

**598B.102 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. “*Abandoned*” means left without provision for reasonable and necessary care or supervision.
2. “*Child*” means an individual who has not attained eighteen years of age.
3. “*Child-custody determination*” means a judgment, decree, or other order of a court providing for the legal custody, physical custody, or visitation with respect to a child. The term includes a permanent, temporary, initial, and modification order. The term does not include an order relating to child support or other monetary obligation of an individual.
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, 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 III.
5. “*Commencement*” means the filing of the first pleading in a proceeding.
6. “*Court*” means an entity authorized under the law of a state to establish, enforce, or modify a child-custody determination.
7. “*Home state*” means the state in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child-custody proceeding. In the case of a child less than six months of age, the term means the state in which the child lived from birth with any of the persons mentioned. A period of temporary absence of any of the mentioned persons is part of the period.
8. “*Initial determination*” means the first child-custody determination concerning a particular child.
9. “*Issuing court*” means the court that makes a child-custody determination for which enforcement is sought under this chapter.
10. “*Issuing state*” means the state in which a child-custody determination is made.
11. “*Modification*” means a child-custody determination that changes, replaces, supersedes, or is otherwise made after a previous determination concerning the same child, whether or not it is made by the court that made the previous determination.
12. “*Person*” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.
13. “*Person acting as a parent*” means a person, other than a parent, to whom both of the following apply:
  - a. The person has physical custody of the child or has had physical custody for a period of six consecutive months, including any temporary absence, within one year immediately before the commencement of a child-custody proceeding.
  - b. The person has been awarded legal custody by a court or claims a right to legal custody under the law of this state.
14. “*Physical custody*” means the physical care and supervision of a child.
15. “*State*” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.
16. “*Tribe*” means an Indian tribe or band, or Alaskan native village, which is recognized by federal law or formally acknowledged by a state.
17. “*Warrant*” means an order issued by a court authorizing law enforcement officers to take physical custody of a child.

99 Acts, ch 103, §2  
Referred to in §236.4, 236.5