

How Does the Judge Determine Child Custody

If you are getting a contested divorce and have children, you might wonder how custody is decided in such cases. The judge on your case will consider numerous different factors when determining what kind of arrangement would serve the best interests of your children. Understanding these factors will help you know what to expect in your case and how to better prepare for it.

The Best Interests of the Children

You will hear the words "best interests" frequently throughout your child custody case. In the eyes of the law, a child's best interests can encompass a vast range of factors, each of which is equally important in determining custody.

Here are some of the factors a judge will consider when determining child custody:

The age of the children. Generally, courts prefer to maintain consistency in a child's life, but if your children are a little older, a judge might be open to considering an alternative arrangement.

The relationship the children have with their parents.

The wishes of the parents. If you know you do not have the time to be the custodial parent of your children, let the judge know. If you are vying for custodial rights, you can also make the preference known, though it does not mean you will get what you want.

The overall mental and physical wellbeing of each parent.

The ability of each parent to provide a stable and loving home for the children.

The living accommodations each parent can provide for the children. For example, a judge will want to know if each child will have a room.

The attachment the children have to their school, neighborhood, and home.

The impact an arrangement will have on the children's existing routine and the possible impact it would have on them. Judges seek to limit changes that might yield negative impact.

The willingness of each parent to support the other's relationship with the children. An uncooperative parent will not be looked upon favorably in court.

A history of domestic violence, neglect, or substance abuse.

If either parent brought false allegations of neglect or abuse against the other parent

In some cases, if a child is mature enough and old enough to express his or her own wishes, a judge might consider the child's preference.

Seek Knowledgeable Legal Guidance from an Experienced Child Custody Attorney Today!

Child custody disputes are some of the most stressful family law matters one can encounter. If you are fighting for child custody, contact the team at Sullivan Law & Associates for the compassionate legal assistance you need. Our family law attorneys have the insight and experience to help you obtain the results you are seeking, so you and your family can move forward and begin a new chapter in life. You should not have to handle this delicate matter on your own. Let us guide you throughout this challenging process.

Call our law office today at (949) 565-2793 to schedule an initial consultation with one of our attorneys to discuss the details of your case.