



## International Family Law Parental Rights and Responsibilities Across International Borders

Of course, not all custody cases are domestic. We live in an ever more global and mobile society and international travel is accomplished with ease. Whether to escape political unrest or a violent living situation, or merely in an effort to gain an upper hand in proceedings regarding children, parents move children across international borders both with and without the knowledge and consent of the other parent. When this happens, litigation nearly always follows.

The United States is party to a series of international treaties, collectively known as the “Hague Convention,” (specifically relevant in cases of alleged child of abduction is the “Hague Convention on the Civil Aspects of International Child Abduction”, 1980) which attempts to protect children moved from one contracting nation to another. While the Conventions are only one piece of an intricate puzzle, they impart many potential opportunities – as well as obstacles – to a successful resolution of an international dispute. Among the most common of these issues are disagreements over the “habitual residence” of children, not to mention the “Zone of War” or “grave risk of harm” exceptions to the prompt return of wrongfully removed children, to name but a few.

When the children are moved from or to a nation that is not party to the Hague Convention, the case becomes significantly more challenging and complex. Not only can the rules be significantly different in the non-Hague country, but United States courts are often very hesitant to relinquish jurisdiction over a minor child within its borders when the protections of the Hague Convention do not apply.

When faced with an international matter it is imperative to hire counsel well-versed in this nuanced and intricate area of domestic relations practice. Zashin & Rich has significant, very real experience handling these matters involving both Hague and non-Hague countries. Not only that, but lawyers nationally and internationally have called upon our experience in family and international family law to render specific legal opinions on state, federal, and international law, for use in both domestic and foreign courts. Consistent with our pursuit to be a leader in domestic relations legal services, we are proud to offer our experience in resolving transnational custody issues, and we have the ability and experience to handle even the most complex and delicate domestic relations matters with sensitivity and effectiveness.

Zashin & Rich handles international family law issues such as:

- International Child Abduction
- International Relocation
- Transnational Litigation
- Undertakings
- Drafting Expert Legal Opinions for Use in International Matters

Even though our courts have a clear separation of church and state, international matters also frequently require competence in any number of religious issues. Whether in an international matter, or here in the United States, we are prepared to competently and sensitively handle matters involving:

- Orthodox Judaism/Get/Jewish divorce issues
- Islamic and Sharia Law divorce issues
- Catholic/Vatican divorce issues
- Legal issues specific to a multitude of other faiths such as Mormons, Latter Day Saints, Jehovah's Witnesses, Seventh Day Adventists, and Christian evangelical issues, and other spiritual unions both with and without underlying civil weddings

If you would like more information about Zashin & Rich's vast experience with international family law, specific religious issues, or to otherwise discuss your matter with one of our attorneys, please contact Andrew A. Zashin ([aaz@zrlaw.com](mailto:aaz@zrlaw.com)) at 216.696.4441.

