



Santiago de Querétaro, Qro., June 23, 2011 .- Pronouncement on the bill which reforms Article 443, paragraph three of article 447 and adds Chapter Six of Title IX of the First Book, and Articles 449 ter, 449 quater, and 449 quintus of the Civil Code of the State of Querétaro.

Presented by: Commission on Law Enforcement and Administration

Purpose: Parental alienation is the manipulation that a parent or family member is carrying out against a minor, by disapproval or criticism, in order to denigrate the other parent or his/her family members and in order to create in the child, rejection, spite, hatred or contempt for them. The manipulation must be severe enough to induce a minor to refuse to live with a parent or relative. A person who commits any of these manipulative behaviors is considered an alienator. Every parent or family member has an obligation to prevent and make the court aware of any conduct of parental alienation. So could the parental rights of those who have court ordered temporary or permanent custody of minors be endangered who commit on more than one occasion and without cause substantiated to the judge parental alienation or any other behavior for preventing the contacts of these minors with the person or persons entitled to it. The judge shall apply the measures provided for in the Code of Civil Procedure of the State of Queretaro, and may even declare a change of custody of minors.

Every child of minor age has the right to maintain regular contact and visits with his/her parents, siblings and other relatives. Also, the person exercising parental authority or guardianship shall seek the respect and close ties of the children with the other parent, their siblings and their extended family. At the time that the court has knowledge that a parent or family member commits acts of parental alienation, it must use the measures laid down by law, to safeguard the integrity and the right of the child.

Procedure: It was approved with 23 votes

Luis Antonio Macías Deputies Trejo, Dalia Xochitl Garrido Rubio, Fabián Pineda Morales, Marcos Aguilar Vega and Luis Antonio Rangel Mendez agreed that this amendment seeks to protect minors and that their innocence can transform their vision with respect to the other parent; with these actions you are looking for a spouse who is in charge of children separate from the other parent, but during whose periods the children come to suffer from psychological disorders. Children have the right to have healthy relationships with their parents, for which you seek to take administrative action, such as loss of parental authority for those practicing parental alienation. They said that a divorce does not mean neglecting the aspects of care, protection and love for children and that parental alienation is a term that refers to symptoms by which a parent transforms the conscience of their children to make it contradictory to the other parent, so this proposal seeks to embody this concept and the legal consequences for those proven to have practiced this kind of behavior.

We believe that most of the time a divorce brings a certain hostility between the parents, but that should not be transferred to the children to try to take sides, wrongdoing and that parents have full responsibility for taking the necessary measures to ensure that children develop in full within the family. The Constitution imposes the obligation to protect minors in order to guarantee the establishment of an atmosphere of respect, acceptance and decision making of the child with adequate self-esteem, in addition the rights of minors are preserved for ensuring their emotions and against any action which harms children.