

REFERENCE TITLE: parental alienation; hearings; findings; requirements

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2124

Introduced by
Representative Fink

AN ACT

AMENDING TITLE 25, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 25-407.01; RELATING TO LEGAL DECISION-MAKING AND PARENTING
TIME.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 25, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 25-407.01, to read:

4 25-407.01. Parental alienation; findings required;
5 prohibitions; appeals; definitions

6 A. IN ANY PROCEEDING TO ESTABLISH OR MODIFY LEGAL DECISION-MAKING
7 OR PARENTING TIME, THE COURT SHALL MAKE SPECIFIC FINDINGS OF FACT ON THE
8 RECORD THAT RESOLVE ALL CLAIMS OF PARENTAL ALIENATION. IF THE COURT
9 DETERMINES THAT PARENTAL ALIENATION HAS OCCURRED, THE COURT SHALL INCLUDE
10 ON THE RECORD ALL OF THE FOLLOWING:

11 1. IDENTIFICATION OF THE BEHAVIORS OF THE FAVORED PARENT THAT
12 CONSTITUTE PARENTAL ALIENATION.

13 2. AN EXPLANATION OF HOW EACH OF THE FAVORED PARENT'S ALLEGED
14 BEHAVIORS CONTRIBUTED TO THE CHILD'S REJECTION OF THE NONFAVORED PARENT.

15 3. A DESCRIPTION OF HOW THE CHILD'S REJECTION OF THE NONFAVORED
16 PARENT IS DISPROPORTIONATE TO ADMITTED EVIDENCE AND WITNESS TESTIMONY.

17 4. ACKNOWLEDGEMENT OF WHAT CONSTITUTES PARENTAL ALIENATION AND
18 ESTRANGEMENT AND AN EXPLANATION AS TO WHY THE CHILD'S REJECTION OF THE
19 NONFAVORED PARENT CONSTITUTES PARENTAL ALIENATION AND NOT ESTRANGEMENT
20 FROM THE NONFAVORED PARENT.

21 B. WHEN MAKING THE FINDINGS REQUIRED BY SUBSECTION A OF THIS
22 SECTION, THE COURT SHALL CONSIDER AND WEIGH THE EXTENT TO WHICH THE
23 FAVORED PARENT'S BEHAVIOR TOWARD THE CHILD WAS INTENTIONAL AND RECKLESS
24 AND WHETHER THE FAVORED PARENT'S STATEMENTS TO THE CHILD WERE TRUE.

25 C. THE COURT MAY NOT MAKE A FINDING OF PARENTAL ALIENATION IF, BY A
26 PREPONDERANCE OF THE EVIDENCE, THE FAVORED PARENT ESTABLISHES A REASONABLE
27 AND INDEPENDENT CAUSE FOR THE CHILD'S REJECTION OF THE NONFAVORED PARENT.

28 D. IF A PARTY ATTEMPTS TO PROVE PARENTAL ALIENATION THROUGH EXPERT
29 TESTIMONY, THE EXPERT TESTIMONY MUST MEET THE REQUIREMENTS OF THE ARIZONA
30 RULES OF EVIDENCE AND THE ARIZONA RULES OF FAMILY LAW PROCEDURE.

31 E. IF THE COURT MAKES A FINDING OF PARENTAL ALIENATION BUT DOES NOT
32 COMPLY WITH THE REQUIREMENTS OF THIS SECTION, THE NONFAVORED PARENT MAY
33 SEEK RELIEF THROUGH A PETITION FOR SPECIAL ACTION WITH THE APPELLATE
34 COURT. AN APPELLATE REVIEW PURSUANT TO THIS SUBSECTION SHALL BE CONFINED
35 TO THE LEGAL QUESTION OF WHETHER THE TRIAL COURT MADE SUFFICIENT FINDINGS
36 TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION. THE APPELLATE COURT MAY
37 NOT REVIEW THE TRIAL COURT'S ASSESSMENT OF WITNESS CREDIBILITY, TESTIMONY
38 OR EVIDENCE.

39 F. FOR THE PURPOSES OF THIS SECTION:

40 1. "ESTRANGEMENT" MEANS THAT THE CHILD'S REJECTION OF THE
41 NONFAVORED PARENT IS OBJECTIVELY REASONABLE DUE TO EITHER:

42 (a) THE NONFAVORED PARENT'S BEHAVIOR.

43 (b) THE CONSIDERATIONS PRESCRIBED IN SECTION 25-403, SUBSECTION A.

1 2. "FAVORED PARENT" MEANS THE PARENT FOR WHOM THE CHILD HAS, BY
2 WORDS OR ACTIONS, DEMONSTRATED A PREFERENCE.

3 3. "NONFAVORED PARENT" MEANS THE PARENT WITH WHOM THE CHILD HAS
4 REJECTED A RELATIONSHIP.

5 4. "PARENTAL ALIENATION" MEANS INTENTIONAL OR RECKLESS CONDUCT BY A
6 FAVORED PARENT THAT IS DIRECTED TOWARD THE CHILD AND THAT CAUSES THE CHILD
7 TO REJECT, WITHOUT JUSTIFICATION, A RELATIONSHIP WITH THE NONFAVORED
8 PARENT.