

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTIC RELATIONS

§ 1603. Definitions.

As used in this chapter:

(a) “Child” means any adopted or natural child under the age of 16 years who has not been emancipated by court order;

(b) “Contestant” means a person, including a parent, who claims a right to custody or visitation rights with respect to a child;

(c) “Custody determination” means a court decision and court orders and instructions providing for the custody of a child, including visitation rights; it does not include a decision relating to a child support or any other monetary obligation of any person;

(d) “Custody proceeding” includes a proceeding in which a custody determination is one of several issues, such as an action for divorce or separation, and includes a child neglect and dependency proceeding;

(e) “Decree” or “custody decree” means a custody determination contained in a judicial decree or order made in a custody proceeding, and includes an initial decree and a modification decree;

(f) “Home state” means the state in which the child immediately preceding the time involved lived with his or her parents, a parent, or an acting parent, for at least six consecutive months, and in the case of a child less than six months old the state in which the child lived from birth with any of the persons mentioned. Periods of temporary absence of any of the named persons are counted as part of the six month or other period;

(g) “Initial decree” means the first custody decree concerning a particular child;

(h) “Modification decree” means a custody decree which modifies or replaces a prior decree, whether made by the court which rendered the prior decree or by another court;

(i) “Physical custody” means actual possession and control of a child;

(j) “Person acting as parent” means a person, other than a parent, who has physical custody of a child and who has either been awarded custody by a court or claims a right to custody; and

(k) “State” means any state, territory, or possession of the United States, the Commonwealth of Puerto Rico, the District of Columbia, and the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands and such political entities that may be derived therefrom upon termination of the Trusteeship.

Source: PL 3-50, § 3.