

08-645 ABBOTT V. ABBOTT

DECISION BELOW: 542 F.3d 1081

LOWER COURT CASE NUMBER: 07-50967

QUESTION PRESENTED:

The Hague Convention on International Child Abduction requires a country to return a child who has been "wrongfully removed" from his country of habitual residence. Hague Convention art. 12. A "wrongful removal" is one that occurs "in breach of rights of custody." Id. art. 3. The question presented is:

Whether a *ne exeat* clause (that is, a clause that prohibits one parent from removing a child from the country without the other parent's consent) confers a "right of custody" within the meaning of the Hague Convention on International Child Abduction.

CERT. GRANTED 6/29/2009