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Chart 6: *Third-Party Visitation**

STATE	Stepparents	Grandparents, Generally**	Grandparents—Death of Their Child	Grandparents—Child Divorce	Grandparents—Parents Never Married	Any Interested Party	After Termination of Parental Rights or Adoption
Alabama		x	x	x	x		x
Alaska		x					x
Arizona			x[9]	x[9]	x[9]	x[2]	
Arkansas	x		x	x	x	x[2,4]	
California	x[1]		x[1]	x[1]		x[2,4]	
Colorado			x[1]	x[1]	x[1]	x[2]	
Connecticut		x[1]				x[1]	
Delaware	x	x[10]				x[2,4]	
District of Columbia							
Florida			x[1]	x[1]	x[1]		
Georgia		x[6]					
Hawaii						x[1,2]	
Idaho	x[2,4]	x					
Illinois	x[1]		x	x	x		
Indiana			x	x	x		
Iowa		x					
Kansas	x	x[1,6]					
Kentucky		x					x
Louisiana	x[2,4]		x	x	x		x
Maine		x	x			x[2,4]	
Maryland	x[2,4]	x[1]					
Massachusetts		x	x	x		x[2,4]	
Michigan		x	x	x			
Minnesota			x[6]	x[6]	x[6]	x[1,2]	
Mississippi		x[2,9]	x	x		x[2,4]	
Missouri		x[2,9]	x	x			
Montana						x[2]	
Nebraska			x	x	x		
Nevada			x	x	x	x[2]	
New Hampshire		x					
New Jersey		x[1]				x[2,4,7]	
New Mexico		x[2,6]	x	x			
New York		x[2]	x			x[2,4]	
North Carolina		x[3]		x			
North Dakota		x				x[2,4]	
Ohio			x[1,6]	x[1]	x[1]		
Oklahoma			x	x	x		
Oregon		x[6]				x[2]	
Pennsylvania	x[2,4]					x[2,4,7]	
Puerto Rico		x	x	x			
Rhode Island		x[9]	x	x		x[2,4]	
South Carolina							
South Dakota		x[2,9]				x[2]	
Tennessee	x	x[9]	x	x			
Texas			x	x		x[2,4]	
Utah		x[6]					
Vermont		x[6]	x			x[2,4]	
Virginia						x	
Washington						x[8]	
West Virginia		x					
Wisconsin	x[3]		x		x[10]	x[2,4]	
Wyoming		x					

* Chart prepared by Liz Brandt, with the assistance of Elizabeth Ferrin, University of Idaho, class of 2009.

** Grandparents may obtain visitation when the parents are alive and regardless of their marital status. Many of these statutes contain requirements such as the establishment of a substantial relationship, the best interests of the child, the existence of a residential relationship, the parent's unreasonable denial of visitation, or a combination of these.

1. A court of the state has declared the statute unconstitutional either on its face or as applied.
2. A person who stands "in loco parentis," who is a "de facto," "equitable" or "psychological parent," or who has a substantial residential relationship with a child may seek visitation or custody without showing that a parent is unfit or other extraordinary circumstances. Some statues impose a time requirement for the duration of the relationship before visitation or custody may be sought. New York requires proof of "extraordinary circumstances"
3. Stepparent may only seek visitation where s/he is the surviving spouse of a deceased parent.
4. Case law permits stepparents to seek custody as de facto parents.
5. An independent action for visitation may only be maintained where child has been adopted by a stepparent
6. Grandparent may petition for visitation in stepparent adoption situations.
7. Case law is mixed.
8. Washington's third party visitation statute has been declared unconstitutional, but its supreme court has recognized that de facto parents have custody & visitation rights.
9. Third party petitioning for visitation must show that visitation was denied not merely limited.
10. Visitation cannot be ordered over the objection of one of the natural parents if they are married.