2013 - Relocation Workgroup
DOMESTIC RELATIONS COMMITTEE
MINUTES

January 7, 2013
Arizona State Courts Building
1501 W. Washington
Conference Room 119A/B
Phoenix, Arizona 85007

Present: Thomas Alongi, William Fabricius, David Horowitz, Judge Carey Hyatt, Kathy McCormick, Shannon Rich, Merrill Robbins (for Donnalee Sarda), Leslie Satterlee, Ellen Seaborne, Russell Smolden, Steve Wolfson.
Present Telephonically: Daniel Cartagena, Mary Ellen Dunlap.
Absent/Excused: Judge Lela Alston, Judge Michael Bluff, Donnalee Sarda.
Presenters/Guests: Kay Radwanski (AOC), Kelly Jarrell (Cochise County Superior Court).
Staff: Kathy Sekardi (AOC), Kym Lopez (AOC).

CALL TO ORDER

Without a quorum present, the January 7, 2013 meeting of the 2013 Relocation Workgroup of the Domestic Relations Committee was called to order by Ellen Seaborne, Chair.

REVIEW PROPOSED RELOCATION BILL

Members discussed the following subjects regarding the proposed relocation bill:

1) Parties who move and need to give notice.
   a) Parent.
   b) Third party situations.
   c) Legal guardian – non-parent (dependency matter).
2) Parties who need to receive notice of a move.
   a) The other parent (even if no parenting time has been exercised).
   b) Third parties with visitation rights.
   c) Grandparents or great-grandparents.
3) Parties who do not need to receive notice of a move.
   a) Parents whose parental rights have been severed.
   b) A parent with an unknown address?
   c) Parents in domestic violence situations who have a court-ordered protected address (or have an application pending).
   d) ARFLP Rule 7 – protected addresses.
      i) Concern about protected address for a parent who should be given notice/pleading.
4) How notice should be given to parties?
   a) Service of process – formal (personal or certified mail). ARFLP Rule 40-43.
   b) Notice of change of address – through COSC.
      i) Concern if this form needs to be modified.
   c) COSC "protected address" v. Order of Protection "protected address" – (not protected under Rule 7).
      i) Clerks cannot remove address from paperwork if documents are submitted with protected address.
      ii) Confuses litigants.

d) Address Confidentiality Program through Secretary of State – might want to include statutory reference A.R.S. Section 41-161 to 41-169 (41-163).
e) How is notice given to a parent whose address is unknown?

5) How much time before a move should notice be given?
   a) Time for parents to have meaningful discussion prior to deadline for objection (non-parent: 40 days won't be enough for assessment to object, get appointment with an attorney, try to mediate, etc.).
   b) Parties should be able to extend time, if agreement can be reached, then be able to object without penalty.
   c) Compelling reasons to relocate – (60 days too long, 30 days not enough time).
   d) Include stipulation regarding good cause – 60 days.
   e) 60 days allows for emergency situations – without prejudice (i.e., temporary change of physical LDM parent).
   f) Time to hearing – varies from county to county and judge to judge.
      i) Critical to differentiate types of moves. For example, small address change vs. long-distance moves that greatly impact parenting time.
   g) Emergency temporary order – usually post-decree. Most judges will give this type of hearing top priority.
   h) Conciliation court – may take 30 days to set appointment.
   i) If notice can be given earlier, should it include the language "when knew".
      i) This was problematic and serves as a disincentive.

6) What the notice should say?
   a) Should it be a form?
   b) Assists self-represented litigants.
   c) Script into statute – previous area of agreement.
   d) Pleading – notice/objection to relocate.
   e) Does it need a specific address?
      i) Renters may not know address.
      ii) Unknown issues may change original address.
   f) Impact to parenting time plan (access).
   g) Include conditions language – such as a school change.
   h) Simplified modification of parenting time form order (408.02(H)), file parenting plan, form signed by judge, if no objection filed or notice of objection in front of court. Need provision if relocation goes forward to obtain new parenting plan.
   i) Concerns regarding "reasons" and level of specificity – may lead to more objections.
   j) Who is moving; moving party to specify address if known, explain why address may be unknown; school or district if known, reason(s) why unknown; if moving parent has protected address, specify protected address; anticipated date of move; description of how parenting plan will be impacted; measures the moving parent is willing to take to minimize impact of parenting time on the non-moving parent.
   k) Detailed parenting plan filed with clerk and served on the other party. This will become the default order if the request to relocate is not objected to.
   l) A notice of intent to relocate should be filed with the clerk and served on the other parent.

7) Consequences for inaction.
   a) Spell out in statute.
   b) Simplified parenting time change – default.
   c) Fees and costs (480.05) may not need to be included. Subsection B is not what current law states, resolves bad faith objections, discretionary, shifts burden to non-moving parent. Attorney fees mandatory in these situations.

8) How to object to a move?

a) If parties agree, should be able to extend time to object to the move and to object without penalty (if petition filed, need notice to the court of the agreement).
b) Should this parallel the notice requirements?

9) If not in the notice, what should the receiving parent do to object to the move?
a) Detailed reasons for objection and why remedial measures are not in the child's best interests.
b) Non-moving parent shouldn't be penalized for not articulating reasons why objecting to proposed relocation.
c) Concerns about relocation orders being made solely by judicial review – judgment on the pleadings.
d) Dismiss frivolous objections – "reasonable basis" subjective?
e) Court can temporarily allow or deny relocation, without prejudice. If a hearing is needed, then subject to 25-411 factors (set hearing, proffer facts).
f) Need to tell objecting parent they must file response papers (petition becomes the notice).
g) If there is no objection, the burden is on the non-moving parent to file with court; need a new parenting time plan. A simplified-modification petition with new parenting time plan, order filed and logged with court, order signed by judge would insure that a parenting plan is in place. If objected to, file response and request a hearing. Use the same framework as simplified-modification for child support. If objection, the issue gets litigated and the burden is on the moving parent to do the work. The benefit is if there is no objection, the judge signs the parenting plan and court order. This puts in place a court order that dictates what happens after relocation takes place.
h) Consider that every relocation issue will go into the court for fees, waiver/deferral, requires affidavit of service, dismissals, etc. But a simple notice does not require fees, etc.

10) What is considered relocation as opposed to a simple change in address.
a) Change in school.
b) Change in parenting time.
c) Increase in travel time.
d) A change that significantly impacts the non-moving parent's ability to participate in school activities.

Dr. Fabricius suggested striking 25-408(D)(3)(a) from the "old" previous version of the relocation draft (correlates to striking 25-408(I)(1) page 2, lines 40-41). An unofficial vote showed four members in favor to strike and one member opposed to striking.

AT THE NEXT MEETING WE WILL WORK ON DEFINING:

1. **What is considered a relocation as opposed to a simple change in address? (Need to finish this discussion.)**
2. **Can a parent creep? (Moving in small increments to eventually achieve a long distance move?)**
3. **What factors should the court look at to help determine whether the relocation is in the child's best interests?**
4. **If a relocation is allowed, what parenting time should the non-moving parent have?**
5. **Should there be sanctions for abusing the process? If so, then what sanctions would be imposed?**
6. **Other considerations?**

Next meeting:
February 8, 2013
10:00 am – 3:30 pm
Arizona States Court Building
1501 W. Washington
Conference Rooms 119 A/B
Phoenix, AZ 85007

Meeting adjourned at 2:58 pm

2013 - Relocation Workgroup
DOMESTIC RELATIONS COMMITTEE
DRAFT MINUTES

February 8, 2013
Arizona State Courts Building
1501 W. Washington
Conference Room 119A/B
Phoenix, Arizona 85007

Present: Tom Alongi, Representative Lela Alston, Judge Michael Bluff, Mary Ellen Dunlap, Bill Fabricius, Judge Carey Hyatt, Kathy McCormick, Shannon Rich, Merrill Robbins (for Donnalee Sarda), Leslie Satterlee, Ellen Seaborne, Russell Smoldon, Michael Espinoza, Steve Wolfson.
Absent/Excused: Daniel Cartagena, David Horowitz, Donnalee Sarda (appeared later via telephone).
Presenters/Guests: Judge David Gass (Maricopa County Superior Court), Amy Love (AOC), Judge Peter Swann (Court of Appeals), Sylvina Cotto.
Staff: Kathy Sekardi (AOC), Kay Radwanski (AOC), Kym Lopez (AOC).

CALL TO ORDER
With a quorum present, the February 8, 2013 meeting of the 2013 Relocation Workgroup of the Domestic Relations Committee was called to order by Chairperson Ellen Seaborne, at 10:05 a.m. Attendees were introduced.

REVIEW PROPOSED RELOCATION BILL
The framework for SB1072 was reviewed.

A. **Consequences for inaction by the nonmoving parent?**
- There should be a provision for the nonmoving parent to respond as to why they did not respond "for good cause."
- After "*return receipt requested"* insert the word "*restricted delivery*".
- Page 7, line 13, definition of "*sworn parenting plan"* means verification of who is submitting notice of relocation. Change the word "*sworn"* to "*signed*."
- Page 3, line 8, "*includes a brief statement*," change the word "*brief*" to "detailed."
- Page 3, paragraph C, "*file a notice of objection that*," add the words "*includes the detailed reasons for objection*".
- Paragraph four page 7, line 25, should read "*may enter an appropriate order permitting relocation and approving the submitted parenting plan, or may set the matter for a hearing*."

B. **How to object to the move? If not in the notice: What should the receiving parent do object to the move?**
- No comments.

C. **If an objection is entered, what procedure should the court follow?**

- Page 3, line 7, instead of "*notice*," change to "*response objecting to a petition to relocate*."
- Line 7, should say "*file an objection*".

Members agreed to table this item until the term relocation is better defined.

D. **What is considered a simple change in address and not relocation for purposes of notice?**
   - The majority of members would approve of a preliminary threshold similar to A.R.S. section 25-411. Relief should not be granted summarily if an objection to relocation is filed.
   - Need to consider protected addresses (Rule 7, ARFLP and the Secretary of State's Address Confidentiality Program).
   - On line 3, the word "*includes*" should be changed to "*is*."
   - In paragraph 3, line 3, put in the word "*or*" after the word "*community*.**"**
   - The majority of the members would be interested in language that applies to both the petition and the objection, such as "*The court shall deny the motion unless it finds that adequate cause for hearing the motion is established by the pleadings, in which case, it shall set a date for hearing as to why the request for modification should not be granted.*"
   - The Parenting Tim Plan should include directions, instructions, and any party agreements regarding relocation issues.

   - **Can a parent creep?**
     If guidelines promote healthy moves for child, it is fine.

E. **What factors should the court look at to help determine whether the relocation is in the child's best interests?**
   - There are already many factors that the court looks at in A.R.S. sections 25-403 and 25-408.

F. **If relocation is allowed, what parenting time should the non-moving parent have?**
   - Parenting time will be outlined in new parenting time plan.

G. **Should there be sanctions for abusing the process? If so, then what sanctions would be imposed?**
   - New sanctions in A.R.S. section 25-415 cover this.

H. **Other considerations that need to be discussed at another time.**
   - None listed.

<u>Call to the public</u>
Deborah Pierson discussed issues regarding relocation.

DRAFT

Ms. Seaborne suggested a smaller group to complete a draft of SB1072. The group consisted of members Mr. Espinoza, Mr. Fabricius, Judge Hyatt, Ms. McCormick, Ms. Rich, and Ms. Seaborne. The group worked on editing a draft of SB1072.

A teleconference is scheduled for February 13, 2013 to complete the draft version of SB1072.

OTHER BUSINESS

Next meeting:

Tentatively set for Friday, March 22
10:00 a.m. to 3:30 p.m.
Conference Room 345 A/B

The meeting adjourned at 3:40 pm.

DRAFT

2013 - Relocation Workgroup
DOMESTIC RELATIONS COMMITTEE
DRAFT MINUTES

February 13, 2013
Arizona State Courts Building
1501 W. Washington
Conference Room 345A
Phoenix, Arizona 85007

Present: Kathy McCormick, Shannon Rich, Ellen Seaborne, Judge Carey Hyatt, Donnalee Sarda, Merrill Robbins, Bill Fabricius.
Staff: Kathy Sekardi (AOC), Kym Lopez (AOC).

CALL TO ORDER
The February 13, 2013 meeting of the 2013 Relocation Workgroup of the Domestic Relations Committee was called to order by Ellen Seaborne, Chair.

REVIEW PROPOSED RELOCATION BILL
Members completed the final draft of SB1072 that will be forwarded to Legislative Council. Draft attached.

Next meeting:
Friday, March 22
10:00 a.m. to 3:30 p.m.
Conference Room 345 A/B

Meeting adjourned at 3:55 pm.

DRAFT

Fifty-first Legislature
First Regular Session

PROPOSED AMENDMENT
SENATE AMENDMENTS TO S.B. 1072

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Title 25, chapter 4, article 1, Arizona Revised Statutes is amended by adding 25-408 to read:

25-408. Relocation of a child, change in residential address of child; simplified procedure; notice; requirements; exceptions; enforcement;

A. A RELOCATION OF A CHILD MEANS A RESIDENTIAL MOVE THAT SHALL RESULT IN A MATERIAL CHANGE OF CIRCUMSTANCES AFFECTING THE BEST INTERESTS OF THE CHILD, INCLUDING:

1. A CHANGE TO THE SCHOOL THE CHILD WILL ATTEND AFTER THE MOVE UNLESS THE MOVING PARTY HAS SOLE LEGAL DECISION-MAKING AUTHORITY REGARDING EDUCATION; OR

2. AN INCREASE THE TRAVEL TIME SUCH THAT THE CHILD'S TIME WITH EITHER PARENT WILL BE SIGNIFICANTLY DECREASED; OR

3. A SIGNIFICANT IMPACT ON THE CHILD'S ESTABLISHED ROUTINE IN THE CHILD'S HOME, SCHOOL OR COMMUNITY; OR

4. A MOVE TO AN ADDRESS OUTSIDE THE STATE OF ARIZONA.

B. A PARENT WITH JOINT OR SOLE LEGAL DECISION-MAKING AUTHORITY, A PERSON WITH THIRD-PARTY LEGAL DECISION-MAKING AUTHORITY OR A CHILD'S LEGAL GUARDIAN WHO INTENDS TO CHANGE THE CHILD'S PHYSICAL RESIDENCE SHALL SERVE THE PARENT OR PERSON ENTITLED TO PARENTING TIME WITH AT LEAST SIXTY DAYS' ADVANCE WRITTEN NOTICE BEFORE THAT MOVE TAKES PLACE. A COPY OF THE NOTICE SHALL ALSO BE SERVED ON ANY PERSON HAVING COURT-ORDERED VISITATION WITH THE CHILD.

C. SIMPLIFIED PROCEDURE

1. A NOTICE OF RELOCATION SERVED AND FILED IN COMPLIANCE WITH THIS SECTION MAY BE ACCOMPANIED BY A BLANK FORM OF ORDER PERMITTING RELOCATION AS SET FORTH IN THE SIGNED PARENTING PLAN ACCOMPANYING THE NOTICE OF RELOCATION.

2. IF NO OBJECTION TO RELOCATION IS FILED BY THE NONMOVING PARTY WITHIN THE TIME ALLOWED AFTER PROOF OF SERVICE HAS BEEN FILED BY THE MOVING PARTY, THE COURT MAY ENTER AN APPROPRIATE ORDER PERMITTING RELOCATION AND APPROVING THE SUBMITTED PARENTING PLAN OR MAY SET THE MATTER FOR A HEARING.

D. THE NOTICE TO A PERSON ENTITLED TO PARENTING TIME MUST INCLUDE:

1. THE EFFECTIVE DATE OF THE CHANGE OF RESIDENTIAL ADDRESS.

2. THE PROPOSED RESIDENTIAL ADDRESS, IF KNOWN, UNLESS THE COURT HAS GRANTED A REQUEST TO PROTECT A RESIDENTIAL ADDRESS PURSUANT TO THE ARIZONA RULES OF FAMILY LAW PROCEDURE OR THE ARIZONA RULES OF PROTECTIVE ORDER PROCEDURE, OR THE ADDRESS IS PROTECTED UNDER ARIZONA REVISED STATUTES SECTION 36-3009, OR A PARTY IS A PARTICIPANT IN THE ADDRESS CONFIDENTIALITY PROGRAM PURSUANT TO ARIZONA REVISED STATUTE SECTIONS 41-161, ET. SEQ. UNLESS AN ADDRESS IS PROTECTED BY RULE, STATUTE, OR COURT ORDER, IF THE PROPOSED RESIDENTIAL ADDRESS IS NOT KNOWN AT THE TIME OF THE NOTICE, THE NOTICE MUST EXPLAIN THE REASON THAT THE RESIDENTIAL ADDRESS IS NOT KNOWN AND WHEN IT WILL BE KNOWN.

3. THE SCHOOL THAT THE CHILD WILL ATTEND.

4. THE REASON THAT THE PERSON IS PROPOSING TO RELOCATE WITH THE CHILD.

5. IF THE RELOCATION WILL RESULT IN A CHANGE TO THE PARENTING PLAN, A SIGNED PROPOSED PARENTING PLAN.

6. THE FOLLOWING STATEMENT:

NOTICE TO PARENTS ENTITLED TO PARENTING TIME

THIS IS A NOTICE OF INTENT TO CHANGE A CHILD'S PHYSICAL RESIDENCE. SECTION 25-408 ARIZONA REVISED STATUTES, GIVES A PERSON WITH PARENTING TIME THE RIGHT TO FILE A NOTICE OF OBJECTION IF THE MOVE WILL RESULT IN A MATERIAL CHANGE OF CIRCUMSTANCES AFFECTING THE BEST INTERESTS OF THE CHILD. YOUR NOTICE OF OBJECTION SHALL INCLUDE

THE REASONS FOR OBJECTING TO THE RELOCATION. A RELOCATION CAUSING A MATERIAL CHANGE OF CIRCUMSTANCES AFFECTING THE BEST INTERESTS OF THE CHILD IS A MOVE THAT:

1. RESULTS IN A CHANGE TO THE SCHOOL THE CHILD WILL ATTEND AFTER THE MOVE UNLESS THE MOVING PARTY HAS SOLE LEGAL DECISION-MAKING AUTHORITY REGARDING EDUCATION; OR

2. INCREASES THE TRAVEL TIME SUCH THAT THE CHILD'S TIME WITH EITHER PARENT WILL BE SIGNIFICANTLY DECREASED; OR

3. SIGNIFICANTLY IMPACTS THE CHILD'S ESTABLISHED ROUTINE IN THE CHILD'S HOME, SCHOOL OR COMMUNITY; OR

4. RESULTS IN THE CHILD MOVING TO AN ADDRESS OUTSIDE THE STATE OF ARIZONA.

IF YOU OBJECT TO THE PROPOSED MOVE, YOU MUST FILE AN OBJECTION WITHIN TWENTY DAYS AFTER YOU RECEIVE THIS NOTICE. IF YOU ARE SERVED WITH THIS NOTICE OUTSIDE OF THE STATE OF ARIZONA YOU MUST FILE YOUR OBJECTION WITHIN THIRTY DAYS AFTER YOU RECEIVE THIS NOTICE. IF YOU DO NOT FILE A NOTICE OF OBJECTION AND THE CHILD IS RELOCATED AS SET FORTH IN THE NOTICE OF INTENT TO RELOCATE, THE PROPOSED PARENTING PLAN MAY BECOME THE NEW PARENTING PLAN BY ORDER OF THE COURT.

E. THE COURT SHALL NOT DEVIATE FROM A PROVISION OF THE CURRENT COURT-ORDERED PARENTING PLAN IN WHICH THE PARTIES SPECIFICALLY HAVE AGREED TO ALLOW OR PROHIBIT THE MOVE UNLESS THE COURT FINDS THE PROVISIONS ARE NO LONGER IN THE CHILD'S BEST INTERESTS.

F. IF THE PROPOSED RELOCATION OR PARENTING PLAN IS DISPUTED, THE NONMOVING PARTY MUST FILE A NOTICE OF OBJECTION WITHIN 20 DAYS OF SERVICE. IF SERVICE IS MADE OUTSIDE THE STATE THE NONMOVING PARTY MUST FILE A NOTICE OF OBJECTION WITHIN 30 DAYS OF SERVICE. AFTER EXPIRATION OF THIS TIME ANY PETITION OR OTHER APPLICATION TO PREVENT RELOCATION OF THE CHILD MAY BE GRANTED ONLY ON A SHOWING OF GOOD CAUSE. THIS SUBSECTION DOES NOT PROHIBIT THE PERSON SEEKING TO RELOCATE THE CHILD

FROM PETITIONING THE COURT FOR A HEARING TO DETERMINE THE APPROPRIATENESS OF A RELOCATION THAT MAY ADVERSELY AFFECT A PARENT'S LEGAL DECISION-MAKING AUTHORITY AND PARENTING TIME RIGHTS.

G. THE NOTICE AND PROOF OF SERVICE OF THE NOTICE AND THE OBJECTION AND PROOF OF SERVICE OF THE OBJECTION SHALL BE FILED WITH THE COURT TO BE EFFECTIVE.

H. ALL REQUIRED NOTICES SHALL BE SERVED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, RESTRICTED DELIVERY, OR PURSUANT TO THE ARIZONA RULES OF FAMILY LAW PROCEDURE. THE COURT SHALL SANCTION A PARTY WHO, WITHOUT GOOD CAUSE, DOES NOT COMPLY WITH THE NOTICE REQUIREMENTS PURSUANT TO ARIZONA REVISED STATUTES SECTION 25-415, AND 25-324. THE COURT MAY IMPOSE A SANCTION THAT WILL AFFECT LEGAL DECISION-MAKING OR PARENTING TIME ONLY IN ACCORDANCE WITH THE CHILD'S BEST INTERESTS.

I. IF NO TIMELY NOTICE OF OBJECTION IS FILED AFTER PROOF OF SERVICE HAS BEEN FILED BY THE MOVING PARTY, THE COURT MAY ENTER AN APPROPRIATE ORDER PERMITTING RELOCATION AND APPROVING THE SUBMITTED PARENTING PLAN OR MAY SET THE MATTER FOR A HEARING.

J. IF A TIMELY OBJECTION TO THE RELOCATION IS FILED, THE PERSON SEEKING TO RELOCATE THE CHILD, SHALL PETITION THE COURT TO APPROVE THE PROPOSED MOVE. THE BURDEN OF PROOF IS ON THE MOVING PARTY TO ESTABLISH BY A PREPONDERANCE OF THE EVIDENCE THAT THE MOVE IS IN THE CHILD’S BEST INTERESTS.

K. THE COURT SHALL DENY THE RELIEF REQUESTED BY EITHER PARTY UNLESS IT FINDS THAT ADEQUATE CAUSE FOR HEARING THE MATTER IS ESTABLISHED BY THE PLEADINGS, IN WHICH CASE IT SHALL SET A DATE FOR HEARING ON WHY THE REQUESTED RELIEF SHOULD OR SHOULD NOT BE GRANTED. THE COURT MAY IMPOSE SANCTIONS ON ANY PARTY WHO WITHOUT GOOD CAUSE SEEKS RELIEF UNDER THIS SECTION.

L. THE COURT SHALL DETERMINE WHETHER TO ALLOW THE PARENT TO RELOCATE THE CHILD IN ACCORDANCE WITH THE CHILD'S BEST INTERESTS. IF THE RELOCATION IS ALLOWED, TO THE EXTENT PRACTICABLE THE COURT SHALL ADJUST THE PARENTING TIME ARRANGEMENT TO MINIMIZE THE CHILD’S LOSS OF PARENTING TIME WITH THE NONMOVING PARENT. IN

DETERMINING THE CHILD'S BEST INTERESTS THE COURT SHALL CONSIDER ALL RELEVANT FACTORS INCLUDING:

1. THE FACTORS PRESCRIBED UNDER SECTION 25-403.

2. WHETHER THE RELOCATION IS BEING MADE OR OPPOSED IN GOOD FAITH AND NOT TO INTERFERE WITH OR TO FRUSTRATE THE RELATIONSHIP BETWEEN THE CHILD AND THE OTHER PARENT OR THE OTHER PARENT'S RIGHT OF ACCESS TO THE CHILD.

3. THE PROSPECTIVE ADVANTAGE OF THE MOVE FOR IMPROVING THE GENERAL QUALITY OF LIFE FOR THE CHILD.

4. THE LIKELIHOOD THAT THE PARENT WITH WHOM THE CHILD WILL RESIDE AFTER THE RELOCATION WILL COMPLY WITH PARENTING TIME ORDERS.

5. WHETHER THE RELOCATION WILL ALLOW A REALISTIC OPPORTUNITY FOR SUBSTANTIAL, FREQUENT, MEANINGFUL, AND CONTINUING PARENTING TIME WITH EACH PARENT, INCLUDING WHETHER IT WILL RESULT IN AN INCREASE IN TRAVEL TIME SUCH THAT A CHILD'S TIME WITH EITHER PARENT IS SIGNIFICANTLY DECREASED.

6. THE EXTENT TO WHICH MOVING OR NOT MOVING WILL AFFECT THE CHILD'S STABILITY AND THE EMOTIONAL, PHYSICAL OR DEVELOPMENTAL NEEDS OF THE CHILD, INCLUDING WHETHER IT SIGNIFICANTLY IMPACTS A CHILD'S ESTABLISHED ROUTINE IN THE CHILD'S HOME, SCHOOL OR COMMUNITY.

7. WHETHER A PARTY'S PRIMARY MOTIVE IN REQUESTING OR OPPOSING THE RELOCATION IS TO GAIN A FINANCIAL ADVANTAGE REGARDING CONTINUING CHILD SUPPORT OBLIGATIONS.

8. THE EXTENT TO WHICH THE OBJECTING PARTY HAS FULFILLED THAT PARTY'S FINANCIAL OBLIGATIONS TO THE PARTY WHO SEEKS TO MOVE A CHILD, INCLUDING CHILD SUPPORT, SPOUSAL MAINTENANCE AND OBLIGATIONS RELATED TO MARITAL PROPERTY AND MARITAL DEBT. THE COURT SHALL ALSO CONSIDER THE IMPACT THAT COMPLIANCE OR NONCOMPLIANCE HAS ON THE PARENT WHO SEEKS TO MOVE, INCLUDING OTHER RESOURCES THAT ARE AVAILABLE TO PROVIDE SUPPORT FOR THE PARTY WHO SEEKS TO MOVE A CHILD.

M. A PARTY WHO IS REQUIRED TO MOVE BECAUSE OF CIRCUMSTANCES RELATED TO HEALTH, SAFETY, EMPLOYMENT OR INVOLUNTARY CHANGE OF RESIDENCE OF THAT PARTY OR

OF THAT PARTY'S SPOUSE IN LESS THAN SIXTY DAYS AFTER WRITTEN NOTICE HAS BEEN GIVEN TO THE OTHER PARTY MAY TEMPORARILY MOVE WITH THE CHILD ONLY IF BOTH PARTIES EXECUTE A WRITTEN AGREEMENT OR A PARTY OBTAINS A COURT ORDER PURSUANT TO THE ARIZONA RULES OF FAMILY LAW PROCEDURE.

N. IF THE PROPOSED RELOCATION AND PARENTING PLAN AFFECTS CHILD SUPPORT, EITHER PARENT MAY ALSO FILE FOR A MODIFICATION OF CHILD SUPPORT PURSUANT TO ARIZONA REVISED STATUTES SECTION 25-320 APPENDIX, PARAGRAPH 24(B), EITHER SIMULTANEOUSLY WITH THE RELOCATION REQUEST OR AS A SEPARATE MATTER.