

AZ bill increases non-custodial parent's say in living arrangements

Written by Australian Business

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Article provided by John Bednarz, P.C. Visit us at <http://www.johnbednarzpc.com/>

Divorced parents in Maricopa County, Arizona, are accustomed to making adjustments to accommodate their children and their parenting plan. However, even after child custody arrangements are hammered out and child support is set, parents may still have to work together to find an appropriate arrangement. A proposed bill could prevent custodial parents in Arizona from moving more than two miles without the approval of the non-custodial parent or the overriding permission of the court.

Bill removes 100-mile notification limit

As described in the House Summary Fact Sheet for the bill, the existing law requires custodial parents to notify the other parent if they intend to move out of state or more than 100 miles away. A bill introduced earlier this year by Senator Nancy Barto, however, would require parents to give a 60-day notification prior to making any move. A provision would exempt moves of less than two miles.

Under this, bill the custodial parent would be required to provide the other parent with the following information:-The date of the move-The reason for the move-The new school that the child will attend-A new proposed parenting plan if the current one will require modification-The new address, under certain circumstances

The bill then allows the non-custodial parent 30 days to petition the court to stop the move. If a petition is filed, it is the responsibility of the court to determine whether relocation is appropriate. The custodial parent is tasked with proving that the relocation is in the best interests of the child.

The bill states that its purpose is to create strong families and keep both parents involved in making decisions that affect the child. Critics, however, worry about the burden that this bill will place on the custodial parent.

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Bill may limit options of custodial parent

Both Phoenix's Fox News and Arizona's ABC News have described criticisms of the new bill. Opponents worry that custodial parents will have difficulty switching jobs or buying a house, among other things.

Custodial parents are required to give detailed notification far in advance, and then wait as much as a month for the response of the other parent. This interval may be long enough to cost the custodial parent a job or a new residence. Custodial parents may even have trouble giving appropriate moving notice at their current residence because of the requirements of the bill.

At the same time, proponents believe that this bill will defend the child's best interests by protecting the visitation rights of the non-custodial parent. Moves of less than 100 miles can still place a burden on the non-custodial parent and affect his or her ability to stay involved in the child's life, which is undesirable for both parent and child.

If you are a parent going through a divorce or navigating the challenges of making post-divorce arrangements work, it's crucial that you speak with a lawyer to protect your rights and work toward the best arrangement for your child.