

HB 1704 -- Child Custody

Sponsor: Stevenson

This bill makes various changes to the laws regarding child custody. In its major provisions, the bill:

(1) Specifies that joint custody cannot be denied based on one party's opposition to the arrangement;

(2) Specifies that a court must have clear, cogent, and convincing evidence that a parent is guilty of a felony sex offense or a felony offense against a person when a child is the victim in order to deny the award of custody or visitation to that parent;

(3) Requires the court to have clear, cogent, and convincing evidence to find that continued contact with a parent is not in the best interests of the child;

(4) Requires timely filing of motions to intervene in child custody cases;

(5) Requires the court to find by clear, cogent, and convincing evidence that visitation with a parent would endanger the child's physical health or endanger his or her emotional development;

(6) Allows a third-party guardianship to be modified or terminated if the court finds the parent to be fit, suitable, and able to assume custody and if it is in the best interests of the child that the guardianship be terminated; and

(7) Specifies that only an original party can file a motion to modify a custody decree.