

What Factors Determine Court Ordered Child Custody Arrangements?

Child custody proceedings often trigger deep emotions and determine real consequences regarding the welfare of a child. The determination of child custody arrangements is made subsequent to, or during a divorce proceeding. This is done either through negotiation utilizing **family law attorneys** from both parties, or through resolution in court. There are a number of factors that contribute toward the court's decision regarding child custody.

Several Criteria Affecting the Court's Decision

With the best interests of the child at the core of the legal system's priority in such cases, the mother and father are able to present their case concerning their custody preferences. In addition to the cases presented by the parents' lawyers, the child often has a say, especially if the child is of age (usually at least 12 years of age). The definition of the best outcome in these cases is often different for both parties, therefore the court must gather all of the facts and circumstances at issue and balance them appropriately to arrive at a fair decision.

Negative factors such as past or current alcohol and drug abuse, criminal history or poor or unsafe living environments will all tend to dissuade the court from awarding custody to that parent. **Rights for fathers**, who are often not given primary physical custody, should be protected, especially in instances where there are negative issues present in the life of the mother that would not be healthy for the child to live under.

Other contributing factors include the health of each parent, the schedules (work and travel) of each parent, the nature of the relationship and emotional bonds developed between the child and each parent, the sex and age of the child, and the ages of the parents. As well, the parent who has been the primary caregiver, or is more capable of filling this role, will often be favored in the final decision.

Key Factor - Personal Care Capabilities and Responsibilities

Expanding upon personal parental care capabilities, the child's daily routine, activities, involvements and upbringing are the central focus of concern. Whichever parent offers more in terms of meeting the needs of the child in a healthy environment will likely receive preferential custody.

The court may consider many issues in order to determine which parent fits the ideal caretaker role. Some of these factors include who currently makes meals for the child, who bathes the child (if he or she is very young), who provides clothing, who spends the most time with the child on an average day, who takes the child to school, other activities and appointments, and who takes off work when the child is ill.

As can be clearly seen, there are many elements that go into the final outcome of a child custody negotiation or dispute. Above all else, what's best for the child, and his or her future relationship with each parent should be the highest priority for everyone involved. Both the

attorneys for the mother's side and **divorce lawyers for men** can give their respective clients a fair hearing to help ensure this ideal outcome occurs.