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## COMMENT AND NOTE

### Particularly Serious Crimes and Withholding of Removal: An Aggravating Question

Jessica Fiocchi .....67

*The highly controversial topic of the removal of non-citizens from the United States is even more complex than most people realize. Besides the widely-known issues of the stretch on our nation's resources and immigrants' search for better lives, there are also issues of international relationships and threats to basic human rights. The United States has an international commitment not to remove aliens back to their home country if that country would be likely to subject the person to threats to their life or freedom, including kidnapping, torture, or murder. The U.S. denies this withholding of removal to those who have been convicted of particularly serious crimes, which in some districts are limited to aggravated felonies, and in some districts include other, non-aggravated crimes. There are compelling reasons for expanding the definition of particularly serious crimes, including relieving burdens on the U.S. justice system; however, the United States has a duty to stand by its commitment and promote its own policy of human rights, and an analysis of the Immigration and Nationality Act supports a minimum requirement of an aggravated felony for categorization as a particularly serious crime.*

### Misinterpreting the Child's Best Interests Standard: A Closer Look at *In re Marriage of Guthrie* and Illinois Child Removal Law

Devin Noble .....93

*In Illinois and throughout most of the United States, there are nearly half as many divorces in a given year as there are marriages. The divorce experience can become extremely complicated when children are involved. Illinois parents who receive sole custody of their children can move anywhere within the state without court approval, but must seek permission from the court to permanently remove a child from the state. Such petitions for removal should only be granted if the removal is in the best interests of the child. One important consideration in determining the best interests of any child is the ability to create a reasonable and realistic visitation schedule to preserve the parent-child relationships. In *In re Marriage of Guthrie*, the court condones a visitation schedule that drastically eliminates nearly all individual and quality visitation time the non custodial parent will be able to spend with his child. In*

*order to highlight this misapplication of the best interest of child standard and encourage more stringent review, this Note highlights Guthrie's indifference to an unreasonable visitation schedule.*

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