



CHILD CUSTODY EXPLAINED

When parents separate or divorce, they must arrange a parenting plan that describes where their children will live and when they will see each parent. Parenting plans include judicial orders about child custody and visitation.



MAKING A PARENTING PLAN

- Parents can choose to make a parenting plan on their own. If they cannot agree, the court will refer them to Family Court Services (FCS) for Child Custody Recommending Counseling.
- A Child Custody Recommending Counselor will help the parents make a parenting plan that best serves their children's routine and emotional needs.
- If the parents are unable to reach an agreement after meeting with FCS, the Child Custody Recommending Counselor will make a parenting plan recommendation to the court.



TYPES OF CUSTODY

- **Legal Custody** – Who makes decisions?
 - Legal custody refers to the parents' right to make decisions about their children's health, education, safety, and well-being.
 - Sole legal custody means that one parent makes all the decisions.
 - Joint legal custody means that both parents make decisions.
- **Physical Custody** – Where do the children live?
 - Physical custody is where the children live on a regular basis.
 - Sole physical custody means that the children live primarily with one parent, and the other parent has visitation rights.
 - Joint physical custody means that the children live with both parents. This can take many forms, such as alternating weeks, specific days of the week, or other agreed-upon arrangements.



COMMON CUSTODY ARRANGEMENTS

- Visitation is dictated by an agreed-upon schedule detailing when children will spend time with each parent. Visitation schedules can vary widely, below are a few examples:
 - **Week-to-Week:** Children spend one week with one parent and the following week with the other parent.
 - **2-2-3 Schedule:** Children spend two days with one parent, the next two days with the other parent, and then return to the first parent for the remaining three days.
 - **Weekdays vs. Weekends:** Children spend weekdays with one parent, and weekends with the other parent.