

(3) IF THE COURT OF THE STATE HAVING JURISDICTION SUBSTANTIALLY IN ACCORDANCE WITH THIS TITLE DOES NOT DETERMINE THAT THE COURT OF THIS STATE IS A MORE APPROPRIATE FORUM, THE COURT OF THIS STATE SHALL DISMISS THE PROCEEDING.

(C) (1) IN A PROCEEDING TO MODIFY A CHILD CUSTODY DETERMINATION, A COURT OF THIS STATE SHALL DETERMINE WHETHER A PROCEEDING TO ENFORCE THE DETERMINATION HAS BEEN COMMENCED IN ANOTHER STATE.

(2) IF A PROCEEDING TO ENFORCE A CHILD CUSTODY DETERMINATION HAS BEEN COMMENCED IN ANOTHER STATE, THE COURT MAY:

(I) STAY THE PROCEEDING FOR MODIFICATION PENDING THE ENTRY OF AN ORDER OF A COURT OF THE OTHER STATE ENFORCING, STAYING, DENYING, OR DISMISSING THE PROCEEDING FOR ENFORCEMENT;

(II) ENJOIN THE PARTIES FROM CONTINUING WITH THE PROCEEDING FOR ENFORCEMENT; OR

(III) PROCEED WITH THE MODIFICATION UNDER CONDITIONS IT CONSIDERS APPROPRIATE.

9.5-207.

(A) (1) A COURT OF THIS STATE THAT HAS JURISDICTION UNDER THIS TITLE TO MAKE A CHILD CUSTODY DETERMINATION MAY DECLINE TO EXERCISE ITS JURISDICTION AT ANY TIME IF IT DETERMINES THAT IT IS AN INCONVENIENT FORUM UNDER THE CIRCUMSTANCES AND THAT A COURT OF ANOTHER STATE IS A MORE APPROPRIATE FORUM.

(2) THE ISSUE OF INCONVENIENT FORUM MAY BE RAISED UPON MOTION OF A PARTY, THE COURT'S OWN MOTION, OR REQUEST OF ANOTHER COURT.

(B) (1) BEFORE DETERMINING WHETHER IT IS AN INCONVENIENT FORUM, A COURT OF THIS STATE SHALL CONSIDER WHETHER IT IS APPROPRIATE FOR A COURT OF ANOTHER STATE TO EXERCISE JURISDICTION.

(2) FOR THE PURPOSE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALLOW THE PARTIES TO SUBMIT INFORMATION AND SHALL CONSIDER ALL RELEVANT FACTORS, INCLUDING:

(I) WHETHER DOMESTIC VIOLENCE HAS OCCURRED AND IS LIKELY TO CONTINUE IN THE FUTURE AND WHICH STATE COULD BEST PROTECT THE PARTIES AND THE CHILD;

(II) THE LENGTH OF TIME THE CHILD HAS RESIDED OUTSIDE THIS STATE;

(III) THE DISTANCE BETWEEN THE COURT IN THIS STATE AND THE COURT IN THE STATE THAT WOULD ASSUME JURISDICTION;

(IV) THE RELATIVE FINANCIAL CIRCUMSTANCES OF THE PARTIES;