

MEMORANDUM

TO: Drafting Committee, Advisors & Observers
Uniform Relocation of Children Act

FROM : Jeff Atkinson, Reporter, E-mail: JAtkin747@aol.com

DATE: October 29, 2008

RE: Summary of changes to the Uniform Relocation of Children Act resulting from October 10 & 11, 2008 meeting in Grapevine Texas

Accompanying this memo is a new draft of the Uniform Relocation of Children Act. The draft reflects changes to the act made at the October 10 & 11, 2008 meeting of the Drafting Committee in Grapevine Texas.

Here are the main changes:

- If either parent plans to relocate (with or without the child), the parent who plans to relocate needs to give notice to the other parent. [§ 4(a)]
- The trigger for court procedures related to relocation will be based on distance from the non-relocating parent rather than the child's current residence. Multiple alternative criteria are used to trigger use of the procedures, including whether the relocation of the child "will substantially affect the child's established pattern of access to the other parent." [§§ 4(b) & 5]
- Instead of having the parent who seeks to relocate with the child having to obtain written approval of other parent or permission of the court, the parent who wishes to relocate with the child will now have to give notice of the proposed relocation and the other parent will have 30 days in which to seek alternative dispute resolution or file an objection with the court. In the absence of the non-relocating parent taking those steps, the relocation will be allowed. [§ 5]
- The list of factors was expanded and reordered, and some factors were made more precise, including adding specific mention of consideration of the child's views. The group at the Texas meeting combined discussion of two possible factors – (1) the feasibility of both parents moving and (2) whether the court could consider what action each parent would take if the move was not allowed. The committee decided not to use either of those factors in the text of the act. [§ 9]

Thank you for your participation in this project!