
Committee Report

CONSENT CALENDAR

March 5, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Children and Family Law to which was referred HB 386,

AN ACT relative to the parenting schedule for weekends and holidays. Having considered the same, report the same with the following resolution: **RESOLVED**, that it is **INEXPEDIENT TO LEGISLATE**.

Rep. Elaine French

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Children and Family Law
Bill Number:	HB 386
Title:	relative to the parenting schedule for weekends and holidays.
Date:	March 5, 2019
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This legislation was addressed in appropriate care responsibilities put on one parent. The committee felt this bill was too prescriptive. Both parties signed off on the final decree. That would be the time to challenge

Vote 17-0.

Rep. Elaine French
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Children and Family Law

HB 386, relative to the parenting schedule for weekends and holidays. **INEXPEDIENT TO LEGISLATE.**

Rep. Elaine French for Children and Family Law. This legislation was addressed in appropriate care responsibilities put on one parent. The committee felt this bill was too prescriptive. Both parties signed off on the final decree. That would be the time to challenge **Vote 17-0.**

Original: House Clerk

Cc: Committee Bill File

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Vote 17-0.



Rep. Elaine French
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Children's Family Law

BILL NUMBER: HB 386

TITLE: relation to parenting schedule for weekends & holidays

DATE: 3/5/19 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

~~many~~ inappropriate care responsibilities put on one parent

This legislation was address inappropriate care responsibilities put on one parent. The committee felt this ^{bill} was too prescriptive. Both parties sign off on the final decree. That would be the time to challenge.

(Red circled mark)

COMMITTEE VOTE: 17-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Claire French
For the Committee

Voting Sheets

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 386

BILL TITLE: relative to the parenting schedule for weekends and holidays.

DATE: March 5, 2019

LOB ROOM: 206

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. French

Seconded by Rep. Rice

Vote: 17-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Erika Connors, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 386

BILL TITLE: relative to the parenting schedule for weekends and holidays.

DATE: 3/5/19

LOB ROOM: 206

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. French Secoded by Rep. Rice Vote: 17-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: Motion

Respectfully submitted: Erika Connors, Clerk



1/14/2019 3:14:03 PM
 Roll Call Committee Registers
 Report

2019 SESSION

Children and Family Law

Bill #: HB 386 Motion: ITL AM #: _____ Exec Session Date: 3/5/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Long, Patrick T. Chairman	17		
Berrien, Skip Vice Chairman	1		
Mulligan, Mary Jane	2		
Connors, Erika F. Clerk	3		
Coursin, David R.			
Diggs, Francesca G.	4		
French, Elaine H.	5		
Grossman, Gaby	6		
Levesque, Cassandra N.			
Petrigno, Peter			
St. John, Michelle <u>Nutting-Wong</u>	7		
Nazir, Safiya	8		
DeSimone, Debra L.	9		
Rice, Kimberly A.	10		
Morrison, Sean D.	11		
Camarota, Linda Rea	12		
Fowler, William L.	13		
Lurius, Deanna E.	14		
Creto, Michael D. <u>Rep. Janvin</u>	15		
Vokela, Josh S.	16		
TOTAL VOTE:	17	0	

Hearing Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 386

BILL TITLE: relative to the parenting schedule for weekends and holidays.

DATE: February 12, 2019

LOB ROOM: 206 **Time Public Hearing Called to Order:** 3:00 p.m.

Time Adjourned: 3:30 p.m.

Committee Members: Reps. Long, Berrien, Connors, Coursin, Diggs, French, Petrigno, St. John, DeSimone, Camarota, Jurius and Yokela

Bill Sponsors:

Rep. L'Heureux
Rep. Buchanan

Rep. Notter

Rep. Love

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. L'Heureux, prime sponsor

- Filed at request of constituent
- Special needs child creates a hardship on one parent

Rep. David Love, co-sponsor

- Children need both parents
- Custodial parent can be overwhelmed
- Courts are failing children and families

***Brenda Annan**. Supports bill

- Shared weekends and holidays should be agreed on
- Special needs grandson is confined to the home
- Son's parenting schedule requires him to have 100% of weekend and holiday parenting which he did not want
- Asking for sharing and reasonable schedules
- Judge chose parenting plan
- Needs to be balance
- Only 9 reasons a parenting plan can be changed: Modification of Parental Rights and Responsibilities

Walter Pickering. Supports bill

- Fathers don't have same rights
- Would have loved 50/50 split on weekends
- Court will only listen to money
- Default should be 50/50 custody
- Child needs to come first

Respectfully submitted,



Rep. Erika Connors,
Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 386

BILL TITLE: relative to the parenting schedule for weekends and holidays.

DATE: 2/12/19

ROOM: 206

Time Public Hearing Called to Order: 3:00

Time Adjourned: 3:30

(please circle if present)

Committee Members: Reps. Long, Berrien, Connors, Mulligan, Coursin, Diggs, French, Grossman, Levesque, Petrigno, St. John, Wazir, DeSimone, Rice, Morrison, Camarota, Fowler, Jurius, Trento and Yokela

Bill Sponsors:

Rep. L'Heureux
Rep. Buchanan

Rep. Notter

Rep. Love

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep L'Heureux - sponsor
 - Filed at request of constituent
 - Special needs child creates a hardship on 1 parent.
- ② Rep. David Love - supports bill
 - Children need both parents
 - Custodial parent can be over whelmed
 - Courts are failing children + families
- ③ Brenda Annan - * supports bill
 - Shared weekends + holidays should be agreed on
 - Special needs grandson is confined to the home.

- Son's parenting schedule requires him to have 100% of weekend and holiday parenting which he did not want
- Asking for sharing + reasonable schedules
- Judge chose parenting plan
- Needs to be balance
- Only 9 reasons a parenting plan can be changed:
Modification of Parental Rights and Responsibilities

④ Walter Pickering - supports bill

- Fathers don't have same rights
- Would have loved 50/50 split on weekends
- Court will only listen to money
- Default should be 50/50 custody
- Child needs to come 1st



Testimony of Amanda Sears, Director of the Campaign for a Family Friendly Economy

In Support of NH House Bill 393

An Act Establishing a Committee to Study Child Care in New Hampshire

March 5, 2019

The future of our state depends on New Hampshire being an attractive place to live, work and raise a family.

To keep our economy and businesses growing, we need a strong workforce. Workforce participation in New Hampshire is among the highest in the country. Still, our economy is threatened by our current, and looming workforce shortage.

Caregiving responsibilities are a significant factor keeping qualified workers out of our labor market.

The Campaign for a Family Friendly Economy, is a New Hampshire based campaign to advance smart policies to help Granite Staters make ends meet and be there for their families when they need to be. We have 26,000 supporters and hear regularly the stories of parents who have had to drop out of the workforce because of a lack of access to affordable, quality child care.

Most children in New Hampshire live in families where all adults work, making quality child care a necessity for child well being and parents success at work. Child care costs are increasingly out of reach for families and have eclipsed rent as the largest factor in family budgets. We can't afford to lose parents from the workforce because child care costs are greater than their incomes can support.

How high are child care costs? Every two years a Market Rate Survey is completed for New Hampshire. The most recent was completed in June 2018. According to this survey rates for care for all ages of children are on the rise. A working family with an infant and a two and a half year old is paying on average \$23,572 per year in child-care costs. New Hampshire has a median per capita income of \$38,237, it is easy to understand why some parents make the calculation that they can't afford to go to work. Unfortunately the long-term implications of time out of the workforce add up and parents who interrupt their career for child care earn less when they return to the workforce and these effects

reduce their retirement savings and social security benefits. Parents lost up to three to four times their annual salary for each year out of the workforce for child care. This has lifelong implications for the financial security of families but also has implications for our economic health as a state.

Affordability is not just a concern for parents seeking child care, it has ripple effects in the low wages of the child care work force and the sustainability of child care centers. There has been a 31% decrease in the number of licensed child care programs in New Hampshire since the year 2001. This reduction in providers reduces accessibility for families.

Child care is a keystone to our future economy. Early learning environments, including child care, shape the architecture of a child's brain setting the stage for lifelong learning, so quality child care matters.

HB 393 would provide a forum for policy makers to investigate the drivers of cost, affordability, and accessibility and identify opportunities to expand access to affordable, high quality child care services. We urge you to support HB 393 so caregivers can provide the services our work force depends on and families struggling to make ends meet have the ability to get to work and improve their financial stability.

Campaign for a Family Friendly Economy, 114 North Main St., Concord, NH 03301
603-573-9661, Amanda@FamilyFriendlyEconomy.org, www.familyfriendlyeconomy.org

Testimony



Our Vision

All New Hampshire children have the opportunity to reach their full potential

✓ WE SUPPORT EARLY LEARNING PROGRAMS

HIGHLIGHT: The State Early Learning Alliance (SELA) is a groundbreaking initiative designed to, every year, save costs for early learning programs to reinvest back into quality and offer needed benefits to their teachers and families

✓ WE RAISE AWARENESS

HIGHLIGHT: To share the science of children's development, we help to present *Children: The Bedrock of the Granite State* and promote Vroom and Mind in the Making™ to "turn shared moments into brain building moments"

✓ WE BUILD PUBLIC/PRIVATE PARTNERSHIPS

HIGHLIGHT: Early Learning NH is a founding member and the fiscal sponsor of Spark NH, the Governor-appointed early childhood advisory council for the State of New Hampshire

✓ WE CHAMPION EFFECTIVE POLICY

HIGHLIGHT: Since our founding in 2003 from the merger of five early learning organizations, we have led successful efforts to expand or preserve over \$40 million in state and federal funding for New Hampshire's youngest citizens

High-quality early learning, such as child care, Head Start and preschool, is shown to:

Increase college attendance by ¹	80%	Decrease likelihood of becoming a teen parent by ¹	50%
Increase average salary earned by ¹	33%	Decrease juvenile arrests by ¹	33%

¹ ReadyNation, "Business Case for Early Childhood" and First Five Years Fund

12 February 2019

TO: House C & Law Committee
FROM: Honey Hastings, Certified Family Mediator #75
RE: **HB 386—Parenting schedule for weekends**

HB 386 would require that every divorce and parenting case decided by the Court include a equal split of weekend time. In addition, it would require that the weekend care of a disabled child be split equally. These requirements would not work for many families and some children would be harmed by them. They contradict NHs approach to parenting schedules since 2005, which stress the importance of tailoring the parenting schedule to each child and family.

Some parents work weekends; some parents live hundreds of miles from the other parent; some parents have abused the child or the other parent; and some parents are unable to care for their child because of the child's needs, the parent's health, or other reasons.

Recommendation—I ask that this committee vote “inexpedient to legislate.” The rigidity and “one size fits all” approach of this bill is not good for NH families.

schedule. First there is a temporary Parenting Plan and then there is a Final one. The judge chooses one of the plans submitted by the mother and father. The judge can make modifications to it if he wants to. The Parenting Plan my son was given as a Final Plan was the one the mother devised. It required that my son have parenting time every weekend from Friday at 3pm until every Sunday at 6pm and that he have parenting time every holiday of the year. At the same time, the mother had no responsibility to care for her son on the weekends. Her only holiday obligation to care for her son was an overnight on Christmas and one overnight during the Thanksgiving break. Since we take care of our grandson as a family, this parenting schedule has a huge impact on us as grandparents. When the Final Parenting Plan was announced we felt defeated and upset. We felt that it was unreasonable, unfair and unrealistic. Since our grandson is a special needs child with severe autism, who is not easily brought out in public, we envisioned our whole lives spent at home. My husband and son work all week and for all of us to stay home every weekend and every holiday indefinitely was really hard to take. It wasn't fair that the mother could work on the weekend, spend time with family, do things outdoors, go to events, weddings, go to cookouts, go to the beach, etc. while we missed out on all these things. With this plan my son had one Saturday off a year which was attached to five days of vacation. This was one

of his son's school vacations. We tried to convince the mother that this "every weekend and every holiday plan" was not fair. She wouldn't budge. She viewed it as a punishment because she didn't get along with our son. Several times she tried to blackmail all us by telling us that if we didn't follow the "every weekend parenting plan" that she would put our grandson in residential housing. He was only ten years old at the time. Whenever we tried to talk with her about the schedule being unfair she would tell us that she didn't want to hear us venting. We tried to explain to the judge that taking care of our grandson involves our complete undivided attention and supervision and that it was nearly impossible to even have visitors over. We were more than willing to shift some of the parenting time to the week, something we had already been doing for the first eight years of our grandson's life. We hired a lawyer to help us try to change the schedule. Up front the lawyer told us that it would be very hard to change a Final Parenting Plan. What he didn't tell us is that a Final Parenting Plan can only be changed if the reason matches one of the nine circumstances listed in the "Modification of Parental Rights and Responsibilities." So we paid a lot of money to the lawyer in an attempt to change the parenting plan. In the end, the judge would not change it. He gave the reason, "There has been no change." Not until months later did I realize he was referring to this list of reasons in "Modification of Parental Rights and Responsibilities." Pleading for a just, fair schedule did no good. I was very naïve during the three years from 2015 to 2018 in thinking that everyone would be fair.

Most parents already know that sharing the weekends and holidays is the fair way to do a Parenting Plan. My son fell into the minority of parents who are required to have parenting time every weekend and every holiday. Here are the reasons why it's important to pass this bill:

1. It is extremely difficult to change a Final Parenting Plan. One of the reasons listed on the "Modification of Parental Rights and Responsibilities" must be met.
2. It doesn't matter what kind of legal representation a parent has to fix a Final Parenting Plan. The new plan will be turned down if it doesn't meet one of the legal reasons to change it. A lawyer may not tell you in advance

that this list of legal reasons exists, so your money is wasted. It's stressful emotionally to go to court and fight for fairness.

3. With the "every weekend and every holiday plan", the Mom has total freedom to do as she pleases on the weekends and the Dad is home with the child or children every weekend. There are some parents who want to be home with their child or children every weekend, and this bill allows that flexibility.
4. With the "every weekend and every holiday plan", the Dad has to ask the Mom for permission to attend a special event, such as a wedding. The Mom who is holding all the power can say no. At that point, the Dad has to pay a fee to file a motion in the court to ask for the change in the schedule in order to attend the wedding. This type of power and control one parent has over the other parent's life is not good and not healthy. It creates resentment and friction which affects the child.
5. The "every weekend and every holiday" schedule is very unfair to some parents, depending on their situation. If one parent wants to be revengeful they can slam another parent with this unfair schedule and there are no laws in place right now to prevent this kind of revenge.
6. Judges don't empathize with the situation. They aren't in tune with the social isolation and the burnout that comes with taking care of a special needs child. They don't recognize the need for some downtime on the weekend for the father.
7. Special needs children are dependents indefinitely. The "every weekend and every holiday" schedule could go on for a lifetime. The number of special events, recreational activities, time missed with relatives, and time missed worshipping in a church is staggering and this kind of a schedule is so oppressive in this situation that it should never be forced on anyone unless both parents agree to it.
8. In my opinion, there is judicial bias against fathers in court. This parenting plan issue is just one of the many issues that should be worked on to create equality between fathers and mothers. I realize that some mothers are also unhappy about what happens in Family Court.

9. This bill gives a starting point of sharing the weekends and holidays equally and there is the flexibility to choose other arrangements if that is what is best for some parents. If the parents cannot come to an agreement, then the judge must make a decision. With this bill, even the judge will have to make sure that the schedule is fair regarding the weekends and holidays. There will be no more abuse of power on the part of a parent and the likelihood of a judge favoring one parent over the other is reduced.

Thank you for your time.

Sincerely,

Brenda Annan

Brenda Annan

21 Packard Drive

Merrimack, NH 03054-2674

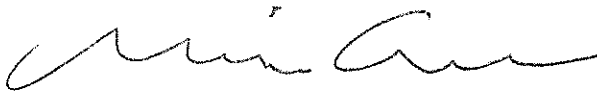
February 9, 2019

To whom it may concern,

It's true that in Family Court the Final parenting plan stated that I will have parenting time every weekend and every holiday. I feel that this plan is unreasonable and unfair. I would like this bill to be passed. I firmly believe weekends and holidays should always be shared between both parents equally.

The every weekend and every holiday Parenting Plan should be agreed upon, not forced. Thank you for your consideration with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Annan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Annan

247 Blodget Street

Manchester, NH 03104

Phone: (603) 777-0093

Email: truev3000@hotmail.com

Published on *New Hampshire Legal Aid* (<https://nhlegalaid.org>)

Modification of Parental Rights & Responsibilities

Changing a court order

If you and your children's other parent already have a court order regarding where your children will live and which of you will make decisions about their up-bringing and you want to change that order, you are thinking about asking a court for a Modification of Parental Rights and Responsibilities. A court order may have been made by a judge, or a judge may have approved an agreement made by you and your child's other parent. In either case, if you want to change that order and the other parent does not agree, you will have to file a court action and ask a judge to change the order. In these materials, we are not talking about orders involving DCYF or guardianships, just cases involving the two parents of a child – whether or not they were ever married.

Changing a court order is not easy. There are lots of reasons why a parent may want to file a modification case, but that does not mean that a court will grant the request.

For the most part, New Hampshire law prefers to keep a child's living arrangements stable, not to change the schedule or primary residence often. The laws are written to make it hard to change residential responsibility once there is a court order. This is viewed as being in a child's best interests; a stable residence and schedule help provide a child with security and predictability.

Before filing a Petition for Modification you should consider the requirements of the law which control these cases, and you should know that a judge will be reluctant to grant a modification unless you have clearly met the requirements.

There are nine ways a parent may get an order modifying parental rights and responsibilities. These nine ways mostly pertain to the child's residence, or the residential responsibilities of the parents. A court may modify a final order concerning parental rights and responsibilities under any of the following circumstances **but the court is not required to do so:**

1. The parties agree to a modification. This part is pretty clear. If the two parents agree, then a court is likely to approve the requested modification.
2. If the court finds repeated, intentional, and unwarranted interference by a parent with the residential responsibilities of the other parent, the court may order a change in the parental rights and responsibilities without the necessity of showing harm to the child, if the court determines that such change would be in accordance with the best interests of the child.

This part is harder to apply. In order to use this part to change the parenting plan, you would have to prove two things. First, you would have to prove that the other parent has engaged in a course of behavior that would constitute **repeated, intentional, and**

unwarranted interference with your parental rights. This does not mean cancelling some weekends or rescheduling exchanges. Think about these three words: repeated, intentional, and unwarranted. All three must be shown. If you can show this, then you must still be able to show the judge that changing the order would be in your child's best interests. In this case the judge is going to want to know about the child's best interests, not your interests. So, even if your child's other parent is making your life miserable, and is interfering with your parental rights in a repeated, intentional, and unwarranted manner, that does not mean that the court will necessarily change the schedule.

3. The court finds by clear and convincing evidence that the child's present environment is detrimental to the child's physical, mental, or emotional health, and the advantage to the child of modifying the order outweighs the harm likely to be caused by a change in environment.

This part has three elements that are important to consider before filing. First, you must show that your child's situation is harmful to your child. Second, you must prove that the change in residence is going to be less harmful to the child than staying put. This may be harder than you think given the court's preference for maintaining the child's stable residence. Third, you must show these things by clear and convincing evidence. "Clear and convincing evidence" is a phrase that means something more than just a tilt of the scales in your favor. It makes proving the two pieces of this section much harder.

4. If the parties have substantially equal periods of residential responsibility for the child and either each asserts or the court finds that the original allocation of parental rights and responsibilities is not working, the court may order a change in allocation of parental rights and responsibilities based on a finding that the change is in the best interests of the child.

This part only applies in cases where the parents start out with equal periods of time with the child (or at least quite close to equal). In this kind of case, if the parents agree that the schedule is not working or the judge finds that the schedule is not working THEN the judge may change the schedule based on what the judge finds to be in the child's best interests.

5. If the court finds by clear and convincing evidence that a minor child is of sufficient maturity to make a sound judgment, the court may give substantial weight to the preference of the mature minor child as to the parent with whom he or she wants to live. Under these circumstances, the court shall also give due consideration to other factors which may have affected the minor child's preference, including whether the minor child's preference was based on undesirable or improper influences.

This part only applies when the child in question is old enough to make decisions that are in his or her own best interests. This can be hard to prove. Many teenagers believe they know what is best for them, but it is not unusual for the adults who are responsible for them to disagree. Sometimes a judge will appoint a guardian ad litem (GAL) to figure out whether or not a child is mature enough to make a sound decision. Sometimes the judge will decide whether or not the child is mature on his or her own. In these cases the court will also consider what kind of influences the child may have received that might have affected his or her views.

6. If one parent's allocation of parenting time was based in whole or in part on the travel time between the parents' residences at the time of the order and the parents are now living either closer to each other or further from each other by such distance that the existing order is not in the child's best interests. For example, if the parents were given shared residential custodial time with the child because they lived in the same town at the time the custody order was issued, the court could consider a request to modify the custody order if one of the parents moved so far away from the other that the consequences of transporting the child between the parents, so as to maintain the shared custodial arrangement, would not be in the child's best interests.
7. If one parent's allocation or schedule of parenting time was based in whole or in part on his or her work schedule and there has been a substantial change in that work schedule such that the existing order is not in the child's best interests. This could occur when a parent was given weekend custodial time under the court order but now has a new job that requires him/her to work on weekends.
8. If one parent's allocation or schedule of parenting time was based in whole or in part on the young age of the child, the court may modify the allocation or schedule (or both) based on a finding that the change is in the best interests of the child, provided that the request is at least five years after the prior order. This often occurs when the child is an infant at the time the order is issued and the court believes that the non-residential parent's skills in attending to the needs of an infant are lacking. The court may not hold this same opinion once the child is over the age of six and may very well agree that additional custodial time with the non-residential parent would benefit the child.
9. If the parties agree on or the court authorizes the relocation of a residence of a child, the court may modify the allocation or schedule of parenting time or both based on a finding that the change is in the best interests of the child. This could happen when the parents share residential responsibility of the child and the child then moves to a different part of the country with one of the parents thereby making it impractical and thus, not in the child's best interest, to try to maintain the current shared custodial schedule.

Before filing a court case, carefully consider the implications of doing so. There is a very good chance that your relationship with the other parent will suffer as a result. It is also likely that any change in your child's primary residence will be a difficult adjustment for your child. It is worth considering whether or not some agreement can be reached with the other parent to avoid the necessity of filing a court case. The courts in New Hampshire assume that you will make decisions that are best for your child – this does not include making choices that are based on your convenience, or your inability to have a good relationship with your child's other parent. Carefully think through all of these issues before filing, and you will have a greater likelihood of a positive outcome.

Category:

Primary Parenting Responsibility - Custody ^[1]

Date:

January 2017

Author:

LEGAL ADVICE & REFERRAL CENTER

Source URL (retrieved on 02/10/2019 - 09:23): <https://nhlegalaid.org/self-help-guides/family/primary-parenting-responsibility-custody/modification-parental-rights>

Links:

[1] <https://nhlegalaid.org/self-help-guides/family/parental-rights-responsibilities>

Funded in part by:



Bill as
Introduced

HB 386 - AS INTRODUCED

2019 SESSION

19-0350
05/10

HOUSE BILL

386

AN ACT

relative to the parenting schedule for weekends and holidays.

SPONSORS:

Rep. L'Heureux, Hills. 21; Rep. Notter, Hills. 21; Rep. Love, Rock. 6; Rep. Buchanan, Merr. 15

COMMITTEE:

Children and Family Law

ANALYSIS

This bill provides that, unless otherwise agreed, the parents shall share weekends and holidays.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears ~~[in brackets and struck through.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the parenting schedule for weekends and holidays.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Parenting Schedule for Weekends and Holidays. Amend RSA 461-A:4 by
2 inserting after paragraph VI the following new paragraph:

3 VII.(a) As provided in the parenting schedule, weekends and holidays shall be shared
4 between the parents in accordance with their agreement; neither parent shall receive more than
5 approximately 50 percent of the time unless both parties agree to such an arrangement.

6 (b) Both parents of a special needs child, particularly a child who is primarily confined
7 to the home, shall share weekends and holidays as equally as possible to avoid caregiver burnout.

8 2 Effective Date. This act shall take effect January 1, 2020.