



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1372

family reunification treatment; prohibitions

Purpose

Prohibits a court from ordering family reunification treatment that requires or results in a change in custody or parental contact or the use threats or certain transporters, as outlined.

Background

Either originally or on petition for modification, the court must: 1) determine legal decision-making and parenting time in accordance with the best interests of the child; and 2) consider all factors that are relevant to the child's physical and emotional wellbeing. In a contested legal case, the court will make specific findings on the record about all relevant factors and reasons why the decision is in the best interest of the child ([A.R.S. § 25-403](#)). A *child custody determination* is any judgement, decree or other court order, including a permanent, temporary, initial and modification order, for legal or physical custody or visitation with respect to a child ([A.R.S. § 25-1002](#)).

Reunification treatment is a treatment or therapy aimed at reuniting or reestablishing a relationship between a child and an estranged or rejected parent or other family member of the child ([34 U.S.C. § 10446](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a court from ordering family reunification treatment that, as a condition of enrollment or participation, requires or results in:
 - a) a no-contact order with a parent;
 - b) an overnight, out-of-state or multiday stay;
 - c) a transfer of physical or legal custody of the child;
 - d) the use of private youth transporters or private transportation agents engaged in the use of force, threat or force, physical obstruction or circumstances that place the safety of the child at risk; or
 - e) the use of threats of physical force, undue coercion, verbal abuse or isolation from the child's family, community or other sources of support.
2. Defines *family reunification treatment* as a treatment, therapy, program, service or camp that is aimed at reuniting or reestablishing a relationship between a child and an estranged or rejected parent.
3. Becomes effective on the general effective date.