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*Children’s Law Center*

*of Indiana*

**Grandparent Visitation**

4/12/2019

In **Walker v. Knight and Carpenter**, 120 N.E.3d 1157 (Ind. Ct. App. 2019), *clarified and rehearing denied*, the Court decline to rehear the matter and clarified another issue.

In a previous appeal, Walker v. Knight and Carpenter, 119 N.E.3d 573 (Ind. App 2019), the Court of Appeals reversed and remanded the trial court’s grant of summary judgment in favor of Knight and Carpenter on the issue of whether the Walkers’ petition for grandparent visitation survived the adoption of the grandchildren by their respective stepfathers. Under Indiana statute, the petition should not have survived but because the Walkers, Knight and Carpenter had contracted that the petition would, in fact, survive, the Court found in favor of the Walkers.

Knight and Carpenter (“the Mothers”) petition the Court of Appeals for rehearing, arguing again that the Walkers lack standing. Id. at 1157. The Court declines to rehear this issue, citing back to the previous ruling. Id. **However, the Court does grant the Mothers’ petition for clarification about what it means for the Walkers to have a hearing “on the merits”. Id. at 1157. The Court clarifies “we are simply enforcing the agreement signed by the Mothers and the Walkers by specifying that the trial court should hear the Walkers’ argument on why they are entitled to grandparent visitation.”** Id. at 1157-58. Mothers’ petition for rehearing is denied in all other respects.