



Selected Recent Materials on Legal Aspects of International Child Abduction

April 1999

LL File No. 1999-2101
LRA-D-PUB-001461

This report is provided for reference purposes only.
It does not constitute legal advice and does not represent the official
opinion of the United States Government. The information provided
reflects research undertaken as of the date of writing.
It has not been updated.

SELECTED RECENT MATERIALS ON LEGAL ASPECTS OF
INTERNATIONAL CHILD ABDUCTION

- Apy, Patricia E. *Managing child custody cases involving non-Hague contracting states.* 14
JOURNAL OF THE AMERICAN ACADEMY OF MATRIMONIAL LAWYERS 77-97 (Summer
1997). K10.O89575
- Bailey, Martha. *The right of a non-custodial parent to an order for return of a child under
the Hague Convention.* 13 CANADIAN JOURNAL OF FAMILY LAW 287-319 (1996).
K3.A495
- Bailey, Martha. *"Rights of custody" under the Hague Convention.* 11 BYU JOURNAL OF
PUBLIC LAW 33-53 (1997). K2.Y8
- Barone, Susan L. *International parental child abduction: a global dilemma with limited
relief--can something more be done?* 8 NEW YORK INTERNATIONAL LAW REVIEW
95-122 (Summer 1995). K14.E92
- Bailey-Harris, Rebecca. *Acquiescence under the Hague Convention on International Child
Abduction.* 113 THE LAW QUARTERLY REVIEW 529-33 (Oct. 1997). LAW PER
Great Britain.
- Bruch, Carol S. *The Central authority's role under the Hague Child Abduction Convention: a
friend in deed.* 28 FAMILY LAW QUARTERLY 35-52 (Spring 1994). K6.A437
- Cardin, Lara. *The Hague Convention on the Civil Aspects of International Child Abduction
as applied to non-signatory nations: getting to square one.* 20 HOUSTON JOURNAL
OF INTERNATIONAL LAW 141-172 (Fall '97). K8.O89
- Clifford, Daniel J. *What to do about international child abduction (with checklist).* 42 THE
PRACTICAL LAWYER 39-41 (June 1996). LAW PER
- Cornec, Alain. *The Hague Convention on abduction and beyond: conflicting aims, different
solutions--the French practice.* 23 FAMILY LAW 148-151 (Mar. 1993).
K6.A43
- Crouch, Richard E. *Resolving international custody disputes in the United States.* 13
JOURNAL OF THE AMERICAN ACADEMY OF MATRIMONIAL LAWYERS 229-270 (Winter
1996). K10.O89575
- Dabbagh, Maureen. THE RECOVERY OF INTERNATIONALLY ABDUCTED CHILDREN: A
COMPREHENSIVE GUIDE. Jefferson N.C., McFarland, 1997. 226p.
HV6598.D33 1997
- Deschenaux, Bernard. L'ENLEVEMENT INTERNATIONAL D'ENFANTS PAR UN PARENT. Bern,
Stamfli, 1995. 125p. KKW602.D47 1995
Switzerland

LAW LIBRARY OF CONGRESS - 2

- Dallmann, Peggy D. *The Hague Convention on parental child abduction: an analysis of emerging trends in enforcement by U.S. courts.* 5 INDIANA INTERNATIONAL & COMPARATIVE LAW REVIEW 171-203 (Fall 1994). K9.N368
- Finan, Cara L. *Convention on the rights of the child: a potentially effective remedy in cases of international child abduction.* 34 SANTA CLARA LAW REVIEW 1007-1038 (1994). K23.A56
- Freeman, Marilyn. *The effects and consequences of international child abduction.* 32 FAMILY LAW QUARTERLY 603-621 (Fall 1998). K6.A437
- Grayson, James. *International relocation, the right to travel, and the Hague Convention: additional requirements for custodial parents.* 28 FAMILY LAW QUARTERLY 531-40 (Fall 1994). K6.A437
- Gulicher, Astrid. INTERNATIONALE KINDESENTFUHRUNGEN: DAS HAAGER ÜBEREINKOMMEN ÜBER DIE ZIVILRECHTLICHEN ASPEKTE INTERNATIONALER KINDESENTFUHRUNGEN VOM 25. OKTOBER 1980 UND DAS EUROPÄISCHE ÜBEREINKOMMEN ÜBER DIE ANERKENNUNG UND VOLLSTRECKUNG VON ENTSCHEIDUNGEN ÜBER DAS SORGERECHT FÜR KINDER UND DIE WIEDERHERSTELLUNG DES SORGERECHTS VOM 20 MAI 1980. Göttingen, Cuvillier, 1993. 190p. K700.G84 1993
- Hargrove, Patricia, and Lowe, Nigel. *Re G. (a minor) (Hague Convention: access).* 23 FAMILY LAW 340 (June 1993). K6.A43
United Kingdom
- Harper, Tom. *The Limitations of the Hague Convention and alternative remedies for a parent including re-abduction.* 9 EMORY INTERNATIONAL LAW REVIEW 257-281 (Spring 1995). K5.M63
- Herring, Lynda R. *Taking away the pawns: international parental abduction & the Hague Convention.* 20 THE NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION 137-74 (Fall 1994). K10.O869
- Hilton, William M. *The Effect of judicial delay in proceedings under the Convention on the Civil Aspects of International Child Abduction.* 9 AMERICAN JOURNAL OF FAMILY LAW 155-159 (Fall 1995). K1.M442
- Hilton, William M. *The Nonexclusivity of the Convention on the Civil Aspects of International Child Abduction.* 9 AMERICAN JOURNAL OF FAMILY LAW 69-73 (Summer 1995). K1.M442
- Hilton, William M. *Practical application of Article 21 (regarding access) of the Convention on the Civil Aspects of International Child Abduction.* 10 AMERICAN JOURNAL OF FAMILY LAW 197-207 (Winter 1996). K1.M442

LAW LIBRARY OF CONGRESS - 3

- Hoff, Patricia M. *An Overview of the North American Symposium on International Child Abduction.* 28 FAMILY LAW QUARTERLY 1-8 (Spring 1994). K6.A437
- Horstmeyer, Eric S. *The Hague Convention on the Civil Aspects of International Child Abduction: an analysis of Tahan (Tahan v. Duquette, 613 A.2d 486 (N.J. 1992)) and Viragh (Viragh v. Foldes, 612 N.E.2d 241 (Mass. 1993)) and their impact on its efficacy.* 33 UNIVERSITY OF LOUISVILLE JOURNAL OF FAMILY LAW 125-41 (Winter 1994/95). K10.O86
- Hung, Katherine V. *There's no place like home. Determining habitual residence: Feder v. Evans-Feder.* 26 GEORGIA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 487 (Spring 1997). K7.E65
- Hutchinson, Anne-Marie, Roberts, Rachel, and Setright, Henry. INTERNATIONAL PARENTAL CHILD ABDUCTION. Bristol, England. Family Law, 1998. 225p. K707.H87 1998 LLRR
- International child abduction outside the Convention: the High Court pronounces in ZP v PS ((1994) 17 Fam. L. R. 600).* 8 AUSTRALIAN JOURNAL OF FAMILY LAW 211-218 (Nov. 1994). K1.U775
Australia
- Jorzik, Manuela. DAS NEUE ZIVILRECHTLICHE KINDESENTFUHRUNGSRECHT: DIE RECHTSLAGE NACH INKRAFTTRETEN DES HAAGER ÜBEREINKOMMENS. Bielefeld, Giesecking, 1995. 260p. KK1203.J67 1995
- Kreston, Susan. *International parental kidnapping.* 32 PROSECUTOR, JOURNAL OF THE NATIONAL DISTRICT ATTORNEYS ASSOCIATION 20 (Mar.-Apr. 1998). K16.R66
- Levy, Robert J. *Memoir of an academic lawyer: Hague Convention theory confronts practice.* 29 FAMILY LAW QUARTERLY 171-86 (Spring 1995). K6.A437
- Lowe, Nigel. *Problems relating to access disputes under the Hague Convention on International Child Abduction.* 8 INTERNATIONAL JOURNAL OF LAW AND THE FAMILY 374-385 (Dec. 1994). K9.N848
United Kingdom
- Mackie, Susan E. *Procedural problems in the adjudication of international parental child abduction cases.* 10 TEMPLE INTERNATIONAL AND COMPARATIVE LAW JOURNAL 445-466 (Fall 1996). K24.E434
- Manners, Peggy Ann. *Child custody--the Hague Convention on the Civil Aspects of International Child Abduction.* 20 SUFFOLK TRANSNATIONAL LAW REVIEW 329-333 (Winter 1996). K23.U34

LAW LIBRARY OF CONGRESS - 4

- McClellan, D. *The Hague Child Abduction Convention--the common law response.* 40
NETHERLANDS INTERNATIONAL LAW REVIEW 67-78 (1993). JX18.W47
- McKeon, Merritt L. *International parental kidnapping: a new law, a new solution.* 30
FAMILY LAW QUARTERLY 235-44 (Spring 1996). K6.A437
- McMillan, Jan Rwers. *Getting them back: the disappointing reality of return orders under
the Hague Convention on the Civil Aspects of International Child Abduction.* 14
JOURNAL OF THE AMERICAN ACADEMY OF MATRIMONIAL LAWYERS 99-131 (Summer
1997).
K10.O89575
- Meshner, Igor. *Dealing with international child abduction: solicitors must act immediately.*
32 LAW SOCIETY JOURNAL 28 (Aug. 1994). LAW PER
- Miralles Sanro, Pedro-Pablo. EL SECUESTRO INTERNACIONAL DE MENORES Y SU INCIDENCIA EN
ESPANA: ESPECIAL CONSIDERACION DEL CONVENIO DE LA HAYA DE 1980. Madrid,
Ministerio de Asuntos Sociales, 1989. K5201.M57 1989
Spain
- Morganroth, Fred. *The Hague Convention: understanding and handling child abduction and
retention cases.* 78 THE MICHIGAN BAR JOURNAL 28-30 (Jan. 1999). KF200.M5
- Nanos, Rania. *The views of a child: emerging interpretation and significance of the child's
objection defense under the Hague Child Abduction Convention.* 22 BROOKLYN
JOURNAL OF INTERNATIONAL LAW 437-65 (1996). K2.R64
- Nicholes, Sally. *The Family Law Reform Act and the Hague Convention.* 70 LAW
INSTITUTE JOURNAL 35-37 (Sept. 1996). LAW PER
Australia
- Norko, Hon. Raymond R. *Mandatory implementation of the Hague Convention on
International Child Abduction: an open letter to President William Clinton.* 8
CONNECTICUT JOURNAL OF INTERNATIONAL LAW 575 (1993). JX1.C624
- Norrie, Kenneth McK. *The Hague Convention, rights of contract, and s. 2(3) and (6) of the
Children (Scotland) Act 1995.* 21 SCOTSLAW TIMES 173-174 (June 20, 1997).
LAW PER
- Parra-Aranguren, Gonzalo. CONVENCION INTERAMERICANA SOBRE RESTITUCION
INTERNACIONAL DE MENORES. Montevideo, Unidad de Asuntos Juridicos, 1991.
KDZ116.D64P37 1991
- Passanante, Antoinette. *International parental kidnapping: the call for an increased federal
response.* 34 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 677-704 (1996). K3.O349

LAW LIBRARY OF CONGRESS - 5

- Pirrug, J. *The German Federal Constitutional Court confronted with punitive damages and child abduction.* In *E PLURIBUS UNUM: LIBER AMICORUM GEORGES A. L. DROZ, ON THE PROGRESSIVE UNIFICATION OF PRIVATE INTERNATIONAL LAW.* The Hague, Martinus Nijhoff, 1996. pp. 341-355. K7051.Z9E17 1996
- Practice note: Child Abduction and Custody Act 1985.* 142 SOLICITORS JOURNAL 114 (Feb. 6, 1998). K23.O4
United Kingdom.
- Prietsch, James R. *Interpol: Its role in international parental kidnappings.* 62 POLICE CHIEF 69-73. (October 1995) HV7551.P5
- Reddaway, J., and Keating, H. *Child abduction: would protecting vulnerable children drive a coach and four through the principles of the Hague Convention?* 5 INTERNATIONAL JOURNAL OF CHILDREN'S RIGHTS 77-96 (1997). K9.N843
- Roddy, Nadine E. *Operation and enforcement of the Hague Convention on the Civil Aspects of International Child Abduction.* 7 DIVORCE LITIGATION 73-82 (Apr. 1995). KF531.A3D58
- Savolainen, M. *The Hague Convention on Child Abduction of 1980 and its implementation in Finland.* 66 NORDIC JOURNAL OF INTERNATIONAL LAW 101-166 (1997). JX18.W47
- ~Schuz, Rhona. *The Hague Child Abduction Convention: family law and private international law.* 44 THE INTERNATIONAL & COMPARATIVE LAW QUARTERLY 771-802 (Oct. 1995). K24.E434
- Silberman, Linda J. *Hague Convention on International Child Abduction: a brief overview and case law analysis.* 28 FAMILY LAW QUARTERLY 9-34 (Spring 1994). K6.A437
- Silberman, Linda J. *Hague International Child Abduction Convention: a progress report.* 57 LAW AND CONTEMPORARY PROBLEMS 209-269 (Summer 1994). K12.A857
- Skoler, Glen. *A Psychological critique of international child custody and abduction law.* 32 FAMILY LAW QUARTERLY 557-602 (Fall 1998). K6.A437
- Splagounias, Gregory A. *International law--international child abduction--habitual residence under Hague Convention equated with ordinary residence, Friedrich v. Friedrich, 983 F.2d 1396 (6th Cir. 1993).* 18 SUFFOLK TRANSNATIONAL LAW REVIEW 823-33 (Summer 1995). K23.U34
- Starr, June. *The Global battlefield: culture and international child custody disputes at century's end.* 15 ARIZONA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 791 (1998). K1.R477

LAW LIBRARY OF CONGRESS - 6

- Steward, Priscilla. *Access rights: a necessary corollary to custody rights under the Hague Convention on the Civil Aspects of International Child Abduction.* 21 FORDHAM INTERNATIONAL LAW JOURNAL 308-358 (Nov. 1997). K6.O7275
- Todd, Julia A. *The Hague Convention on the Civil Aspects of International Child Abduction: are the Convention's goals being achieved?* 2 INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 553-76 (Spring 1995). K9.N3674
- United States. Department of State. Bureau of Consular Affairs. INTERNATIONAL PARENTAL CHILD ABDUCTION (EIGHTH EDITION). Washington, Department of State Publication 10107, 1993. 33p. K700.I58 1993
- Vullo, Stephanie, and Sandora, L. Christopher. *The Hague Convention on the Civil Aspects of International Child Abduction: commencing a proceeding in New York for the return of a child abducted from a foreign nation.* 14 TOURO LAW REVIEW 199-245 (Fall 1997). K24.O73
- Wall, Nicholas. *International child abduction.* 18 THE LIVERPOOL LAW REVIEW 167-183 (1996). K12.I73
United Kingdom
- Weintraub, Russell J. *International child abduction.* In INTERNATIONAL LITIGATION AND ARBITRATION: PRACTICE AND PLANNING. Durham, N.C., Carolina Academic Press, 1997. pp. 443-464. K7615.W45 1997
U.S. and international. Includes cases involving Australia, Canada, Germany, and Syria.
- Winterbottom, Martha. *The Nightmare of international child abduction: facing the legal labyrinth.* 5 JOURNAL OF INTERNATIONAL LAW AND PRACTICE 495-513 (Fall 1996). JX1.I59
- Wu, Min Aun. *Guardianship, custody, and abduction of children across national boundaries.* 1995:1 MALAYAN LAW JOURNAL i-xx (1995). LAW PER
Malaysia

Compiled by Donald DeGlopper and Constance A. Johnson
Senior Legal Research Analysts
Legal Research Directorate
Law Library of Congress
April 1999