

MOVING CHILDREN OUTSIDE OF NEVADA

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People often wish to relocate out of state after child custody has been established. In such a situation, one may not legally move unless they have gained permission from the other party or a court order allowing the move.

One must file a Motion For Relocation to gain a court order allowing children to be moved out of state. The legal test, for relocation, depends on the custody arrangements the parents currently enjoy. If the parents have joint physical custody, the parent wishing to move only needs to show that it is in the best interests of the child to remain with the moving parent. If the party wishing to move has primary custody, the person must meet a five factor test which includes the following:

- Will the relocation improve the children's quality of life?
- What is the parent's motive behind the move?
- Has the custodial parent been complying with visitation orders, and is the custodial parent likely to comply with a modified visitation order?
- Is the noncustodial parent's opposition to the relocation honorable?
- Can there be adequate long-distance visitation?¹

Before requesting a relocation order, one must be able to provide the Court with specifics as to the move. It will typically be insufficient to say, for example, that one wants to move to a specific state (without saying which town) at some unspecified point in the future.

If you wish to relocate your child out of state, you should contact an attorney to discuss your options.

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¹ <http://www.cicilialaw.com/PracticeAreas/Relocation-of-Children.asp>