



# Florida Relocation: Rights and Legal Obligations



## Summary:

- Relocation in a family law context means moving a child's residence more than 50 miles away for at least 60 days.
- In Florida, relocation is governed by specific state statutes.
- Before relocating with a child, the parent must either have the other parent's consent or a court order.
- Violation of Florida's relocation statute can result in serious legal consequences.
- Engaging a relocation attorney can help protect your rights and ensure compliance with legal requirements.

Relocating with a child after a divorce or separation can be a complicated process. In Florida, the law places specific restrictions on a parent's ability to relocate with a child to ensure that the child's relationship with both parents is preserved. Specifically, [Florida Statute 61.13001](#) governs relocation in family law matters.

# Understanding the Legal Implications of Child Relocation in Florida

In a family law context, 'relocation' is defined as moving a child's residence more than 50 miles away for at least 60 days. A move within this radius is not considered relocation under Florida law. If a parent plans to relocate with a child, they must obtain the other parent's written consent or get a court order.

Let's consider a hypothetical scenario. Maria and Tom, parents of two children, divorced a few years ago. Maria recently got a fantastic job offer in Atlanta, Georgia, more than 50 miles from her current home in West Palm Beach, Florida. As the primary custodian, Maria must now seek Tom's consent or the court's permission to relocate the children.

## How Winig Law Can Assist in Your Relocation Case in West Palm Beach

In my practice as a family law attorney, I often see how emotionally charged relocation cases can be. One of my clients, a mother, wanted to relocate with her son due to a better job opportunity. The father opposed this move, arguing that it would disrupt his relationship with his son. After a thorough review of the circumstances and careful consideration of the child's best interests, I was able to help them reach a resolution that protected everyone's rights. At [Winig Law](#), I understand the complexities involved in relocation cases. Whether you are a parent seeking to relocate with a child or a parent trying to prevent a proposed relocation, I can provide the legal support you need.

## Frequently Asked Questions

### **1. If the other parent consents to the relocation, do I still need a court order?**

No. If the other parent provides written consent to the relocation, you do not need a court order. However, it's a good idea to formalize this consent in a legally binding agreement.

### **2. What happens if I relocate with my child without the necessary consent or court order?**

This is considered a violation of Florida law and can result in severe consequences, including contempt of court, mandatory return of the child, and potential modifications to the custody arrangement.

### **3. Can a parent prevent the other from relocating with the child?**

Yes. If one parent objects to the proposed relocation, the matter will be decided by a judge. The court will consider several factors centering around the child's best interests.

### **4. What factors does a court consider when deciding on a relocation case?**

A court considers a variety of factors, including the child's relationship with each parent, the age and needs of the child, the ability of the relocating parent to improve the child's life, and the reasons for the relocation.

### **5. Can a relocation order be modified?**

Yes. As with other family law orders, a relocation order can be modified if there has been a significant change in circumstances.