

Sponsor Statement for HB 280

Visitation Cost When Parent Moves

An Act relating to the allocation of the travel expenses that are necessary to exercise visitation rights with a child when the parent with primary custody of the child changes location; and amending Rule 90.3(g), Alaska Rules of Civil Procedure.

Released: January 17, 2002

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Nationally, approximately half of the children born this year will experience their parents being divorced before they are 18 years old. Some of the governmental efforts to direct appropriate services to the victims (the children), create unintended results.

One of these results is related to court establishment of visitation rights. In a divorce case, the court is to look at the finances and circumstances of both parents and establish the visitation rights each parent is to have with their children. It also determines who pays for the travel related to the visitation. The problem HB 280 addresses is introduced when one or the other parent decides to move after the court has laid out the parameters. If the parents are not cooperating with each other, one can move to reduce the ease of visitation or simply for spite. The only option in these cases is to go back to court and get the case adjusted to accommodate each move.

HB 280 directs the court to mandate that the parent that moves more than 50 miles away is to pay the additional travel costs to accommodate visitation rights.