

[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2008

## HOUSE BILL No. 2621

By Special Committee on Judiciary

1-10

12 AN ACT concerning child custody and parenting time; relating to mili-  
13 tary deployment, mobilization ~~or~~ temporary duty [**or unaccompa-**  
14 **nied tour**]; amending K.S.A. 60-1625 and K.S.A. 2007 Supp. 60-1610  
15 and repealing the existing sections.  
16

17 *Be it enacted by the Legislature of the State of Kansas:*

18 New Section 1. (a) As used in this section:

19 (1) “Deployment” means the temporary transfer of a service member  
20 serving in an active-duty status to another location in support of combat  
21 or some other military operation.

22 (2) “Mobilization” means the call-up of a national guard or reserve  
23 service member to extended active-duty status. “Mobilization” does not  
24 include national guard or reserve annual training.

25 (3) “Service member” means any member serving in an active-duty  
26 status in the armed forces of the United States, the national guard or the  
27 armed forces reserves.

28 (4) “Temporary duty” means the transfer of a service member from  
29 one military base to a different location for a limited period of time to  
30 accomplish training or to assist in the performance of a noncombat  
31 mission.

32 **[(5) “Unaccompanied tour” means a permanent change of sta-**  
33 **tion for a service member where dependent travel is not**  
34 **authorized.]**

35 (b) Kansas courts shall retain jurisdiction over any custody or par-  
36 enting time matter concerning a parent who receives deployment, mo-  
37 bilization ~~or~~ temporary duty [**or unaccompanied tour**] orders from  
38 the military.

39 (c) If the parties in a custody or parenting time matter concerning a  
40 parent who receives deployment, mobilization ~~or~~ temporary duty [**or**  
41 **unaccompanied tour**] orders from the military have entered into a par-  
42 enting plan pursuant to K.S.A. 60-1625, and amendments thereto, that  
43 includes provisions for custody and parenting time upon military deploy-

1 ment, mobilization ~~or~~[,] temporary duty [**or unaccompanied tour**], it  
2 shall be presumed that the agreement is in the best interests of the child.  
3 This presumption may be overcome and the court may make a different  
4 order if the court makes specific findings of fact stating why the agreed  
5 parenting plan is not in the best interests of the child.

6 (d) If a parent who has joint legal custody receives deployment, mo-  
7 bilization ~~or~~[,] temporary duty [**or unaccompanied tour**] orders from  
8 the military that involve moving a substantial distance from the parent's  
9 residence or otherwise have a material effect on the parent's ability to  
10 exercise custody responsibilities:

11 (1) Any ~~temporary~~ custody order for the child **entered because of**  
12 **such parent's deployment, mobilization ~~or~~[,] temporary duty [or**  
13 **unaccompanied tour] orders** ~~during the parent's absence~~ shall end no  
14 later than 10 days after the parent returns, but shall not impair the dis-  
15 cretion of the court to conduct a hearing for emergency custody upon  
16 return of the parent and within 10 days of the filing of a verified motion  
17 for emergency custody alleging an immediate danger of irreparable harm  
18 to the child; and

19 (2) the deployment, mobilization ~~or~~[,] temporary duty [**or unaccom-**  
20 **panied tour**] and the temporary disruption to the child's schedule shall  
21 not be a factor in a determination of change of circumstances if a motion  
22 is filed to transfer custody from the service member.

23 (e) If a parent with parenting time rights receives deployment, mo-  
24 bilization ~~or~~[,] temporary duty [**or unaccompanied tour**] orders from  
25 the military that involve moving a substantial distance from the parent's  
26 residence or otherwise have a material effect on the parent's ability to  
27 exercise parenting time rights, the court may delegate the parent's par-  
28 enting time rights, or a portion thereof, to a ~~family~~ member **or members**  
29 **of the service member's family** with a close and substantial relationship  
30 to the minor child for the duration of the parent's absence, if delegating  
31 parenting time rights is in the best interests of the child.

32 (f) Upon motion of a parent who has received deployment, mobili-  
33 zation ~~or~~[,] temporary duty [**or unaccompanied tour**] orders from the  
34 military, the court shall, for good cause shown, hold an expedited hearing  
35 in custody and parenting time matters instituted under this section when  
36 the military duties of the parent have a material effect on the parent's  
37 ability, or anticipated ability, to appear in person at a regularly scheduled  
38 hearing.

39 (g) Nothing in this section shall alter the duty of the court to deter-  
40 mine custody or parenting time matters in accordance with the best in-  
41 terests of the child.

42 ~~(h) This section applies to custody and parenting time matters arising~~  
43 ~~on or after July 1, 2008.~~

1     Sec. 2. K.S.A. 2007 Supp. 60-1610 is hereby amended to read as  
2 follows: 60-1610. A decree in an action under this article may include  
3 orders on the following matters:  
4     (a) *Minor children.* (1) *Child support and education.* The court shall  
5 make provisions for the support and education of the minor children. The  
6 court may modify or change any prior order, including any order issued  
7 in a title IV-D case, within three years of the date of the original order  
8 or a modification order, when a material change in circumstances is  
9 shown, irrespective of the present domicile of the child or the parents. If  
10 more than three years has passed since the date of the original order or  
11 modification order, a material change in circumstance need not be shown.  
12 The court may make a modification of child support retroactive to a date  
13 at least one month after the date that the motion to modify was filed with  
14 the court. Any increase in support ordered effective prior to the date the  
15 court's judgment is filed shall not become a lien on real property pursuant  
16 to K.S.A. 60-2202 and amendments thereto. Regardless of the type of  
17 custodial arrangement ordered by the court, the court may order the child  
18 support and education expenses to be paid by either or both parents for  
19 any child less than 18 years of age, at which age the support shall ter-  
20minate unless: (A) The parent or parents agree, by written agreement  
21 approved by the court, to pay support beyond the time the child reaches  
22 18 years of age; (B) the child reaches 18 years of age before completing  
23 the child's high school education in which case the support shall not ter-  
24minate automatically, unless otherwise ordered by the court, until June  
25 30 of the school year during which the child became 18 years of age if  
26 the child is still attending high school; or (C) the child is still a bona fide  
27 high school student after June 30 of the school year during which the  
28 child became 18 years of age, in which case the court, on motion, may  
29 order support to continue through the school year during which the child  
30 becomes 19 years of age so long as the child is a bona fide high school  
31 student and the parents jointly participated or knowingly acquiesced in  
32 the decision which delayed the child's completion of high school. The  
33 court, in extending support pursuant to subsection (a)(1)(C), may impose  
34 such conditions as are appropriate and shall set the child support utilizing  
35 the guideline table category for 16-year through 18-year old children.  
36 Provision for payment of support and educational expenses of a child after  
37 reaching 18 years of age if still attending high school shall apply to any  
38 child subject to the jurisdiction of the court, including those whose sup-  
39port was ordered prior to July 1, 1992. If an agreement approved by the  
40 court prior to July 1, 1988, provides for termination of support before the  
41 date provided by subsection (a)(1)(B), the court may review and modify  
42 such agreement, and any order based on such agreement, to extend the  
43 date for termination of support to the date provided by subsection

1 (a)(1)(B). If an agreement approved by the court prior to July 1, 1992,  
2 provides for termination of support before the date provided by subsec-  
3 tion (a)(1)(C), the court may review and modify such agreement, and any  
4 order based on such agreement, to extend the date for termination of  
5 support to the date provided by subsection (a)(1)(C). For purposes of this  
6 section, “bona fide high school student” means a student who is enrolled  
7 in full accordance with the policy of the accredited high school in which  
8 the student is pursuing a high school diploma or a graduate equivalency  
9 diploma (GED). In determining the amount to be paid for child support,  
10 the court shall consider all relevant factors, without regard to marital  
11 misconduct, including the financial resources and needs of both parents,  
12 the financial resources and needs of the child and the physical and emo-  
13 tional condition of the child. Until a child reaches 18 years of age, the  
14 court may set apart any portion of property of either the husband or wife,  
15 or both, that seems necessary and proper for the support of the child.  
16 Except for good cause shown, every order requiring payment of child  
17 support under this section shall require that the support be paid through  
18 the central unit for collection and disbursement of support payments  
19 designated pursuant to K.S.A. 23-4,118, and amendments thereto. A writ-  
20 ten agreement between the parties to make direct child support payments  
21 to the obligee and not pay through the central unit shall constitute good  
22 cause, unless the court finds the agreement is not in the best interest of  
23 the child or children. The obligor shall file such written agreement with  
24 the court. The obligor shall maintain written evidence of the payment of  
25 the support obligation and, at least annually, shall provide such evidence  
26 to the court and the obligee. If the divorce decree of the parties provides  
27 for an abatement of child support during any period provided in such  
28 decree, the child support such nonresidential parent owes for such period  
29 shall abate during such period of time, except that if the residential parent  
30 shows that the criteria for the abatement has not been satisfied there shall  
31 not be an abatement of such child support.

32 (2) *Child custody and residency.* (A) *Changes in custody.* ~~Subject~~  
33 *Except as provided in section 1, and amendments thereto, and subject to*  
34 *the provisions of the uniform child custody jurisdiction and enforcement*  
35 *act (K.S.A. 38-1336 through 38-1377, and amendments thereto), the*  
36 *court may change or modify any prior order of custody, residency, visi-*  
37 *tation and parenting time, when a material change of circumstances is*  
38 *shown, but no ex parte order shall have the effect of changing residency*  
39 *of a minor child from the parent who has had the sole de facto residency*  
40 *of the child to the other parent unless there is sworn testimony to support*  
41 *a showing of extraordinary circumstances. If an interlocutory order is*  
42 *issued ex parte, the court shall hear a motion to vacate or modify the*  
43 *order within 15 days of the date that a party requests a hearing whether*

1 to vacate or modify the order.

2 (B) *Examination of parties.* The court may order physical or mental  
3 examinations of the parties if requested pursuant to K.S.A. 60-235 and  
4 amendments thereto.

5 (3) *Child custody or residency criteria.* The court shall determine  
6 custody or residency of a child in accordance with the best interests of  
7 the child.

8 (A) If the parties have entered into a parenting plan, it shall be pre-  
9 sumed that the agreement is in the best interests of the child. This pre-  
10 sumption may be overcome and the court may make a different order if  
11 the court makes specific findings of fact stating why the agreed parenting  
12 plan is not in the best interests of the child.

13 (B) In determining the issue of child custody, residency and parent-  
14 ing time, the court shall consider all relevant factors, including but not  
15 limited to:

16 (i) The length of time that the child has been under the actual care  
17 and control of any person other than a parent and the circumstances  
18 relating thereto;

19 (ii) the desires of the child's parents as to custody or residency;

20 (iii) the desires of the child as to the child's custody or residency;

21 (iv) the interaction and interrelationship of the child with parents,  
22 siblings and any other person who may significantly affect the child's best  
23 interests;

24 (v) the child's adjustment to the child's home, school and community;

25 (vi) the willingness and ability of each parent to respect and appre-  
26 ciate the bond between the child and the other parent and to allow for a  
27 continuing relationship between the child and the other parent;

28 (vii) evidence of spousal abuse;

29 (viii) whether a parent is subject to the registration requirements of  
30 the Kansas offender registration act, K.S.A. 22-4901, et seq., and amend-  
31 ments thereto, or any similar act in any other state, or under military or  
32 federal law;

33 (ix) whether a parent has been convicted of abuse of a child, K.S.A.  
34 21-3609, and amendments thereto;

35 (x) whether a parent is residing with an individual who is subject to  
36 registration requirements of the Kansas offender registration act, K.S.A.  
37 22-4901, et seq., and amendments thereto, or any similar act in any other  
38 state, or under military or federal law; and

39 (xi) whether a parent is residing with an individual who has been  
40 convicted of abuse of a child, K.S.A. 21-3609, and amendments thereto.

41 (C) Neither parent shall be considered to have a vested interest in  
42 the custody or residency of any child as against the other parent, regard-  
43 less of the age of the child, and there shall be no presumption that it is

1 in the best interests of any infant or young child to give custody or resi-  
2 dency to the mother.

3 (D) There shall be a rebuttable presumption that it is not in the best  
4 interest of the child to have custody or residency granted to a parent who:

5 (i) Is residing with an individual who is subject to registration require-  
6 ments of the Kansas offender registration act, K.S.A. 22-4901, et seq.,  
7 and amendments thereto, or any similar act in any other state, or under  
8 military or federal law; or

9 (ii) is residing with an individual who has been convicted of abuse of  
10 a child, K.S.A. 21-3609, and amendments thereto.

11 (4) *Types of legal custodial arrangements.* Subject to the provisions  
12 of this article, the court may make any order relating to custodial arrange-  
13 ments which is in the best interests of the child. The order shall provide  
14 one of the following legal custody arrangements, in the order of prefer-  
15 ence: (A) *Joint legal custody.* The court may order the joint legal custody  
16 of a child with both parties. In that event, the parties shall have equal  
17 rights to make decisions in the best interests of the child.

18 (B) *Sole legal custody.* The court may order the sole legal custody of  
19 a child with one of the parties when the court finds that it is not in the  
20 best interests of the child that both of the parties have equal rights to  
21 make decisions pertaining to the child. If the court does not order joint  
22 legal custody, the court shall include on the record specific findings of  
23 fact upon which the order for sole legal custody is based. The award of  
24 sole legal custody to one parent shall not deprive the other parent of  
25 access to information regarding the child unless the court shall so order,  
26 stating the reasons for that determination.

27 (5) *Types of residential arrangements.* After making a determination  
28 of the legal custodial arrangements, the court shall determine the resi-  
29 dency of the child from the following options, which arrangement the  
30 court must find to be in the best interest of the child. The parties shall  
31 submit to the court either an agreed parenting plan or, in the case of  
32 dispute, proposed parenting plans for the court's consideration. Such op-  
33 tions are:

34 (A) *Residency.* The court may order a residential arrangement in  
35 which the child resides with one or both parents on a basis consistent  
36 with the best interests of the child.

37 (B) *Divided residency.* In an exceptional case, the court may order a  
38 residential arrangement in which one or more children reside with each  
39 parent and have parenting time with the other.

40 (C) *Nonparental residency.* If during the proceedings the court de-  
41 termines that there is probable cause to believe that the child is a child  
42 in need of care as defined by subsections (d)(1), (d)(2), (d)(3) or (d)(11)  
43 of K.S.A. 2007 Supp. 38-2202, and amendments thereto, or that neither

1 parent is fit to have residency, the court may award temporary residency  
2 of the child to a grandparent, aunt, uncle or adult sibling, or, another  
3 person or agency if the court finds by written order that: (i) (a) The child  
4 is likely to sustain harm if not immediately removed from the home;  
5 (b) allowing the child to remain in home is contrary to the welfare of  
6 the child; or  
7 (c) immediate placement of the child is in the best interest of the  
8 child; and  
9 (ii) reasonable efforts have been made to maintain the family unit  
10 and prevent the unnecessary removal of the child from the child's home  
11 or that an emergency exists which threatens the safety to the child. In  
12 making such a residency order, the court shall give preference, to the  
13 extent that the court finds it is in the best interests of the child, first to  
14 awarding such residency to a relative of the child by blood, marriage or  
15 adoption and second to awarding such residency to another person with  
16 whom the child has close emotional ties. The court may make temporary  
17 orders for care, support, education and visitation that it considers approp-  
18 priate. Temporary residency orders are to be entered in lieu of temporary  
19 orders provided for in K.S.A. 2007 Supp. 38-2243 and 38-2244, and  
20 amendments thereto, and shall remain in effect until there is a final de-  
21 termination under the revised Kansas code for care of children. An award  
22 of temporary residency under this paragraph shall not terminate parental  
23 rights nor give the court the authority to consent to the adoption of the  
24 child. When the court enters orders awarding temporary residency of the  
25 child to an agency or a person other than the parent, the court shall refer  
26 a transcript of the proceedings to the county or district attorney. The  
27 county or district attorney shall file a petition as provided in K.S.A. 2007  
28 Supp. 38-2234, and amendments thereto, and may request termination  
29 of parental rights pursuant to K.S.A. 2007 Supp. 38-2266, and amend-  
30 ments thereto. The costs of the proceedings shall be paid from the general  
31 fund of the county. When a final determination is made that the child is  
32 not a child in need of care, the county or district attorney shall notify the  
33 court in writing and the court, after a hearing, shall enter appropriate  
34 custody orders pursuant to this section. If the same judge presides over  
35 both proceedings, the notice is not required. Any disposition pursuant to  
36 the revised Kansas code for care of children shall be binding and shall  
37 supersede any order under this section.

38 (b) *Financial matters.* (1) *Division of property.* The decree shall di-  
39 vide the real and personal property of the parties, including any retire-  
40 ment and pension plans, whether owned by either spouse prior to mar-  
41 riage, acquired by either spouse in the spouse's own right after marriage  
42 or acquired by the spouses' joint efforts, by: (A) A division of the property  
43 in kind; (B) awarding the property or part of the property to one of the

1 spouses and requiring the other to pay a just and proper sum; or (C)  
2 ordering a sale of the property, under conditions prescribed by the court,  
3 and dividing the proceeds of the sale. Upon request, the trial court shall  
4 set a valuation date to be used for all assets at trial, which may be the  
5 date of separation, filing or trial as the facts and circumstances of the case  
6 may dictate. The trial court may consider evidence regarding changes in  
7 value of various assets before and after the valuation date in making the  
8 division of property. In dividing defined-contribution types of retirement  
9 and pension plans, the court shall allocate profits and losses on the non-  
10 participant's portion until date of distribution to that nonparticipant. In  
11 making the division of property the court shall consider the age of the  
12 parties; the duration of the marriage; the property owned by the parties;  
13 their present and future earning capacities; the time, source and manner  
14 of acquisition of property; family ties and obligations; the allowance of  
15 maintenance or lack thereof; dissipation of assets; the tax consequences  
16 of the property division upon the respective economic circumstances of  
17 the parties; and such other factors as the court considers necessary to  
18 make a just and reasonable division of property. The decree shall provide  
19 for any changes in beneficiary designation on: (A) Any insurance or an-  
20 nuity policy that is owned by the parties, or in the case of group life  
21 insurance policies, under which either of the parties is a covered person;  
22 (B) any trust instrument under which one party is the grantor or holds a  
23 power of appointment over part or all of the trust assets, that may be  
24 exercised in favor of either party; or (C) any transfer on death or payable  
25 on death account under which one or both of the parties are owners or  
26 beneficiaries. Nothing in this section shall relieve the parties of the ob-  
27 ligation to effectuate any change in beneficiary designation by the filing  
28 of such change with the insurer or issuer in accordance with the terms  
29 of such policy.

30 (2) *Maintenance*. The decree may award to either party an allowance  
31 for future support denominated as maintenance, in an amount the court  
32 finds to be fair, just and equitable under all of the circumstances. The  
33 decree may make the future payments modifiable or terminable under  
34 circumstances prescribed in the decree. The court may make a modifi-  
35 cation of maintenance retroactive to a date at least one month after the  
36 date that the motion to modify was filed with the court. In any event, the  
37 court may not award maintenance for a period of time in excess of 121  
38 months. If the original court decree reserves the power of the court to  
39 hear subsequent motions for reinstatement of maintenance and such a  
40 motion is filed prior to the expiration of the stated period of time for  
41 maintenance payments, the court shall have jurisdiction to hear a motion  
42 by the recipient of the maintenance to reinstate the maintenance pay-  
43 ments. Upon motion and hearing, the court may reinstate the payments



1 in whole or in part for a period of time, conditioned upon any modifying  
2 or terminating circumstances prescribed by the court, but the reinstate-  
3 ment shall be limited to a period of time not exceeding 121 months. The  
4 recipient may file subsequent motions for reinstatement of maintenance  
5 prior to the expiration of subsequent periods of time for maintenance  
6 payments to be made, but no single period of reinstatement ordered by  
7 the court may exceed 121 months. Maintenance may be in a lump sum,  
8 in periodic payments, on a percentage of earnings or on any other basis.  
9 At any time, on a hearing with reasonable notice to the party affected,  
10 the court may modify the amounts or other conditions for the payment  
11 of any portion of the maintenance originally awarded that has not already  
12 become due, but no modification shall be made without the consent of  
13 the party liable for the maintenance, if it has the effect of increasing or  
14 accelerating the liability for the unpaid maintenance beyond what was  
15 prescribed in the original decree. Except for good cause shown, every  
16 order requiring payment of maintenance under this section shall require  
17 that the maintenance be paid through the central unit for collection and  
18 disbursement of support payments designated pursuant to K.S.A. 23-  
19 4,118, and amendments thereto. A written agreement between the parties  
20 to make direct maintenance payments to the obligee and not pay through  
21 the central unit shall constitute good cause. If child support and main-  
22 tenance payments are both made to an obligee by the same obligor, and  
23 if the court has made a determination concerning the manner of payment  
24 of child support, then maintenance payments shall be paid in the same  
25 manner.

26 (3) *Separation agreement.* If the parties have entered into a separa-  
27 tion agreement which the court finds to be valid, just and equitable, the  
28 agreement shall be incorporated in the decree. A separation agreement  
29 may include provisions relating to a parenting plan. The provisions of the  
30 agreement on all matters settled by it shall be confirmed in the decree  
31 except that any provisions relating to the legal custody, residency, visita-  
32 tion parenting time, support or education of the minor children shall be  
33 subject to the control of the court in accordance with all other provisions  
34 of this article. Matters settled by an agreement incorporated in the de-  
35 cree, other than matters pertaining to the legal custody, residency, visi-  
36 tation, parenting time, support or education of the minor children, shall  
37 not be subject to subsequent modification by the court except: (A) As  
38 prescribed by the agreement or (B) as subsequently consented to by the  
39 parties.

40 (4) *Costs and fees.* Costs and attorney fees may be awarded to either  
41 party as justice and equity require. The court may order that the amount  
42 be paid directly to the attorney, who may enforce the order in the attor-  
43 ney's name in the same case.

- 1 (c) *Miscellaneous matters.* (1) *Restoration of name.* Upon the request  
2 of a spouse, the court shall order the restoration of that spouse's maiden  
3 or former name. The court shall have jurisdiction to restore the spouse's  
4 maiden or former name at or after the time the decree of divorce becomes  
5 final. The judicial council shall develop a form which is simple, concise  
6 and direct for use with this paragraph.
- 7 (2) *Effective date as to remarriage.* Any marriage contracted by a  
8 party, within or outside this state, with any other person before a judg-  
9 ment of divorce becomes final shall be voidable until the decree of divorce  
10 becomes final. An agreement which waives the right of appeal from the  
11 granting of the divorce and which is incorporated into the decree or  
12 signed by the parties and filed in the case shall be effective to shorten  
13 the period of time during which the remarriage is voidable.
- 14 Sec. 3. K.S.A. 60-1625 is hereby amended to read as follows: 60-  
15 1625. (a) The objectives of the permanent parenting plan are to:
- 16 (1) Establish a proper allocation of parental rights and  
17 responsibilities;
- 18 (2) establish an appropriate working relationship between the parents  
19 such that matters regarding the health, education and welfare of their  
20 child is best determined;
- 21 (3) provide for the child's physical care;
- 22 (4) set forth an appropriate schedule of parenting time;
- 23 (5) maintain the child's emotional stability;
- 24 (6) provide for the child's changing needs as the child grows and  
25 matures in a way that minimizes the need for future modifications to the  
26 permanent parenting plan;
- 27 (7) minimize the child's exposure to harmful parental conflict;
- 28 (8) encourage the parents, where appropriate, to meet their respon-  
29 sibilities to their minor children through agreements in the permanent  
30 parenting plan, rather than by relying on judicial intervention; and
- 31 (9) otherwise protect the best interests of the child.
- 32 (b) A permanent parenting plan may consist of a general outline of  
33 how parental responsibilities and parenting time will be shared and may  
34 allow the parents to develop a more detailed agreement on an informal  
35 basis; however, a permanent parenting plan must set forth the following  
36 minimum provisions:
- 37 (1) Designation of the legal custodial relationship of the child;
- 38 (2) a schedule for the child's time with each parent, when appropri-  
39 ate; ~~and~~
- 40 (3) a provision for a procedure by which disputes between the parents  
41 may be resolved without need for court intervention; *and*
- 42 (4) *if either parent is a service member, as defined in section 1, and*  
43 *amendments thereto, provisions for custody and parenting time upon mil-*

1 *itary deployment, mobilization or[,] temporary duty [or unaccompa-*  
2 **nied tour]** of such service member.

3 (c) A detailed permanent parenting plan shall include those provi-  
4 sions required by subsection (b), and may include, but need not be limited  
5 to, provisions relating to:

- 6 (1) Residential schedule;
- 7 (2) holiday, birthday and vacation planning;
- 8 (3) weekends, including holidays and school inservice days preceding  
9 or following weekends;
- 10 (4) allocation of parental rights and responsibilities regarding matters  
11 pertaining to the child's health, education and welfare;
- 12 (5) sharing of and access to information regarding the child;
- 13 (6) relocation of parents;
- 14 (7) telephone access;
- 15 (8) transportation; and
- 16 (9) methods for resolving disputes.

17 (d) The court shall develop a permanent parenting plan, which may  
18 include such detailed provisions as the court deems appropriate, when:

- 19 (1) So requested by either parent; or
- 20 (2) the parent or parents are unable to develop a parenting plan.

21 Sec. 4. K.S.A. 60-1625 and K.S.A. 2007 Supp. 60-1610 are hereby  
22 repealed.

23 Sec. 5. This act shall take effect and be in force from and after its  
24 publication in the ~~statute book~~ **Kansas register**.