

April 12, 2001

H 1129. GRANDPARENT VISITATION. CLARIFYING CERTAIN PROVISIONS UNDER THE LAWS RELATING TO GRANDPARENT VISITATION AND REQUIRING A COURT TO REVIEW SEVERAL FACTORS PRIOR TO AWARDING GRANDPARENT VISITATION. Allows a court to award visitation to a biological grandparent upon a finding that the visitation is in the best interest of the child. Creates a rebuttable presumption that visitation is not in the child's best interest when biological parents of child are married and living together and both agree that grandparents should not have visitation. Provides factors court must consider in determining best interest, including (1) whether there is a preexisting relationship between grandparent and child, or the willingness of the grandparent to encourage a close relationship between the child and the parent; (2) the willingness of the child to have a relationship with the grandparent; (3) the reasonableness of the custodial parent's determination that no visitation should occur; (4) the mental and physical health of the grandparent and the child; and (5) whether visitation will substantially interfere with right of parent to exercise parental authority.

Intro. by Decker.

Ref. to Judiciary II	GS 50
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