

Can Custodial Parents Relocate Beyond 50 Miles?

Child custody agreements usually prohibit relocation of a custodial parent beyond a 35- or 50- mile radius from a non-custodial parent. The question is, are you out of luck if you are a custodial parent who has economic or other positive prospects beyond that 50-mile limit?

Our firm, **Bryan Salamone & Associates, PC** is in the vanguard of legal practitioners fighting to better opportunities for custodial parents who can show a move out of state, or even out of the United States, is a move in the right direction for their child.

The firm of Bryan L. Salamone & Associates, P.C. has obtained scores of decisions both permitting moves and denying moves for clients that wish to keep their spouse within fifty miles. Specifically, Bryan L. Salamone & Associates, P.C. has reported victories at the Appellate level, where out of state moves have been granted for our clients based on economic necessity of the move. These reported decisions have been placed in New York and Appellate Division law books: see *Wirth v. Wirth*, 56AD3d 787 and 869 NYS2d 138 and *Wislow-Silverman v. Dono*, 39 AD3d 555; 834 NYS2d 539. The firm of Bryan L. Salamone & Associates, P.C. is one of the largest custody, visitation and relocation firms, and our victories are testaments to our success.

After divorce in **Nassau County**^[H1], relocating is a court matter—even with sole custody. Relocation cases are complicated, but can be won by aggressive attorneys who know how to successfully pursue them. For example, in a recent matter before the Appellate Division, we argued economic necessity should be considered a persuasive ground for relocation. The court agreed. Cited now by both judges and attorneys, our case set groundbreaking precedent for parents seeking to relocate.

When seeking relocation—or trying to defeat it—our lawyers focus on the *best interests* of the child. Under *Tropea v Tropea*, the court considers several factors, including:

- Quality of parental relationships
- Emotional, educational, and social impact of relocation
- Qualitative improvement—or diminishment—of living environment

If you need to relocate, you need aggressive, experienced legal counsel who will fight for your parental right to improve the life³and future³of your child. Call us. We know how to help.

^[H1]<http://www.nycourts.gov/courts/10jd/nassau/matrimonial/index.shtml>

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