**TIPS FOR PARENTING DURING A CUSTODY CASE**

1. Enjoy all of the time you get to spend with your children. Pick your children up on time and return them on time.

2. Read all you can on the subject of children, children’s development, parents, and how to be a good parent. If a class or study course in this general area becomes available in your area, attend it. Examples of good books on these general subjects are:

*P.E.T. Parent Effectiveness Training,* by Dr. Thomas Gordon

*The Custody Handbook,* by Persia Woolley

*The Disposable Parent,* by Mel Roman

*Boys’ and Girls’ Book About Divorce,* by Richard Ganlan, M.D.

*Surviving the Breakup,* by Judith S. Wallerstein and Joan Berlin Kelly

*Mom’s House, Dad’s House,* by Isolina Ricci

*Dinosaurs Divorce: A Guide for Changing Families,* by Laurene Brown & Lawson Brown

*It’s Not Your Fault, Koko Bear,* by Vicki Lansky

*Two Homes* by Claire Masurel

3. Involve yourself in your children’s activities.

4. Devote some of your spare time to civic endeavors. Work with youth groups (Boy Scouts, Girl Scouts, Campfire Girls, Big Brother, Little League, sports, and other children’s groups). Make your contribution to these or any other worthwhile organizations and groups. Actively participate and get to know children and how they play, develop, and grow. Become a student of children and learn from them.

5. Consider joining one or more organizations that has as its purpose helping individuals who are parents but not living with the other parent. Find friends or a group of people with whom you can talk and discuss your feelings, frustrations, and problems without embarrassment.

6. Work up a plan as to how you will provide care, love, and guidance to and meet the needs of your child (children). Examples: Where the child would live; his/her daily routine; who would care for the child when not in school and when you were not physically present, educational and religious training plans, plans for custodial or visitation periods with the other spouse (be liberal in your thinking and planning). Develop a workable, reasonable, logical daily routine for the care of your child and, if possible, point out how your plan, your care, your attention to the needs of the child is better than that now in existence and how it will be BETTER—MORE BENEFICIAL—in the future for the child. Research and evaluate the schools your child would attend if living with you. Know and familiarize yourself with transportation, etc., and have a general knowledge of this important area of your child’s development.

7. Make sure the physical facilities of your home are child-oriented—adequate room, privacy and safety, neutral, objective vantage point.

8. Develop common interests with the children. Become a part of their world and share and enjoy their world with them. Do not forget to attend their school activities. DO not overlook their birthday, holidays, and other special occasions that mean so much to a child. Show interest in their schoolwork, outside school activities, their sports, their clubs, organizations, their friends, and their plans for the future.

9. Get to know your child’s medical needs and school and health records.

**SUGGESTIONS FOR CLIENTS IN CONTESTED CUSTODY CASES**

*If you already have custody, then the burden is not quite as heavy, but you still must show the kind of care, custody, and attention you can give and are giving to your child.*

1. Get a copy of the child’s health record from his/her attending physician and dentist. Have these medical experts available to testify about the child’s health and the care he/she receives.

2. Have, maintain, and show an open healthy attitude toward contact with the other parent. Every child needs the love of both parents. Your own attitude in this respect gives clear signals to the child.

3. Take care of yourself.

4. Don’t try to outbid the other parent. Money doesn’t prove good parenting.

5. Discipline . . . this is important. Always saying “yes” would be just as wrong as always saying “no.” Children can manipulate parents who are not sharing information. As a parent you must make judgments and decisions daily about your children and their requests. As long as you are consistent, reasonable, and fair, discipline at the right time for the right reason is not only necessary—it is vital. FACTOR: The other items listed and suggested above are also important. A nice balance is best. Remember, you need dollars and cents but you can’t buy happiness for the child. Work for the balancing of all needs.

6. What about your needs? Yes, consider these too. The court will recognize that as a human being you too have needs. It’s how you fulfill these needs that is important. This short space only allows a summary. But do not ever forget that your first duty and responsibility should be to provide adequately for the child—security, safety, and the necessities of life. As an adult you should be able to fulfill your needs. You can be a better parent when you are enjoying life and are not hostile or frustrated with the world and life in general.

**LEGAL FACTORS GUIDING CUSTODY DECISIONS**

This section addresses questions about custody and child support. It is not a complete legal guide. Each case is unique, and this information may not cover your situation. When you have children, your relationship with your spouse does not end with the final decree. You will have continued contact with your spouse about support, visitation, and other parental responsibilities

For the sake of your children, keep open the lines of communication with your spouse. Your goal should be that your children are not the losers

Custody of minor children consists of two distinct concepts, decision making and timesharing. Both or one of the parents may be responsible for making decisions affecting the children. Timesharing refers to the amount of time each parent will spend with the children.

***Factors in Determining Custody***

The court determines custody based on what it believes to be the best interests of the children. The court considers all relevant factors, which include:

1. The wishes of the child’s parents as to custody and the proposed parenting plan submitted by both parties.
2. The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child or children.
3. The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child’s best interests.
4. Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent.
5. The child’s adjustment to the child’s home, school, and community.
6. The mental and physical health of all individuals involved, including any history of abuse of any individuals involved.
7. The intention of either party to relocate the principal residence of the child.
8. The wishes of a child as to the child’s custodian.

***Sole v. Joint Custody***

* 1. **Joint Legal Custody:** In joint legal custody, the parties share the responsibility of making major parenting decisions respecting a child. These decisions include residence of the child, medical and dental treatment, education or child care, religion, and recreation. There is a presumption in Missouri that joint legal custody is in the best interest of the child.
	2. **Joint Physical Custody** (Co-Parenting): In a shared physical arrangement, the parties share time with the child in a fashion that may or may not be equal time but is not necessarily equal quality.
	3. **Sole Legal Custody:** In a sole legal custody arrangement, one parent has sole responsibility for major parenting decisions.
	4. **Sole Physical Custody:** In which one parent has the primary responsibility of the physical care of the child with the other parent having visitation with the child.

**CHILD SUPPORT**

Child support is money paid to the custodial parent for the support, maintenance, and education of the children. Voluntary gifts and payment of rent, which benefit the child when the child is with you, may not be considered support. The court does not usually require the custodial parent to account for the support. Child support ceases with emancipation of the child by state law or as agreed by the parties.

***Guidelines***

All states have guidelines by which courts determine support. The guidelines contain tables which consider the net incomes of both parents. The guidelines may provide that parents share the cost of certain expenses such as work-related child care and medical insurance in proportion to their incomes. The court has the power to deviate from the guidelines under certain circumstances.

***Enforcement***

Child support orders may be enforceable by a variety of means, such as wage attachment, execution, liens on property, or contempt. They are not dischargeable in bankruptcy, but unpaid support may be collectable for only a limited period of time, by statute.

**MODIFICATION**

Until emancipation of the child, the court has the power to modify custody and child support whenever circumstances make such change proper. The same factors used in making the initial award are considered for modification. Modification generally requires a significant change of circumstances. These factors could result in a change of the custodial arrangement or an increase or decrease in the support obligation. Remarriage of either parent does not automatically result in a change of circumstances. Talk to us about whether a child support, custody, or visitation modification should be made.