

STATE Statutes *on* RELOCATION

STATE Statute	Notice	Presumption For/Against Relocation	Best Interests of Child Paramount	Recent or Significant Cases
Alabama ALA. CODE § 30-3-160-169.10	45 days	Against	X	Clements v. Clements, 906 So. 2d 952 (Ala. Civ. App. 2005)
Alaska ALASKA STAT. § 25.24.150			X	Chesser-Witmer v. Chesser, 117 P.3d 711 (Alaska 2005); Moeller-Prokosch v. Prokosch, 53 P.3d 152 (Alaska 2002)
Arizona ARIZ. REV. STAT. § 25-408	60 days	Burden on moving party	X	Woodworth v. Woodworth, 42 P.3d 610 (Ariz. App. 2002)
Arkansas ARK. CODE ANN. § 9-13-101		For	X	Hollandsworth v. Knyzewski, 109 S.W.3d 653 (Ark. 2003)
California CAL. FAM. CODE § 3406	45 days	For	X	<i>In re</i> Marriage of Burgess, 913 P.2d 473 (Cal. 1996); Montenegro v. Diaz, 27 P.3d 289 (Cal. 2001); <i>In re</i> Marriage of LaMusga, 88 P.3d 81 (Cal. 2004); <i>In re</i> Marriage of Brown and Yana, 127 P.3d 28 (Cal. 2006)
Colorado COLO. REV. STAT. ANN. § 14-10-129		Both parents must show BIOC	X	<i>In re</i> Marriage of Ciesluk, 113 P.3d 135 (Colo. 2005)
Connecticut CONN. GEN. STAT. ANN. § 46b-56		Initial burden on moving party	X	Brennan v. Brennan, 857 A.2d 927 (Conn. App. 2004)
Delaware 13 DEL. CODE §§ 728 & 729			X	Karen J.M. v. James W., 792 A.2d 1036 (Del. Fam. Ct. 2002)
Florida FLA. STAT. ANN. § 61.13(2)(d)			X	Jenson v. Jenson, 904 So. 2d 635 (Fla. Dist. Ct. App. 2005)
Georgia GA. CODE ANN. § 19-9-1	30 days		X	Hardin v. Hardin, 618 S.E.2d 169 (Ga. Ct. App. 2005)
Hawaii HAW. REV. STAT. § 571-46			X	Tetreault v. Tetreault, 55 P.3d 845 (Haw. Ct. App. 2002)
Idaho IDAHO CODE § 32-717		Initial burden on moving party	X	Weiland v. Ruppel, 75 P.3d 176 (Idaho 2003); Roberts v. Roberts, 64 P.3d 327 (Idaho 2003)
Illinois 750 ILL. COMP. STAT. ANN. § 5/609		Burden on party seek. mod.	X	<i>In re</i> Marriage of Johnson, 815 N.E.2d 1283 (Ill. App. Ct. 2004)
Indiana IND. PUB. L. 50-2006	90 days	Shifting burden	X	Bettencourt v. Ford, 822 N.E.2d 989 (Ind. Ct. App. 2005)
Iowa IOWA CODE ANN. § 598.21D		Burden on party seek. mod.		<i>In re</i> Marriage of Theilges, 623 N.W.2d 232 (Iowa Ct. App. 2000)
Kansas KAN. STAT. ANN. § 60-1620	30 days		X	<i>In re</i> Marriage of Whipp, 962 P.2d 1058 (Kan. 1998)
Kentucky KY. REV. STAT. ANN. § 403.340		Burden on party seek. mod.	X	Fowler v. Sowers, 151 S.W.3d 357 (Ky. Ct. App. 2004)
Louisiana LA. REV. STAT. ANN. § 9.355.1-17	60 days	Burden on moving party Presumption against	X	Peacock v. Peacock, 903 So. 2d 506 (La. Ct. App. 2005)
Maine ME. REV. STAT. ANN. tit. 19-A, §§ 1653 (14) & 1657	30 days	Burden on moving party	X	Fraser v. Boyer, 722 A.2d 354 (Me. 1998)
Maryland MD. CODE ANN., Family Law § 9-106		Burden on nonmoving party		Braun v. Headley, 750 A.2d 624 (Md. Ct. Spec. App. 2000)
Massachusetts MASS. GEN. LAWS ANN. ch. 208, § 30		"Upon cause shown" custodial parent may relocate	X	D.C. v. J.S., 790 N.E.2d 686 (Mass. App. Ct. 2003)
Michigan MICH. COMP. LAWS ANN. § 722.31		Burden on moving party if objected to	X	Grew v. Knox, 694 N.W.2d 772 (Mich. Ct. App. 2005)
Minnesota MINN. STAT. ANN. § 518.18(d)		Presumption for		<i>In re</i> Marriage of Geiger, 470 N.W.2d 704 (Minn. Ct. App. 1991); Auge v. Auge, 665 N.E.2d 145 (Minn. 1983)
Mississippi MISS. CODE ANN. § 93-5-23		Burden on party seek. mod.	X	Lambert v. Lambert, 872 So. 2d 679 (Miss. Ct. App. 2004)

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Missouri MO. REV. STAT. § 452.377	60 days	Burden on moving party	X	Baxley v. Jarred, 91 S.W.3d 192 (Mo. Ct. App. 2002)
Montana MONT. CODE ANN. § 40-4-217	30 days		X	<i>In re Marriage of Robison</i> , 53 P.3d 1279 (Mont. 2002)
Nebraska		Shifting burden	X	Wild v. Wild, 647 N.W.2d 577 (Neb. 2005)
Nevada NEV. REV. STAT. § 125C.200		Burden on moving party	X	Potter v. Potter, 121 Nev. Adv. Rep. 60 (2005)
New Hampshire N.H. REV. STAT. ANN. § 461-A:12	60 days	Shifting burden; Initially on moving parent; shifts to NCP to prove not BIOC	X	<i>In re Pfeuffer</i> , 837 A.2d 311 (N.H. 2003)
New Jersey N.J. STAT. ANN. § 9:2-2		Burden on moving party		Baures v. Lewis, 770 A.2d 214 (N.J. 2001)
New Mexico N.M. STAT. ANN. § 40-4-9.1	30 days	Burden on moving party	X	Jaramillo v. Jaramillo, 823 P.2d 299 (N.M. 1991)
New York McKinney's DRL § 240, C240:25			X	Vega v. Pollack, 800 N.Y.S.2d 442 (App. Div. 2005); Tropea v. Tropea, 665 N.E.2d 146 (N.Y. 1996)
North Carolina N.C. GEN. STAT. ANN. § 50-13.2			X	Evans v. Evans, 530 S.E.2d 576 (N.C. 2000)
North Dakota N.D. CENT. CODE ANN. § 14-09-07	45 days	Burden on moving party	X	Schmidt v. Bakke, 691 N.W.2d 239 (SD 2005)
Ohio OHIO REV. CODE ANN. (Legislation pending)		Initial burden on moving party	X	Quint v. Lomakoski, 2005 Ohio 4603, 2005 Ohio App. LEXIS 4152 (Ohio Ct. App. Sept 2, 2005)
Oklahoma 43 OKLA. STAT. 112.3	60 days	For		Casey v. Casey, 58 P.3d 763 (Okla. 2003)
Oregon OR. REV. STAT. ANN. § 107.159			X	<i>In re Marriage of Colson & Piel</i> , 51 P.3d 607 (Or. Ct. App. 2002)
Pennsylvania 23 PA. CONS. STAT. ANN. § 5303		Initial burden on moving parent	X	Billhime v. Billhime, 869 A.2d 1031 (Pa. Super. Ct. 2005); Gruber v. Gruber, 583 A.2d 434 (Pa. Super. Ct. 1990)
Rhode Island R.I. GEN. LAWS ANN. § 15-5-16			X	Dupre v. Dupre, 857 A.2d 242 (R.I. 2004)
South Carolina S.C. CODE ANN. § 20-3-160	45 days	Against	X	Latimer v. Farmer, 602 S.E.2d 32 (S.C. 2004)
South Dakota S.D. CODIFIED LAWS §§ 25-5-13, 25-4A-17-19	45 days	For	X	Fossum v. Fossum, 545 N.W.2d 828 (S.D. 1996)
Tennessee TENN. CODE ANN. § 36-6-108	60 days	Depends on custodial parent's time w/child	X	Kawatra v. Kawatra, 182 S.W.3d 800 (Tenn. 2005)
Texas TEX. FAM. CODE § 156.101		Burden on moving parent	X	Echols v. Olivarez, 85 S.W.3d 475 (Tex. App. 2002); Bates v. Tesar, 81 S.W.3d 411 (Tex. App. 2002)
Utah UTAH CODE ANN. § 30-3-37	60 days			
Vermont VT. STAT. ANN. tit. 15, § 668		Burden on noncustodial party	X	Hawkes v. Spence, 878 A.2d 273 (Vt. 2005); Lacaillade v. Hardaker, 878 A.2d 273 (Vt. 2005)
Virginia VA. CODE ANN. § 20-124.5	30 days			Riggins v. O'Brien, 538 S.E.2d 320 (Va. Ct. App. 2000)
Washington WASH. REV. CODE ANN. §§ 26.09.520, 2.09.520-560		For	X	Ramirez v. Holland, 93 P.3d 951 (Wash. Ct. App. 2004); <i>In re Marriage of Horner</i> , 93 P.3d 124 (Wash. 2004)
West Virginia W. VA. CODE § 48-9-403	60 days		X	Cunningham v. Cunningham, 423 S.E.2d 638 (W. Va. 1992)
Wisconsin WIS. STAT. ANN. § 767.327	60 days	Rebuttable presumption for		Hughes v. Hughes, 588 N.W.2d 823 (Wis. Ct. App. 1998)
Wyoming WYO. STAT. ANN. § 20-2-204(c)		For	X	Harshberger v. Harshberger, 117 P.3d 1244 (Wyo. 2005)