

§ 46b-56d. Relocation of parent with minor child. Burden of proof. Factors considered by court.

Connecticut Statutes

Title 46B. FAMILY LAW

Chapter 815J. DISSOLUTION OF MARRIAGE, LEGAL SEPARATION AND ANNULMENT

Current through P.A. 1 of the 2014 Legislative Session

§ 46b-56d. Relocation of parent with minor child. Burden of proof. Factors considered by court

- (a) In any proceeding before the Superior Court arising after the entry of a judgment awarding custody of a minor child and involving the relocation of either parent with the child, where such relocation would have a significant impact on an existing parenting plan, the relocating parent shall bear the burden of proving, by a preponderance of the evidence, that (1) the relocation is for a legitimate purpose, (2) the proposed location is reasonable in light of such purpose, and (3) the relocation is in the best interests of the child.
- (b) In determining whether to approve the relocation of the child under subsection (a) of this section, the court shall consider, but such consideration shall not be limited to: (1) Each parent's reasons for seeking or opposing the relocation; (2) the quality of the relationships between the child and each parent; (3) the impact of the relocation on the quantity and the quality of the child's future contact with the nonrelocating parent; (4) the degree to which the relocating parent's and the child's life may be enhanced economically, emotionally and educationally by the relocation; and (5) the feasibility of preserving the relationship between the nonrelocating parent and the child through suitable visitation arrangements.

Cite as Conn. Gen. Stat. § 46b-56d

Source:

(P.A. 06-168, S. 1.)

Case Notes:

No indication legislature intended to apply section to relocation matters resolved at time of initial judgment for dissolution of marriage, which continue to be governed by best interest of child standard in Sec. 46b-56 . 113 CA 177. No requirement that court consider issue of sibling separation in the context of determining whether to approve relocation. 127 CA 691.