

# **The US Supreme Court case on the determination of habitual residence under the Child Abduction Convention has been decided - the judgment of *Monasky v. Taglieri* is now available!**

Today (25 February 2020), the US Supreme Court delivered its Opinion in the case *Monasky v. Taglieri*. This decision is available [here](#).

Two of the main takeaways are:

- A child's habitual residence depends on the totality of the circumstances specific to the case, not on categorical requirements such as an actual agreement between the parents.
- A first-instance habitual-residence determination is subject to deferential appellate review for clear error.

This would appear to be in line with the case law of other Contracting Parties. We expect to post a more detailed comment shortly. In the meantime, see our previous posts here - [#1](#), [#2](#) and [#3](#).