

1 H.598

2 Introduced by Representative Branagan of Georgia

3 Referred to Committee on

4 Date:

5 Subject: Domestic relations; annulment and divorce; parental rights and
6 responsibilities

7 Statement of purpose of bill as introduced: This bill proposes to allow a
8 child's wishes on parental rights and responsibilities to be a factor in
9 determining parental rights and responsibilities and to allow the court to
10 conduct an in camera discussion with the child to determine the child's wishes.

11 An act relating to a child's desire in awarding parental rights and
12 responsibilities

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 15 V.S.A. § 665 is amended to read:

15 § 665. RIGHTS AND RESPONSIBILITIES ORDER; BEST INTERESTS OF
16 THE CHILD

17 * * *

18 (b) In making an order under this section, the Court shall be guided by the
19 best interests of the child, and shall consider at least the following factors:

20 * * *

1 (8) the ability and disposition of the parents to communicate, cooperate
2 with each other, and make joint decisions concerning the children where
3 parental rights and responsibilities are to be shared or divided; ~~and~~

4 (9) evidence of abuse, as defined in section 1101 of this title, and the
5 impact of the abuse on the child and on the relationship between the child and
6 the abusing parent; and

7 (10) the desire of the child to have certain rights and responsibilities be
8 awarded to a parent.

9 * * *

10 (e) The Court may conduct an in camera discussion with the child to assist
11 the Court in determining the best interests of the child.

12 (f) The jurisdiction granted by this section shall be limited by the Uniform
13 Child Custody Jurisdiction and Enforcement Act, if another state has
14 jurisdiction as provided in that act. For the purposes of interpreting that act
15 and any other provision of law which refers to a custodial parent, including
16 13 V.S.A. § 2451, the parent with physical responsibility shall be considered
17 the custodial parent.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on July 1, 2014.