

UNIFORM STATE AND FEDERAL LAWS ON CUSTODY PARENTAL CHILD ABDUCTION, AND MISSING CHILDREN

UNIFORM CHILD CUSTODY JURISDICTION ACT (UCCJA) (9 ULA at 123): Determines when a state has jurisdiction to make a custody order and provides procedures for interstate enforcement of orders in custody conflicts.

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA) (9 ULA at 115 (Part 1)): Enhances the UCCJA by awarding priority to the child's home state, clarifies the limits of emergency jurisdiction, and grants exclusive jurisdiction to the state making the original custody determination.

MISSING CHILDREN ACT (28 USC 534): Requires law enforcement to enter complete descriptions of missing children into the National Crime Information Center's (NCIC) Missing Person File, even if the abductor has not been charged with a crime.

NATIONAL CHILD SEARCH ASSISTANCE ACT (42 USC 5779 & 5780): Mandates elimination of waiting periods before law enforcement takes a missing child report, including family abduction cases; Requires immediate entry of information into the NCIC Missing Person file; Requires close liaison with the National Center for Missing and Exploited Children (NCMEC).

INTERNATIONAL CHILD ABDUCTION REMEDIES ACT (42 USC 11601 et seq.): Establishes procedures to implement the Hague Convention. Empowers state and federal courts to hear cases under the Convention and allows the Central Authority access to information in certain American records regarding the location of a child and abducting parent.

PARENTAL KIDNAPPING PREVENTION ACT (PKPA)(28 USC 1738A): Requires authorities of every state to enforce and not modify orders made by the state court exercising proper jurisdiction. Authorizes the use of the Unlawful Flight to Avoid Prosecution (UFAP) warrant and the Federal Parent Locator Service (FPLS) in family abductions.

INTERNATIONAL PARENTAL KIDNAPPING CRIME ACT (IPKCA)(18 USC 1204): Makes it a federal felony to remove a child under 16 from the United States, or to retain a child outside the United States with the intent to obstruct the lawful exercise of parental rights.

FUGITIVE FELON ACT (18 USC 1073): Enhances the ability of states to pursue abductors beyond state and national borders; Permits the FBI to investigate cases that would otherwise be under state jurisdiction and authorizes use of UFAP warrants in parental kidnapping cases.

EXTRADITION TREATIES INTERPRETATION ACT of 1998 (Note 18 USC 3181): Authorizes the United States to interpret extradition treaties listing "kidnapping" as encompassing the offense of parental kidnapping.