

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**LAURA ANNE ROBINSON**

**RESPONDENT,**

**v.**

**JEREMY LEE ROBINSON**

**APPELLANT.**

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DOCKET NUMBER WD72002  
**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

DATE: April 12, 2011

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Appeal From:

Jackson County Circuit Court  
The Honorable Glen Alan Dietrich, Judge

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Appellate Judges:

Division One: Thomas H. Newton, P.J., James M. Smart, Jr., and Joseph M. Ellis, JJ.

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Attorneys:

Susan E. Long and Alison K. Blessing, Liberty, MO, **for respondent.**

Allen S. Russell, Kansas City, MO, **for appellant.**

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**LAURA ANNE ROBINSON,**

**RESPONDENT,**

**v.**

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**APPELLANT.**

No. WD72002

Jackson County

Before Division One: Thomas H. Newton, P.J., James M. Smart, Jr., and Joseph M. Ellis, JJ.

Laura and Jeremy Robinson separated, and Laura filed for dissolution. They had one daughter, Sophia. Jeremy exercised visitation at his parents' home. Shortly before trial, Laura amended her petition to request relocation to Columbia, where her parents live. Laura had been taking Sophia to Columbia every other weekend since Sophia's birth, and her parents were very involved in her and Sophia's lives.

At the time of trial, Sophia was nineteen months old. At trial, Petitioner's evidence did not directly address how the move would be in the child's best interest; it was primarily about how the move would benefit Petitioner from the standpoint of family support, greater job potential, etc. Jeremy's family members testified about how the proposed relocation would affect their relationship with Sophia. Laura's father testified about how the move would allow Laura's family to provide more support for her and Sophia.

The trial court granted Laura's request to relocate, finding that it was "made in good faith" and "would be in the best interest" of Sophia, as required by statute. The court awarded joint legal and joint physical custody and designated Laura's residence as the child's address for mailing and educational purposes. The court's parenting plan gave Jeremy certain periods of actual custody, which the court found was as much overnight parenting time as he currently had. The parties would share the transportation costs by meeting at a half-way point. Jeremy appeals the relocation decision.

**AFFIRMED.**

**Division One holds:** Because the trial court is instructed to consider all relevant factors in deciding whether to permit a relocation request, it was not an abuse of discretion for the court to consider Petitioner's evidence about how the proposed move would benefit her and to infer there from that it also would provide benefits for the child. A trial court is afforded considerable deference in its relocation decision due to its superior position to assess the child's best interests in light of the facts, and its decision is presumed to have been motivated by the child's best

interests. Because an appellate court is not to reverse such a decision unless "firmly convinced that the child's welfare requires some other disposition," the judgment is affirmed.

Opinion by James M. Smart, Jr., Judge

April 12, 2011

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