

The Impact of *LaMusga* on Move-Aways, Custody Plans and Children

Seminar Leaders: Garrett C. Dailey, Esq. and Philip Stahl, Ph.D.

In re Marriage of LaMusga may be the most important California custody opinion ever decided. This seminar will discuss the case, analyze the holdings and predict where we will go from here.

The speakers will be two of the participants in the *LaMusga* case, namely the father's appellate attorney and the evaluator whose opinion was relied upon by the Trial Court and Supreme Court.

Issues to be discussed:

- Can custodial parents still move away?
- The Supreme Court's interpretation of *Burgess*
- What was the real issue in *LaMusga*?
- When are conditional change of custody orders permissible?
- When is a move a change of circumstance?
- What showing must a noncustodial parent make to restrain a move-away?
- What showing must a custodial parent make to be able to move-away?
- What is the effect of move-aways on children?
- What is the role of the evaluator in move-away cases?
- What is the effect of *LaMusga* on *Carney* and *Burchard v. Garay* in custody modifications?
- What is the interplay between presumptive right to move and best interests?
- Legislative attempts to limit *LaMusga*.

Course materials - \$50

Audio class with materials and 3 hours MCLE/Specialization (CD) - \$150