

1 INTERIM STUDY PROPOSAL 2015-160

2
3 REQUESTING THAT THE SENATE COMMITTEE ON JUDICIARY CONDUCT A STUDY
4 OF THE CUSTODY LAW IN THE STATE OF GEORGIA THAT ALLOWS A CHILD
5 FOURTEEN (14) YEARS OF AGE AND OLDER TO SELECT THE CUSTODIAL
6 PARENT.

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8 WHEREAS, in the State of Georgia under Ga. Code Ann. § 19-9-3, a
9 child who has reached the age of fourteen (14) years has the right to
10 select the parent with whom he or she desires to live; and

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12 WHEREAS, under this law, the child's selection for purposes of
13 custody is presumptive unless the custodial parent so selected is
14 determined by the court not to be in the best interests of the child;
15 and

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17 WHEREAS, this law also states that the parental selection by a
18 child who has reached the age of fourteen (14) years may constitute a
19 material change of condition or circumstance in any action seeking a
20 modification or change in the custody of that child; and

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22 WHEREAS, a custody proceeding can be a very long and complicated
23 process, and a child's preference as to selection of the custodial
24 parent should be given some deference; and

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26 WHEREAS, it is critical that the General Assembly of the State of
27 Arkansas be cognizant of the importance of a child's preference in
28 custody, and the custody law in the State of Georgia recognizes the
29 importance of a child's preference,

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31 NOW THEREFORE,

32 BE IT PROPOSED BY THE SENATE COMMITTEE ON JUDICIARY OF THE NINETIETH GENERAL
33 ASSEMBLY OF THE STATE OF ARKANSAS:

1 THAT the Senate Committee on Judiciary conduct a study of the custody
2 law in the State of Georgia, Ga. Code Ann. § 19-9-3, that allows a child
3 fourteen (14) years of age and older to select the custodial parent.

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5 Respectfully submitted,

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9 Senator Linda Chesterfield
10 District 30

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13 By: SRC/SRC
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