

Family assignment



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The third source I found is FAMILY TIES: Family Law Practitioners Await Clarification of Nonparallel Rights, Or. SST. B. Bull. 9 (2000). This article discusses the growing number of custodial grandparents. It also addresses the visitation right and custodial right for nonpareils. Cases: 1. This first case I chose was Beard v. Hamilton, 512 So. 2d 1088 (Fla. Dist. Ct. App. 1987). Facts: Ann and Eugene Beard appeal the order of the trial court dismissing their motion for visitation with their grandchild. Appellants' daughter passed away and their son-in-law, Paul Hamilton, the father, remarried.

The stepmother, Sharon Hamilton, adopted the child on April 30, 1984, at which time the grandparents had no court-ordered visitation rights.

Nevertheless, the grandparents did have, at the time of the adoption, a motion for visitation pending since May of 1983. Seemingly, no notices of the adoption proceedings were provided to the grandparents. Issue: Whether or not the grandparents had visitation rights? Yes, the grandparents had rights to visitation because an order was put into place previous to the adoption. Analysis: Eugene and Ann Beard sought visitation rights with their grandchild after their daughter died.

The court, dismissed grandparents' motion, and they appealed. The District Court of Appeal held that the grandparents had rights to visitation based on statute creating procedure for grandparents to establish visitation rights, although father had remarried and stepmother had adopted child; grandparents were entitled to seek visitation rights, notwithstanding stepmother's adoption of child; and presence of order of grandparent visitation predating stepparent adoption was not required to gain visitation rights. Conclusion: Reversed and remanded. . The second case I chose was

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Trowel v. Granville, 120 Wash. S. Ct. 2054 (Wash. 2000). Tommie Granville and Brad Trowel had two daughters during their relationship, but they never got married. After they separated, Brad lived with his parents and regularly brought his daughters to their home for weekend visits. Brad committed suicide, but the Trowel grandparents continued to see the daughters on a regular basis. Several months after Brad's death, Granville informed the Trowels that she wanted to limit their visits to one short visit per month.

The Trowels filed a petition for visitation, requesting two overnight weekend visits per month and two weeks of visitation during the summer. Granville asked the court to order one day per month with no overnight stay. The Superior Court ordered situation of one weekend per month, one week during the summer, and four hours on each of the Trowels' birthdays. Granville appealed, during which time she married Kelly Wynn. The Washington Court of Appeals remanded the case, with the Superior Court finding that the visitation was in the children's best interests.

Nine months later, Wynn adopted the girls. The Court of Appeals reversed the order, finding that under statute nonpareils lacked standing unless a custody action was pending. The Court did not pass on Granville constitutional challenge to the visitation statute. Issue: Whether section 26.10.160 of the Revised Code of Washington unconstitutionally interferes with a parent's fundamental right to raise his or her children as he or she sees fit? Rule: Yes, the statute does unconstitutionally interfere with a parent's right to make child-rearing decisions as desired.

Analysis: The COUrt reasoned that the Washington statute violated parents' rights under the Fourteenth Amendment's Due Process Clause because it stripped them of the autonomy to make best care decisions for their young.

Conclusion: The judgment is affirmed. Statutes: 1. VJ. Code Ann. Tit. 16 S 606 (2002) a) Once a grandparent has been granted visitation rights, the grandparent shall be given proper notice of any petition or order providing for a change in custody or visitation rights, and the grandparent shall have standing to intervene and be heard in any hearing affecting the grandparent's visitation rights. B) Any order granting, modifying or denying parent visitation rights shall not affect visitation rights granted to a grandparent pursuant to this chapter, absent a specific finding pursuant to section 608 of this chapter. (c) If the child is actually residing with a grandparent in a stable relationship, whether the court has warded custody or visitation to the grandparent or not, the court may recognize the grandparent as having the same standing as a parent for evaluating what custody arrangements are in the best interest of the child. V. L. Code Ann. Tit. 16 606 (2002) 2.

Miss. Code Ann. S 93-16-3 (2010) Whenever the court awards custody of a minor child to one of the parents of the child or terminating the parental rights of one of the parents of a minor child, or whenever one of the parents of a minor child dies, either parent of the child's parents may petition the court in which the decree or order was rendered or, in he case of the death of a parent, petition the chancery court in the county in which the child resides, and seek visitation rights with the child. Ad ministration Agencies: 1. This first agency I chose is HAG. Rug, it was one of the very first online law

and government information sites. HAG. Org was founded in January of 1995 by Leg Mind, a large network of independent law firms. The objective of HAG. Org is to make law, government and related professional information easily and freely accessible to the legal profession, businesses and consumers.

Website link: [http://www. Hag. Org/](http://www.Hag.Org/) reasonably think that the information on the website is very helpful to my research on the case. The site contains a lot of information regarding child visitation rights as well as the rights of grandparents.

It even narrows down the search to each particular state and their rules. 2. The second agency I chose was Oregon Legal Research. The Oregon Legal Research website is run by Oregon public law librarians from Washington and Clacks counties and is mainly for information and research. [Http://www. Reasonableness's. Com/](Http://www.Reasonableness's.Com/) like this website as well because it offered a lot of information regarding randomness visitation rights. It also had a lot of info from users who had been through similar situations. I found it to be very helpful for my research. Websites: 1 . [Http://www. Oregon.](Http://www.Oregon.Gob/dos/swap/pages/USA/legal-assistance.Asps)

[Gob/dos/swap/pages/USA/legal-assistance. Asps](Gob/dos/swap/pages/USA/legal-assistance.Asps) The information I found on this website was very helpful. It contained an elder law handbook for the state of Oregon which contained a lot of information regarding visitation and custody rights for grandparents. 2. [Http://family. Finland. Com/child-custody/child-custody-and-visitation -information-by-state. HTML](Http://family.Finland.Com/child-custody/child-custody-and-visitation-information-by-state.HTML) This website also contained a lot of info regarding visitation rights. It also offered a legal guide for the state of Oregon for grandparents and other relatives raising children.

For this assignment I decided to first find out as much as I could regarding the law on grandparent visitation rights. Next, I researched visitation right laws for the state of Oregon to help me further build information for the case. I found that it was easier doing it this way because was able to compare and contrast the laws between states. Part 2. Perez & Diapered Attorneys at Law 65-43 Main Street North Bergen, NJ 07047 (201) 555-4200 Michelle and Tom Hardin 123 Fourth Avenue Eugene, Oregon 97401 Dear Mr.. And Mrs.. Hardin: hope all has been well.

Recently you came into our office seeking some legal advice on grandparent visitation. After looking into the facts of your case, I was able to find some information that may be helpful to you. Section 109. 332 of Oregon Revised Statutes states that when a petition has been filed under OURS 109. 309 (Petition for adoption) concerning the adoption by a step-parent, a grandparent served with a copy of the petition under OURS 109. 315 (Petition for adoption) may file a motion with the court asking the court to award a reentrant the right to regular visitation with the child after the adoption.

A motion under this subsection must be filed no later than 30 days after service of the petition. (2) The court shall award a grandparent visitation rights only if the court finds by clear and convincing evidence that: (a) Establishing visitation rights is in the best interests of the child; (b) A substantial relationship existed prior to the adoption between the child and the grandparent seeking visitation rights; and (c) Establishing visitation rights does not substantially interfere with the allegations between the child and the adoptive family. ([http://www. Oregonians . Rug/](http://www.Oregonians.Rug/), 2015) I have also <https://assignbuster.com/family-assignment-essay-samples/>

taken the liberty in listing a few links to information and resources related to child custody and visitation in the state of Oregon, including information on parenting plans and agreements where available. Website Links:

[http://extension. Originates.](http://extension.Originates)

Deed/FCC/sites/default/files/documents/legal_reap_09. PDF [http://www. Oregon Gob/dos/swap/pages/USA/legal-assistance](http://www.Oregon Gob/dos/swap/pages/USA/legal-assistance). Asps On the Oregon government website you can find the “ Elder Law Handbook”, which includes information about legal rights and public benefits for seniors, including information about legal issues such as visitation and custody rights for grandparents.

I strongly advise that your take a look at the information to have a better idea of what your legal rights are and I would also suggest that you take a look at Reasonableness’s. Com. This site contains lots of information and free resources regarding grandparents’ right as well as Oregon’s Revised Statutes. Hope that this information is helpful to you and I welcome you to contact me back at my office should you have any further questions.