

1 H.354

2 Introduced by Representative McCullough of Williston

3 Referred to Committee on

4 Date:

5 Subject: Domestic relations; divorce; parental rights and responsibilities; best
6 interest of the child

7 Statement of purpose: This bill proposes to create a rebuttable presumption
8 that shared legal responsibility is in the best interest of a child; to permit the
9 court to issue an order of referral to parent coordination if parents cannot agree
10 to shared parental rights and responsibilities; to permit a court order of shared
11 parental rights and responsibilities if the parents cannot agree, or primarily or
12 solely to one parent if the parents cannot agree.

13 An act relating to parental rights and responsibilities

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

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

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

18 (a)(1) In an action under this chapter, the court shall make an order
19 concerning parental rights and responsibilities of any minor child of the
20 parties. The court may order parental rights and responsibilities to be divided

1 or shared between the parents on such terms and conditions as serve the best
2 interests of the child. There shall be a rebuttable presumption that shared legal
3 responsibility is in the best interests of the child.

4 (2) When the parents cannot agree to divide or share parental rights and
5 responsibilities, the court ~~shall award~~ may:

6 (A) Issue an order of referral to parent coordination if to do so will
7 serve the best interests of the children.

8 (B) Issue an order granting parental rights and responsibilities
9 primarily or solely to one parent.

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11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on September 1, 2011.