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Page 3 2

Barb Prine
Feb 24

I was concerned that many single immigrant parents do not have custody orders because they can't go to court to get a PR and R order.

Reply

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TC suggested this edit to meet our concern, and TZ and I agree.

Reply

Page 9 4

1 both parents shall be considered “custodial parents” for purposes of this
2 subdivision (3).

3 ~~(B) In standby guardianship cases filed pursuant to section 2626a of~~
4 ~~this title, the following parents shall be considered “custodial parents” for~~
5 ~~purposes of this subdivision (3):~~

6 ~~(i) the custodial parent who has sole custody of the child; or~~

7 ~~(ii) if custodial parenting rights are shared, all the parents who~~
8 ~~share custody.~~

9 (4) “Nonconsensual guardianship” means a guardianship with respect to
10 which:

11 (A) a parent is opposed to establishing the guardianship; or

12 (B) a parent seeks to terminate a guardianship that the parent
13 previously agreed to establish.

14 (5) “Noncustodial parent” means a parent who is not a custodial parent at
15 the time of the commencement of the guardianship proceeding.

16 (6) “Parent” means a child’s biological or adoptive parent, including
17 custodial parents; noncustodial parents; parents with legal or physical
18 responsibilities, or both; and parents whose rights have never been adjudicated.

19 (7) “Parent-child contact” means the right of a parent to have visitation
20 with the child by court order.