

**PARENT-TIME AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lorie D. Fowlke**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill clarifies provisions relating to parent-time when the parents live more than 150 miles from each other, and specific holiday issues.

**Highlighted Provisions:**

This bill:

- ▶ clarifies provisions relating to parent-time when Section 30-3-37 applies including:
  - that the noncustodial parent is entitled to only one weekend per month;
  - that the last weekend of the month is designated as the noncustodial parent's weekend if no other designation is made and a holiday assigned to the custodial parent does not fall on that weekend;
  - that nonschool days, if contiguous to the noncustodial parent's weekend and not a holiday, are to be included in the weekend; and
  - that the custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent;
- ▶ specifies that extended parent-time is to be exercised when school is not in session;
- ▶ adds in references to Mother's Day for parent-time for children under five years of age; and
- ▶ makes technical corrections.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **30-3-10.4**, as last amended by Laws of Utah 2009, Chapter 179

33 **30-3-35**, as last amended by Laws of Utah 2008, Chapter 146

34 **30-3-35.5**, as last amended by Laws of Utah 2008, Chapter 146

35 **30-3-37**, as last amended by Laws of Utah 2008, Chapter 146



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **30-3-10.4** is amended to read:

39 **30-3-10.4. Modification or termination of order.**

40 (1) On the petition of one or both of the parents, or the joint legal or physical  
41 custodians if they are not the parents, the court may, after a hearing, modify or terminate an  
42 order that established joint legal or physical custody if:

43 (a) the verified petition or accompanying affidavit initially alleges that admissible  
44 evidence will show that the circumstances of the child or one or both parents or joint legal or  
45 physical custodians have materially and substantially changed since the entry of the order to  
46 be modified;

47 (b) a modification of the terms and conditions of the order would be an improvement  
48 for and in the best interest of the child; and

49 (c) (i) both parents have complied in good faith with the dispute resolution procedure  
50 in accordance with Subsection 30-3-10.3(7); or

51 (ii) if no dispute resolution procedure is contained in the order that established joint  
52 legal or physical custody, the court orders the parents to participate in a dispute resolution  
53 procedure in accordance with Subsection 30-3-10.2(5) unless the parents certify that, in good  
54 faith, they have utilized a dispute resolution procedure to resolve their dispute.

55 (2) (a) In determining whether the best interest of a child will be served by either  
56 modifying or terminating the joint legal or physical custody order, the court shall, in addition  
57 to other factors the court considers relevant, consider the factors outlined in Section 30-3-10

58 and Subsection 30-3-10.2(2).

59 (b) The court shall make specific written findings on each of the factors relied upon  
60 stating:

61 (i) a material and substantial change of circumstance has occurred; and

62 (ii) a modification of the terms and conditions of the order would be an improvement  
63 for and in the best interest of the child.

64 (c) The court shall give substantial weight to the existing joint legal or physical  
65 custody order when the child is thriving, happy, and well-adjusted.

66 (3) The court shall, in every case regarding a [~~motion~~] petition for termination of a  
67 joint legal or physical custody order, consider reasonable alternatives to preserve the existing  
68 order in accordance with Subsection 30-3-10(1)(b). The court may modify the terms and  
69 conditions of the existing order in accordance with Subsection 30-3-10(5) and may order the  
70 parents to file a parenting plan in accordance with this chapter.

71 (4) A parent requesting a modification from sole custody to joint legal custody or joint  
72 physical custody or both, or any other type of shared parenting arrangement, shall file and  
73 serve a proposed parenting plan with the petition to modify in accordance with Section  
74 30-3-10.8.

75 (5) If the court finds that an action under this section is filed or answered frivolously  
76 and in a manner designed to harass the other party, the court shall assess attorney fees as costs  
77 against the offending party.

78 Section 2. Section **30-3-35** is amended to read:

79 **30-3-35. Minimum schedule for parent-time for children 5 to 18 years of age.**

80 (1) The parent-time schedule in this section applies to children 5 to 18 years of age.

81 (2) If the parties do not agree to a parent-time schedule, the following schedule shall  
82 be considered the minimum parent-time to which the noncustodial parent and the child shall  
83 be entitled.

84 (a) (i) (A) One weekday evening to be specified by the noncustodial parent or the  
85 court, or Wednesday evening if not specified, from 5:30 p.m. until 8:30 p.m.;

86 (B) at the election of the noncustodial parent, one weekday from the time the child's  
87 school is regularly dismissed until 8:30 p.m., unless the court directs the application of  
88 Subsection (2)(a)(i); or

89 (C) at the election of the noncustodial parent, if school is not in session, one weekday  
90 from approximately 9 a.m., accommodating the custodial parent's work schedule, until 8:30  
91 p.m. if the noncustodial parent is available to be with the child, unless the court directs the  
92 application of Subsection (2)(a)(i)(A) or (2)(a)(i)(B).

93 (ii) Once the election of the weekday for the weekday evening parent-time is made, it  
94 may not be changed except by mutual written agreement or court order.

95 (b) (i) (A) Alternating weekends beginning on the first weekend after the entry of the  
96 decree from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;

97 (B) at the election of the noncustodial parent, from the time the child's school is  
98 regularly dismissed on Friday until 7 p.m. on Sunday, unless the court directs the application  
99 of Subsection (2)(b)(i)(A); or

100 (C) at the election of the noncustodial parent, if school is not in session, on Friday  
101 from approximately 9 a.m., accommodating the custodial parent's work schedule, until 7 p.m.  
102 on Sunday, if the noncustodial parent is available to be with the child unless the court directs  
103 the application of Subsection (2)(b)(i)(A) or (2)(b)(i)(B).

104 (ii) A step-parent, grandparent, or other responsible adult designated by the  
105 noncustodial parent, may pick up the child if the custodial parent is aware of the identity of  
106 the individual, and the parent will be with the child by 7 p.m.

107 (iii) Elections should be made by the noncustodial parent at the time of entry of the  
108 divorce decree or court order, and may be changed by mutual agreement, court order, or by the  
109 noncustodial parent in the event of a change in the child's schedule.

110 (iv) Weekends include any "snow" days, teacher development days, or other days  
111 when school is not scheduled and which are contiguous to the weekend period.

112 (c) Holidays include any "snow" days, teacher development days after the children  
113 begin the school year, or other days when school is not scheduled, contiguous to the holiday

114 period, and take precedence over the weekend parent-time. Changes may not be made to the  
115 regular rotation of the alternating weekend parent-time schedule; however, birthdays take  
116 precedence over holidays and extended parent-time, except Mother's Day and Father's Day;  
117 birthdays do not take precedence over uninterrupted parent-time if the parent exercising  
118 uninterrupted time takes the child away from that parent's residence for the uninterrupted  
119 extended parent-time.

120 (d) If a holiday falls on a regularly scheduled school day, the noncustodial parent shall  
121 be responsible for the child's attendance at school for that school day.

122 (e) (i) If a holiday falls on a weekend or on a Friday or Monday and the total holiday  
123 period extends beyond that time so that the child is free from school and the parent is free  
124 from work, the noncustodial parent shall be entitled to this lengthier holiday period.

125 (ii) (A) At the election of the noncustodial parent, parent-time over a scheduled  
126 holiday weekend may begin from the time the child's school is regularly dismissed at the  
127 beginning of the holiday weekend until 7 p.m. on the last day of the holiday weekend; or

128 (B) at the election of the noncustodial parent, if school is not in session, parent-time  
129 over a scheduled holiday weekend may begin at approximately 9 a.m., accommodating the  
130 custodial parent's work schedule, the first day of the holiday weekend until 7 p.m. on the last  
131 day of the holiday weekend, if the noncustodial parent is available to be with the child unless  
132 the court directs the application of Subsection (2)(e)(ii)(A).

133 (iii) A step-parent, grandparent, or other responsible individual designated by the  
134 noncustodial parent, may pick up the child if the custodial parent is aware of the identity of  
135 the individual, and the parent will be with the child by 7 p.m.

136 (iv) Elections should be made by the noncustodial parent at the time of the divorce  
137 decree or court order, and may be changed by mutual agreement, court order, or by the  
138 noncustodial parent in the event of a change in the child's schedule.

139 (f) In years ending in an odd number, the noncustodial parent is entitled to the  
140 following holidays:

141 (i) child's birthday on the day before or after the actual birthdate beginning at 3 p.m.

142 until 9 p.m.; at the discretion of the noncustodial parent, he may take other siblings along for  
143 the birthday;

144 (ii) Martin Luther King, Jr. beginning 6 p.m. on Friday until Monday at 7 p.m. unless  
145 the holiday extends for a lengthier period of time to which the noncustodial parent is  
146 completely entitled;

147 (iii) spring break beginning at 6 p.m. on the day school lets out for the holiday until 7  
148 p.m. on the Sunday before school resumes;

149 (iv) July 4 beginning 6 p.m. the day before the holiday until 11 p.m. or no later than 6  
150 p.m. on the day following the holiday, at the option of the parent exercising the holiday;

151 (v) Labor Day beginning 6 p.m. on Friday until Monday at 7 p.m., unless the holiday  
152 extends for a lengthier period of time to which the noncustodial parent is completely entitled;

153 (vi) the fall school break, if applicable, commonly known as U.E.A. weekend  
154 beginning at 6 p.m. on Wednesday until Sunday at 7 p.m. unless the holiday extends for a  
155 lengthier period of time to which the noncustodial parent is completely entitled;

156 (vii) Veteran's Day holiday beginning 6 p.m. the day before the holiday until 7 p.m. on  
157 the holiday; and

158 (viii) the first portion of the Christmas school vacation as defined in Subsection  
159 30-3-32(3)(b) including Christmas Eve and Christmas Day, continuing until 1 p.m. on the day  
160 halfway through the holiday period, if there are an odd number of days for the holiday period,  
161 or until 7 p.m. if there are an even number of days for the holiday period, so long as the entire  
162 holiday period is equally divided.

163 (g) In years ending in an even number, the noncustodial parent is entitled to the  
164 following holidays:

165 (i) child's birthday on actual birthdate beginning at 3 p.m. until 9 p.m.; at the  
166 discretion of the noncustodial parent, he may take other siblings along for the birthday;

167 (ii) President's Day beginning at 6 p.m. on Friday until 7 p.m. on Monday unless the  
168 holiday extends for a lengthier period of time to which the noncustodial parent is completely  
169 entitled;

170 (iii) Memorial Day beginning at 6 p.m. on Friday until Monday at 7 p.m., unless the  
171 holiday extends for a lengthier period of time to which the noncustodial parent is completely  
172 entitled;

173 (iv) July 24 beginning at 6 p.m. on the day before the holiday until 11 p.m. or no later  
174 than 6 p.m. on the day following the holiday, at the option of the parent exercising the holiday;

175 (v) Columbus Day beginning at 6 p.m. the day before the holiday until 7 p.m. on the  
176 holiday;

177 (vi) Halloween on October 31 or the day Halloween is traditionally celebrated in the  
178 local community from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.;

179 (vii) Thanksgiving holiday beginning Wednesday at 7 p.m. until Sunday at 7 p.m.;

180 and

181 (viii) the second portion of the Christmas school vacation as defined in Subsection  
182 30-3-32(3)(b), beginning 1 p.m. on the day halfway through the holiday period, if there are an  
183 odd number of days for the holiday period, or at 7 p.m. if there are an even number of days for  
184 the holiday period, so long as the entire Christmas holiday period is equally divided.

185 (h) The custodial parent is entitled to the odd year holidays in even years and the even  
186 year holidays in odd years.

187 (i) Father's Day shall be spent with the natural or adoptive father every year beginning  
188 at 9 a.m. until 7 p.m. on the holiday.

189 (j) Mother's Day shall be spent with the natural or adoptive mother every year  
190 beginning at 9 a.m. until 7 p.m. on the holiday.

191 (k) Extended parent-time with the noncustodial parent may be:

192 (i) up to four [~~weeks~~] consecutive weeks when school is not in session at the option of  
193 the noncustodial parent, including weekends normally exercised by the noncustodial parent,  
194 but not holidays;

195 (ii) two weeks shall be uninterrupted time for the noncustodial parent; and

196 (iii) the remaining two weeks shall be subject to parent-time for the custodial parent  
197 for weekday parent-time but not weekends, except for a holiday to be exercised by the other

198 parent.

199 (l) The custodial parent shall have an identical two-week period of uninterrupted time  
200 [~~during the children's summer vacation from~~] when school is not in session for purposes of  
201 vacation.

202 (m) Both parents shall provide notification of extended parent-time or vacation weeks  
203 with the child at least 30 days [~~in advance~~] prior to the end of the child's school year to the  
204 other parent and if notification is not provided timely the complying parent may determine the  
205 schedule for extended parent-time for the noncomplying parent.

206 (n) Telephone contact shall be at reasonable hours and for a reasonable duration.

207 (o) Virtual parent-time, if the equipment is reasonably available and the parents reside  
208 at least 100 miles apart, shall be at reasonable hours and for reasonable duration, provided that  
209 if the parties cannot agree on whether the equipment is reasonably available, the court shall  
210 decide whether the equipment for virtual parent-time is reasonably available, taking into  
211 consideration:

212 (i) the best interests of the child;

213 (ii) each parent's ability to handle any additional expenses for virtual parent-time; and

214 (iii) any other factors the court considers material.

215 (3) Any elections required to be made in accordance with this section by either parent  
216 concerning parent-time shall be made a part of the decree and made a part of the parent-time  
217 order.

218 (4) Notwithstanding Subsection (2)(e)(i), the Halloween holiday may not be extended  
219 beyond the hours designated in Subsection (2)(g)(vi).

220 Section 3. Section **30-3-35.5** is amended to read:

221 **30-3-35.5. Minimum schedule for parent-time for children under five years of**  
222 **age.**

223 (1) The parent-time schedule in this section applies to children under five years old.

224 (2) All holidays in this section refer to the same holidays referenced in Section  
225 30-3-35.

226 (3) If the parties do not agree to a parent-time schedule, the following schedule shall  
227 be considered the minimum parent-time to which the noncustodial parent and the child shall  
228 be entitled.

229 (a) For children under five months of age:

230 (i) six hours of parent-time per week to be specified by the court or the noncustodial  
231 parent preferably:

232 (A) divided into three parent-time periods; and

233 (B) in the custodial home, established child care setting, or other environment familiar  
234 to the child; and

235 (ii) two hours on holidays and in the years specified in Subsections 30-3-35(2)(f)  
236 through ~~[(†)]~~ (j) preferably in the custodial home, the established child care setting, or other  
237 environment familiar to the child.

238 (b) For children five months of age or older, but younger than nine months of age:

239 (i) nine hours of parent-time per week to be specified by the court or the noncustodial  
240 parent preferably:

241 (A) divided into three parent-time periods; and

242 (B) in the custodial home, established child care setting, or other environment familiar  
243 to the child; and

244 (ii) two hours on the holidays and in the years specified in Subsections 30-3-35(2)(f)  
245 through ~~[(†)]~~ (j) preferably in the custodial home, the established child care setting, or other  
246 environment familiar to the child.

247 (c) For children nine months of age or older, but younger than 12 months of age:

248 (i) one eight hour visit per week to be specified by the noncustodial parent or court;

249 (ii) one three hour visit per week to be specified by the noncustodial parent or court;

250 (iii) eight hours on the holidays and in the years specified in Subsections 30-3-35(2)(f)  
251 through ~~[(†)]~~ (j); and

252 (iv) brief telephone contact and other virtual parent-time, if the equipment is  
253 reasonably available, with the noncustodial parent at least two times per week, provided that if

254 the parties cannot agree on whether the equipment is reasonably available, the court shall  
255 decide whether the equipment for virtual parent-time is reasonably available, taking into  
256 consideration:

- 257 (A) the best interests of the child;
- 258 (B) each parent's ability to handle any additional expenses for virtual parent-time; and
- 259 (C) any other factors the court considers material.

260 (d) For children 12 months of age or older, but younger than 18 months of age:

261 (i) one eight-hour visit per alternating weekend to be specified by the noncustodial  
262 parent or court;

263 (ii) on opposite weekends from Subsection [~~(2)~~] (3)(d)(i), from 6 p.m. on Friday until  
264 noon on Saturday;

265 (iii) one three-hour visit per week to be specified by the noncustodial parent or court;

266 (iv) eight hours on the holidays and in the years specified in Subsections 30-3-35(2)(f)  
267 through [(†)] (j); and

268 (v) brief telephone contact and other virtual parent-time, if the equipment is  
269 reasonably available, with the noncustodial parent at least two times per week, provided that if  
270 the parties cannot agree on whether the equipment is reasonably available, the court shall  
271 decide whether the equipment for virtual parent-time is reasonably available, taking into  
272 consideration:

- 273 (A) the best interests of the child;
- 274 (B) each parent's ability to handle any additional expenses for virtual parent-time; and
- 275 (C) any other factors the court considers material.

276 (e) For children 18 months of age or older, but younger than three years of age:

277 (i) one weekday evening between 5:30 p.m. and 8:30 p.m. to be specified by the  
278 noncustodial parent or court; however, if the child is being cared for during the day outside his  
279 regular place of residence, the noncustodial parent may, with advance notice to the custodial  
280 parent, pick up the child from the caregiver at an earlier time and return him to the custodial  
281 parent by 8:30 p.m.;

- 282           (ii) alternative weekends beginning on the first weekend after the entry of the decree
- 283 from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;
- 284           (iii) parent-time on holidays as specified in Subsections 30-3-35(2)(c) through ~~[(f)]~~ (j);
- 285           (iv) extended parent-time may be:
- 286           (A) two one-week periods, separated by at least four weeks, at the option of the
- 287 noncustodial parent;
- 288           (B) one week shall be uninterrupted time for the noncustodial parent;
- 289           (C) the remaining week shall be subject to parent-time for the custodial parent
- 290 consistent with these guidelines; and
- 291           (D) the custodial parent shall have an identical one-week period of uninterrupted time
- 292 for vacation; and
- 293           (v) brief telephone contact and virtual parent-time, if the equipment is reasonably
- 294 available, with the noncustodial parent at least two times per week, provided that if the parties
- 295 cannot agree on whether the equipment is reasonably available, the court shall decide whether
- 296 the equipment for virtual parent-time is reasonably available, taking into consideration:
- 297           (A) the best interests of the child;
- 298           (B) each parent's ability to handle any additional expenses for virtual parent-time; and
- 299           (C) any other factors the court considers material.
- 300           (f) For children three years of age or older, but younger than five years of age:
- 301           (i) one weekday evening between 5:30 p.m. and 8:30 p.m. to be specified by the
- 302 noncustodial parent or court; however, if the child is being cared for during the day outside his
- 303 regular place of residence, the noncustodial parent may, with advance notice to the custodial
- 304 parent, pick up the child from the caregiver at an earlier time and return him to the custodial
- 305 parent by 8:30 p.m.;
- 306           (ii) alternative weekends beginning on the first weekend after the entry of the decree
- 307 from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;
- 308           (iii) parent-time on holidays as specified in Subsections 30-3-35(2)(c) through ~~[(f)]~~ (j);
- 309           (iv) extended parent-time with the noncustodial parent may be:

310 (A) two two-week periods, separated by at least four weeks, at the option of the  
311 noncustodial parent;

312 (B) one two-week period shall be uninterrupted time for the noncustodial parent;

313 (C) the remaining two-week period shall be subject to parent-time for the custodial  
314 parent consistent with these guidelines; and

315 (D) the custodial parent shall have an identical two-week period of uninterrupted time  
316 for vacation; and

317 (v) brief telephone contact and virtual parent-time, if the equipment is reasonably  
318 available, with the noncustodial parent at least two times per week, provided that if the parties  
319 cannot agree on whether the equipment is reasonably available, the court shall decide whether  
320 the equipment for virtual parent-time is reasonably available, taking into consideration:

321 (A) the best interests of the child;

322 (B) each parent's ability to handle any additional expenses for virtual parent-time; and

323 (C) any other factors the court considers material.

324 (4) A parent shall notify the other parent at least 30 days in advance of extended  
325 parent-time or vacation weeks.

326 (5) Virtual parent-time shall be at reasonable hours and for reasonable duration.

327 Section 4. Section **30-3-37** is amended to read:

328 **30-3-37. Relocation.**

329 (1) For purposes of this section, "relocation" means moving [~~from the state or~~] 150  
330 miles or more from the residence specified in the court's decree.

331 (2) The relocating parent shall provide, if possible, 60 days advance written notice of  
332 the intended relocation to the other parent. The written notice of relocation shall contain  
333 statements affirming the following:

334 (a) the parent-time provisions in Subsection (5) or a schedule approved by both parties  
335 will be followed; and

336 (b) neither parent will interfere with the other's parental rights pursuant to court  
337 ordered parent-time arrangements, or the schedule approved by both parties.

338           (3) The court may, upon motion of any party or upon the court's own motion, schedule  
339 a hearing with notice to review the notice of relocation and parent-time schedule as provided  
340 in Section 30-3-35 and make appropriate orders regarding the parent-time and costs for  
341 parent-time transportation.

342           (4) In determining the parent-time schedule and allocating the transportation costs, the  
343 court shall consider:

- 344           (a) the reason for the parent's relocation;
- 345           (b) the additional costs or difficulty to both parents in exercising parent-time;
- 346           (c) the economic resources of both parents; and
- 347           (d) other factors the court considers necessary and relevant.

348           (5) Unless otherwise ordered by the court, upon the relocation, as defined in  
349 Subsection (1), of one of the parties the following schedule shall be the minimum  
350 requirements for parent-time with a school-age child:

351           (a) in years ending in an odd number, the child shall spend the following holidays with  
352 the noncustodial parent:

- 353           (i) Thanksgiving holiday beginning Wednesday until Sunday; and
- 354           (ii) Spring break, if applicable, beginning the last day of school before the holiday  
355 until the day before school resumes;

356           (b) in years ending in an even number, the child shall spend the following holidays  
357 with the noncustodial parent:

- 358           (i) the entire winter school break period; and
- 359           (ii) the Fall school break beginning the last day of school before the holiday until the  
360 day before school resumes;

361           (c) extended parent-time equal to 1/2 of the summer or off-track time for consecutive  
362 weeks. The children should be returned to the custodial home no later than seven days before  
363 school begins; however, this week shall be counted when determining the amount of  
364 parent-time to be divided between the parents for the summer or off-track period; and

365           (d) ~~[at the option and expense of the noncustodial parent,]~~ one weekend per month[-].

366 at the option and expense of the noncustodial parent.

367 (6) The noncustodial parent's monthly weekend entitlement is subject to the following  
368 restrictions.

369 (a) If the noncustodial parent has not designated a specific weekend for parent-time,  
370 the noncustodial parent shall receive the last weekend of each month unless a holiday assigned  
371 to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial  
372 parent falls on the last weekend of the month, the noncustodial parent shall be entitled to the  
373 next to the last weekend of the month.

374 (b) If a noncustodial parent's extended parent-time or parent-time over a holiday  
375 extends into or through the first weekend of the next month, that weekend shall be considered  
376 the noncustodial parent's monthly weekend entitlement for that month.

377 (c) If a child is out of school for teacher development days or snow days after the  
378 children begin the school year, or other days not included in the list of holidays in Subsection  
379 (5) and those days are contiguous with the noncustodial parent's monthly weekend  
380 parent-time, those days shall be included in the weekend parent-time.

381 (7) The custodial parent is entitled to all parent-time not specifically allocated to the  
382 noncustodial parent.

383 ~~[(6)]~~ (8) In the event finances and distance preclude the exercise of minimum  
384 parent-time for the noncustodial parent during the school year, the court should consider  
385 awarding more time for the noncustodial parent during the summer time if it is in the best  
386 interests of the children.

387 ~~[(7)]~~ (9) Upon the motion of any party, the court may order uninterrupted parent-time  
388 with the noncustodial parent for a minimum of 30 days during extended parent-time, unless  
389 the court finds it is not in the best interests of the child. If the court orders uninterrupted  
390 parent-time during a period not covered by this section, it shall specify in its order which  
391 parent is responsible for the child's travel expenses.

392 ~~[(8)]~~ (10) Unless otherwise ordered by the court the relocating party shall be  
393 responsible for all the child's travel expenses relating to Subsections (5)(a) and (b) and 1/2 of

394 the child's travel expenses relating to Subsection (5)(c), provided the noncustodial parent is  
395 current on all support obligations. If the noncustodial parent has been found in contempt for  
396 not being current on all support obligations, the noncustodial parent shall be responsible for all  
397 of the child's travel expenses under Subsection (5), unless the court rules otherwise.

398 Reimbursement by either responsible party to the other for the child's travel expenses shall be  
399 made within 30 days of receipt of documents detailing those expenses.

400       ~~[(9)]~~ (11) The court may apply this provision to any preexisting decree of divorce.

401       ~~[(10)]~~ (12) Any action under this section may be set for an expedited hearing.

402       ~~[(11)]~~ (13) A parent who fails to comply with the notice of relocation in Subsection  
403 (2) shall be in contempt of the court's order.