

How Do Out-of-State Custody Agreements Work?

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Let's face it, folks, 50% of all marriages end in divorce. A good portion of those marriages produced children that now need to have equal time with each parent. Regardless of why the parents are no longer together, excluding behavior that might put the child at risk, each parent has the right to spend time with their child. When most parents get divorced, they are looking to end a marriage, not the parental rights. In some cases, situations may arise in one of the parents' lives requiring them to move out of state. Given that there are typically custody arrangements in a divorce, an out-of-state custody agreement must be produced.

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Are you looking for an experienced attorney to handle your out-of-state custody agreement? If so, we provide legal assistance with all types of child custody matters and can help you move forward with a plan that works best for your family's needs.

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Out-of-State Child Custody Agreement

A child custody arrangement is typically a part of a legal separation or divorce decree in Utah in cases of couples who have children. For divorced parents who live in different states than their ex-spouses, an out-of-state custody agreement becomes necessary. In an out-of-state custody agreement, usually, one parent is awarded sole custody, and the other is awarded visitation rights.

The State wants children to have the benefits of spending time with their parents, but does not want to force children and/or parents into circumstances requiring them to travel excessively. Therefore, a child custody order and the associated parent-time order may stipulate arrangements in case of a parent's relocation.

If the court order does not include provisions for possible relocation, a standard process is in place for this under Utah law. That process is necessary if one parent decides to relocate more than 150 miles from the other parent after the divorce. If that happens, *either* of the two parents may request a new order from the court regarding modifications to the parent-time arrangement or even an order for a change of custody. The Utah Courts website provides more details and processing forms when a parent relocates in divorce and custody cases.

IMPORTANT: *Be aware that jurisdiction over legal matters regarding child custody may change when one spouse relocates to another state. When a custody or related order is handed down from a court in another jurisdiction with intent for it to be enforced in Utah, the order must first be registered in Utah. The Utah Courts site provides the necessary form for Registering a Foreign Order to enable Utah Courts to enforce and/or modify the order.*

Taking Child Welfare Into Account

There are several factors present when working out the details of an out-of-state custody agreement. Moving a child back and forth can be hard on them when adapting to surroundings they are not familiar with, not to mention friends, school, family, etc. The courts are the ones that decide who keeps the child, ensuring that their decision is in the best interest of the child. These arrangements don't necessarily hurt anyone intentionally but can sometimes seem like it. It is suggested that the parents discuss and are encouraged to design their own custody arrangement in order to prevent any disagreements. Parents are the experts on what their schedules are like and who can best meet the needs of the children.

Frequently Asked Question on Out-of-State Custody Agreements

How Do Out-of-State Custody Agreements Work?

What Does an Out of State Agreement Consist Of?

Can It Be Tailored to My Situation?

What are the parts of an out-of-state custody arrangement?

How do I customize my out-of-state custody arrangement?

Can I fight for custody from another state?

In Utah, Can a Parent Move Out of State with the child(ren)?

Can Either Of Us Move Out Of State With Our Child?

What happens to child support when the custodial parent moves out of state?

Contact the Experienced Attorney to Handle Out-of-State Custody Agreements

If your ex-spouse relocates long-distance with your child in violation of the court order, it is important to know your legal rights. You'll need an experienced Salt Lake City child custody lawyer who can help you execute the legal process to seek remedies, potentially including an order for a change of custody.

If you need help with an out-of-state custody matter, call [Wall & Wall Attorneys at Law, P.C., Salt Lake City UT](#) at [\(801\) 441-2388](tel:8014412388), or [contact us online](#) to schedule a consultation to discuss your situation.