the attorney's or party's office with a clerk or other person in charge thereof; or, if the office is closed or the person to be served has no office, leaving it at the person's dwelling house or usual place of abode with some member of the person's family above the age of 16 years. Service by mail is complete upon mailing.</p>
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(4) No court of any other state would have jurisdiction under the criteria specified in subdivision (1), (2) or (3) of this subsection.

(b) Subsection (a) of this section is the exclusive jurisdictional basis for making a child custody determination by a court of this state.

(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.

**W. Va. Code § 48-20-204 Temp. emergency jurisdiction**

(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.

(b) If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 20-201 through 20-203, inclusive, of this article, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under sections 20-201 through 20-203, inclusive, of this article. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under sections 20-201 through 20-203, inclusive, of this article, a child custody determination made

under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(c) If there is a previous child custody determination that is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 20-201 through 20-203, inclusive, of this article, any order issued by a court of this state under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under sections 20-201 through 20-203, inclusive, of this article. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.

(d) A court of this state which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under sections 20-201 through 20-203, shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to sections 20-201 through 20-203, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.

Wisconsin

**Wis. Stat. § 822.02(4)**

(4) "Child custody proceeding" means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term includes a proceeding for divorce, legal separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear. "Child custody proceeding" does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under subch. III.

**Wis. Stat. § 822.21**

(1) Except as provided in s. 822.24 , a court of this state has jurisdiction to make an initial determination only if any of the following applies:

(a) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within 6 months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state.

(b) A court of another state does not have jurisdiction under par. (a), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under s. 822.27 or 822.28 , and all of the following apply:

1. The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a

**Wis. Stat. § 822.25(1)**

(1) Before a child custody determination is made under this chapter, notice and an opportunity to be heard in accordance with the standards of s. 822.08 shall be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child.

**Wis. Stat. § 822.08(1)**

(1) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice shall be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.

	<p>significant connection with this state other than mere physical presence.</p> <p>2. Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships.</p> <p>(c) All courts having jurisdiction under par. (a) or (b) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under s. 822.27 or 822.28 .</p> <p>(d) No court of any other state would have jurisdiction under the criteria specified in par. (a), (b), or (c).</p> <p>(2) Subsection (1) is the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>(3) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.</p> <p><b>Wis. Stat. § 822.24 Temporary emergency jurisdiction</b></p> <p>(1) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse.</p> <p>(2) If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under ss. 822.21 to 822.23 , a child custody determination made under this section remains in effect until</p>	
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an order is obtained from a court of a state having jurisdiction under ss. 822.21 to 822.23 . If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under ss. 822.21 to 822.23 , a child custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(3) If a previous child custody determination is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under ss. 822.21 to 822.23 , any order issued by a court of this state under this section shall specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under ss. 822.21 to 822.23 . The order issued in this state remains in effect until an order is obtained from the other state within the period specified or until the period expires.

(4) A court of this state that has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or that a child custody determination has been made by, a court of a state having jurisdiction under ss. 822.21 to 822.23 , shall immediately communicate with the other court. A court of this state that is exercising jurisdiction under ss. 822.21 to 822.23 , upon being informed that a child custody proceeding has been commenced in, or that a child custody determination has been made by, a court of another state under a statute similar to this section, shall immediately communicate with the court of that

	<p>state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.</p>	
<p>Wyoming</p>	<p><b>Wyo. Stat. § 20-5-202(a)(iv)</b>                  (a)(iv) "Child custody proceeding" means a proceeding in which legal custody, physical custody or visitation with respect to a child is an issue, including a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights or protection from domestic violence in which the issue may appear. "Child custody proceeding" shall not include a proceeding involving juvenile delinquency, contractual emancipation or enforcement under article 4 of this act;</p> <p><b>Wyo. Stat. § 20-5-301</b>                  (a) Except as otherwise provided in W.S. 20-5-304 , a court of this state has jurisdiction to make an initial child custody determination only if:</p> <ul style="list-style-type: none"> <li>(i) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six (6) months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;</li> <li>(ii) A court of another state does not have jurisdiction under a provision of law from that state that is in substantial conformity with paragraph (i) of this subsection, or a court of the home state of the child has declined to exercise</li> </ul>	<p><b>Wyo. Stat. § 20-5-305(a)</b>                  (a) Before a child custody determination is made under this act, notice and an opportunity to be heard in accordance with the standards of W.S. 20-5-208 shall be given to all persons entitled to notice under the law of this state as in child custody proceedings between residents of this state, any parent whose parental rights have not been previously terminated and any person having physical custody of the child.</p> <p><b>Wyo. Stat. § 20-5-208(a)</b>                  (a) Notice required for the exercise of jurisdiction when a person is outside this state may be given in a manner prescribed by the law of this state for service of process or by the law of the state in which the service is made. Notice shall be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective.</p> <p><b>Wyoming Rules of Civil Procedure, Rule 4(e)</b>                  (e) Serving an Individual Within the United States. — An individual other than a person under 14 years of age or an incompetent person may be served within the United States:</p> <ul style="list-style-type: none"> <li>(1) by delivering a copy of the summons and of the complaint to the individual personally,</li> </ul>

	<p>jurisdiction on the ground that this state is the more appropriate forum under a provision of law from that state that is in substantial conformity with W.S. 20-5-307 or 20-5-308 , and:</p> <p>(A) The child and the child's parents, or the child and at least one (1) parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and</p> <p>(B) Substantial evidence is available in this state concerning the child's care, protection, training and personal relationships.</p> <p>(iii) All courts of another state having jurisdiction under provisions of law from that state in substantial conformity with paragraph (i) or (ii) of this subsection have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under a provision of law from that state that is in substantial conformity with W.S. 20-5-307 or 20-5-308 ; or</p> <p>(iv) No court of any other state would have jurisdiction under the criteria specified in paragraph (i), (ii) or (iii) of this subsection.</p> <p>(b) Subsection (a) of this section shall be the exclusive jurisdictional basis for making a child custody determination by a court of this state.</p> <p>(c) Physical presence of, or personal jurisdiction over, a party or a child shall not be necessary or sufficient to make a child custody determination.</p>	<p>(2) by leaving copies thereof at the individual's dwelling house or usual place of abode with some person over the age of 14 years then residing therein,</p> <p>(3) at the defendant's usual place of business with an employee of the defendant then in charge of such place of business, or</p> <p>(4) by delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to receive service of process</p>
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**Wyo. Stat. § 20-5-304 Temporary emergency jurisdiction**

(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, the child's sibling or a parent of the child is subjected to or threatened with mistreatment or abuse.

(b) If there is no previous child custody determination that is entitled to be enforced under this act and a child custody proceeding has not been commenced in a court of a state having jurisdiction under a provision of law from that state that is in substantial conformity with W.S. 20-5-301 through 20-5-303 , a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under a provision of law in substantial conformity with W.S. 20-5-301 through 20-5-303 . If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under a provision of law from that state that is in substantial conformity with W.S. 20-5-301 through 20-5-303 , a child custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(c) If there is a previous child custody determination that is entitled to be enforced under this act, or a child custody proceeding has been commenced in a court of a state having jurisdiction under a provision of law from that state that is in substantial conformity with W.S. 20-5-301 through 20-5-303 , any order issued by a court of this state under this section shall specify in the order a period that the court considers adequate

	<p>to allow the person seeking an order to obtain an order from the state having jurisdiction under a provision of law from that state that is in substantial conformity with W.S. 20-5-301 through 20-5-303 . The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.</p> <p>(d) A court of this state which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state having jurisdiction under a provision of law from that state that is in substantial conformity with W.S. 20-5-301 through 20-5-303 , shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to W.S. 20-5-301 through 20-5-303 , upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child and determine a period for the duration of the temporary order.</p>	
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