

## **Factors for Determining Child Custody and Child in Need of Care Proceedings; SB 124**

**SB 124** amends the law governing determination of legal custody, residency, and parenting time. The bill replaces the requirement for a court to consider, among other relevant factors, evidence of spousal abuse, either emotional or physical, with a requirement to consider evidence of domestic abuse, including, but not limited to, a pattern or history of physically or emotionally abusive behavior, or threat thereof, used by one person to gain or maintain domination and control over an intimate partner or household member or an act of domestic violence, stalking, or sexual assault. The bill also amends the law to require courts to determine parenting time in accordance with the best interests of the child and specify “custody” in that statute refers to “legal custody.”

The bill also amends the law governing child in need of care proceedings to allow reports concerning the results and analysis of a court-ordered drug or alcohol test to be admissible in evidence if the report is prepared and attested to by the person conducting the test or an authorized employee of the facility that conducted the test. Such person must prepare a certificate that includes an attestation as to the result and analysis of the test and sign the certificate under oath. The bill states this provision shall not prevent a party from calling such person as a witness.