

## School's Out for Summer, and I Want to Change My Child's School



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If you share joint legal custody and want to change your child's school, now is the time to act before it is too late. Typically, the first step is to see if the other parent agrees to changing your child's school. If they do, the agreement should be memorialized in writing and filed with the court to avoid any misunderstandings.

However, if the other parent does not agree that your child should change schools, then you will want to file a motion requesting the change and obtain a hearing date prior to the start of the upcoming 2022/2023 school year. Keep in mind that the court must set your hearing date on a date far enough in the future to allow you at least 16 court days to personally serve the other parent and give them sufficient notice of your request based on the statutory guidelines.

Because this is a custody-related issue, you and the other parent must first attend mediation in an attempt to informally resolve this issue prior to the hearing date. As a result, courts generally set the hearing date even farther in the future to ensure the parents attend mediation with Family Court Services and the mediator has enough time to submit a report to the court prior to the hearing if it is a "recommending" county.

Timing is critical if you want to change your child's school, as most parents prefer for their child to start the school year with their fellow students rather than switch to another school within a few days, weeks, or months after the school year begins. For that reason alone, now is the time to start working on compiling your motion for your child to change schools and filing it with the court. Initiating the court process now will put you in the best position to have a court order regarding where your child will attend school prior to their first day of the 2022/2023 school year.

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