

**T**oday, the phrase “Child Custody” can have many meanings in the context of an action for dissolution of marriage. There

are several areas of responsibility divorcing parents must face when determining their future relationships with their children.

*Shared Parental Responsibility* is a term that means that both parents share parental rights and responsibilities ~ each contributing

their input on important decisions in the child’s life after the divorce. Joint decisions can be made on such determinations as where the child attends school and church, and what medical treatments he or she receives. Both parents have equal access to the child’s medical and school records. The judge frequently awards parental responsibility to be shared unless this arrangement will be detrimental to the child. In cases where shared parental responsibility will be detrimental to the child, one parent will be awarded sole custody of the child. This situation, however, is quite rare.

*Primary Physical Residence* defines where the child physically lives. When deciding custody issues, the judge considers what arrangement will be in the child’s best interest. Numerous factors help guide the judge’s decision, for example, which parent is most likely to allow frequent contact with the other parent, the moral fitness of each parent, the length of time the child lived with one parent, and the love and affection existing between the child and the parent.

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*Split Custody*, in which two or more siblings are divided among both of the parents, is strongly disfavored and rarely awarded. Similarly, *Rotating Custody*, when each parent spends an equal amount of time with the child, is seldom awarded and only if it is in the best interest of the child.

Frequently, both parents will request to be the primary physical parent. In that case, a judge may appoint a *Guardian Ad Litem* or a *Parenting Coordinator* who helps the judge to decide who is a better fit parent. They talk to the parents and to the child(ren), observe the family environment and make their recommendation to the judge.

*Visitation* establishes the right of the nonresidential parent to spend time with the child. It is public policy in Florida and many other states that both parents be afforded frequent and continuing contact. Any changes to the visitation agreement must be approved through the court, for example, the mother cannot refuse the father’s visitation because

he fails to pay child support. At the same time the father cannot stop paying child support

because the mother refuses to allow him visitation. Unfortunately, visitation rights are a frequent source of dispute between parents.

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