

5 Valid Reasons to Request a Child Custody Modification

Determining whether you have grounds to change your custody order can be confusing, but Jos Family Law has identified the five most common scenarios that courts recognize as valid reasons for modification.

1. Relocation of a Parent

One of the most frequent triggers for modification is when a parent needs to move. If a move is significant enough to disrupt the current visitation schedule—usually more than 50 miles—the court must reassess the arrangement. The moving parent generally has the burden to prove the move is beneficial, while the court prioritizes stability for the child.

2. Danger to the Child

Safety is the court's number one priority. If there is evidence of physical abuse, emotional neglect, or substance abuse by the other parent, you can request an emergency modification. This often results in temporary sole custody or supervised visitation to protect the child while an investigation occurs.

3. Change in the Child's Preference

As children age, their input carries more weight. In California, once a child reaches 14, the court is generally required to hear their preference regarding who they want to live with, provided they are mature enough to express a reasonable opinion. When searching for a [Family Law Attorney Mission Viejo](#) offers legal guidance on how to properly present a teenager's testimony without involving them in a messy conflict.

4. Failure to Follow the Current Order

If the other parent consistently misses visitation, refuses to return the child on time, or interferes with your parenting time, this "frustration of custody" is grounds for a change. Courts do not look kindly on parents who disrespect court orders.

5. Significant Changes in Work Schedule

A new job with different hours can make an old custody schedule impossible. If you have moved from a night shift to a day shift, for example, you may be entitled to more parenting time. The court views

this as a positive change that allows for increased parental involvement.

Understanding these valid reasons is the first step toward achieving a custody plan that works for everyone involved.

For a detailed assessment of your specific reasons for modification, contact the firm today.

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