

Early Bar Prep

Rules for use with Session Two Family Law UBE Question:

1. Under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), when a child has no “home state” (a state in which the child has resided for the prior six months), a state may exercise jurisdiction based on
 - a. “significant connections” with the child and at least one parent; and
 - b. the existence of “substantial evidence” relating to child custody in the forum jurisdiction.
2. The preferences of a child are relevant in a custody decision, but not determinative.
3. The Supreme Court, in *Troxel v. Granville*, reasserted the fundamental right of parents to rear their children. Parents have a constitutional liberty interest in the care, custody, and control of their children.
 - a. State statutes regarding custody must give weight to a parent’s determination as to the custody, care and control of children.

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