

September 27, 2013 /**24-7PressRelease**/ -- Divorcing couples with child(ren) have an especially tough time, as what happens to the child(ren) must be decided during the divorce process. In the best circumstances, both parents reach a reasonable agreement regarding the custody, or time-sharing arrangement of their child(ren). However, in some cases, couples that are filled with hurt and hate for their spouse will not reach an agreement, leaving it up to the court to weigh in on [child custody](#) /time-sharing matters.

How Florida courts determine custody

Courts determine custody, or time-sharing arrangements by considering the best interests of the child(ren). Under this standard, it is the policy to ensure that the child(ren) has frequent and continuing contact with both parents and to encourage the parents to share the responsibilities of bringing up the child(ren) once the [divorce](#) process has been completed.

As a result, the law is primarily concerned with developing a parenting plan where both parents share responsibilities, rather than awarding one parent sole custody of the child(ren). During the process, the court must decide two components: a parental responsibility component and a time-sharing component.

The parental responsibility component is the ability of the parent to make decisions that will affect the child(ren)'s life. In most cases, courts award both parents shared parental responsibility, meaning that both have an equal say in making important decisions of their child(ren)'s life (e.g. healthcare or education).

If it is in the child(ren)'s best interests, the court has the power to award one parent responsibility for a specific aspect of the child(ren)'s life. Additionally, in cases such as where domestic violence or abusive behavior has occurred, courts have the discretion to award one parent sole parental responsibility for all of the major decisions of the child(ren)'s life.

In addition to parental responsibility, a court must also include a time-sharing component when developing a parenting plan. This component consists of a schedule specifying the time that the child(ren) will spend with each parent. Like parental responsibility, courts decide the time-sharing component based on the best interests of the child(ren). In doing so, the courts are guided by several statutory provisions such as:- The ability of each parent to have and encourage a close parent-child(ren) relationship and to honor the time-sharing schedule- The

A brief summary of "child custody" in Florida

Written by Australian Business

ability of each parent to determine, consider and act upon the needs of the child(ren) over his or her own needs- The preference of the child(ren), if he or she is sufficiently intelligent to make a decision- The ability of each parent to provide the child(ren) discipline and a consistent routine in an environment free of substance abuse- Whether there were prior instances of domestic or sexual violence or child abuse, neglect or abandonment on the part of one or both parents.

In addition to these factors (and many others not mentioned), the court has the discretion to consider any factor that is relevant to the determination of the parenting plan.

A family law attorney can help

As the child custody process is complicated, if you are a parent considering a divorce, it is important to have the assistance of an experienced family law attorney before proceeding. An attorney can advise you of how the child custody laws would apply to your individual situation and assist you in obtaining a parenting plan that would serve your child(ren)'s best interests.

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