

# Relocation and Divorce -Items to Consider in Divorce Mediation

One of the many items to consider in a divorce mediation is relocation. This is especially important when you are considering the parenting plan you are creating. Every family's circumstances are different and what is right for one family may not be right for another family. Because something works for a friend or a family member does not mean that this is the correct way to move forward. Divorce Mediation allows you the flexibility in determining the right path for you and your child(ren).

The parenting plan and the scheduling of drop offs and pick ups changes if one or both of the parents are considering moving out of the neighborhood or even out of state.

When the topic of relocation comes up, it is common to hear people say that the parent(s) can live anywhere in New York. However, most people do not consider what this truly means. Stating that a parent or the child can be moved anywhere in New York may mean a 10 hour commute between the parents if one lives in Long Island and one person lives in Buffalo. This does not seem like a feasible arrangement. In fact, New Jersey or Connecticut could be much closer than a multitude of cities in New York. I generally find that most people when they say "New York", really mean within Long Island or close to the area that they are currently living in. If that is what is meant then that is what should be subscribed to writing in the agreement the parties are entering.

When coming to terms on your divorce and in particular, the possibility of relocating, below are a few of the items you may want to consider.

- (a) Whether you both plan on living in the same town.
- (b) If one or both parent(s) are considering moving away then how far apart the parents want to live – are you thinking 20 miles or 20 minutes (depending on where in New York you live minutes and miles makes a difference).
- (c) Will both parents be dropping and picking up the child(ren) and/or transporting them to and from school and their extra-curricular activities.
- (d) Will the child(ren) be living at one home or two during the week.
- (e) Do you both want to be within the same school district.
- (f) Will one parent(s) job require them to move out of state.
- (g) Is one parent's relocation wanted or needed to care for the child(ren).
- (h) The parenting plan you are seeking; i.e. how time is going to be split between the parents – will the parents split the week and weekends equally? Will one parent have the child(ren) all week or just on the weekends? Will one parent be required to drive the child(ren) to the other parent who lives out of state?

While the above is not an all inclusive list of items to consider, they should not be ignored. They are extremely important factors for consideration and some may be applicable to your situation and others can be discounted as they are not pertinent or specific to you.

If you would like more information about divorce mediation and how the process may benefit you, contact Sheree Donath at [sheree@donathlaw](mailto:sheree@donathlaw) or at 516-522-2743. Everyone is unique and divorce mediation can be tailored to your situation so that it works for you both now and in the future.