

Whether you are seeking primary custody of your child or you are seeking shared custody of your child with your former partner, you should consider speaking with one of our experienced Family Law attorneys at Bovis, Kyle, Burch & Medlin. Our attorneys at Bovis, Kyle, Burch & Medlin are experienced Family Law attorneys who evaluate each client's situation and provide legal guidance based on those factors.

Our Family Law attorneys evaluate each situation and craft a parenting plan that outlines a number of details including: a parenting time schedule, who has primary physical custody of the child, who has legal custody of the child, how the child will spend holidays and vacations, which parent will pickup and dropoff the child at the beginning and at the end of their scheduled parenting time with the child.

### What is Physical Custody?

**Physical custody** refers to where the child resides. A Judge may award one parent primary physical custody and the other parent Parenting Time (or "visitation"). Primary physical custody simply means one parent has the child living with them more than the other parent. A Judge may also award both parties joint physical custody, meaning equal time. But even outside of those options, there are multiple custodial arrangements available. Our Family Law attorneys help craft the best arrangement for each family's needs.

### What is Legal Custody?

**Legal custody** refers to decisions affecting the child. These decisions may include education, religion, extracurricular activities, and health care. A Judge takes into consideration what is the best interest of the child and will award one parent over the other the decision making ability for one or all legal custody decisions. Whether a Judge awards one parent primary physical custody or joint physical custody, the Judge will award one parent over the other final decision making authority, keeping the best interest of the child in mind.

In Georgia, child custody and parenting time are determined under a standard called the Best Interest of the Child. This determination is made by a Judge. The determination is subject to the input of the parents, sometimes a Guardian Ad Litem (appointed by the Court to represent the interest of the Child), expert witnesses, child psychologists, baby sitters, and anyone who can provide the Judge with assistance in making the determination of child custody.

### What is the Best Interest of the Child?

**Best Interest of the Child** refers to the standard by which a Judge determines where and with whom a child will live with and who will make certain decisions related to that child. Some factors that a Judge will use to determine parenting time are as follows:

- Ties between each parent and the child, the child and his or her siblings, half siblings, and stepsiblings and the residence of such other children
- The ability of each parent to provide the child with food, clothing, medical care, day-to-day needs, and other necessary basic care
- Maintaining stability and continuity in the child's life
- Stability of the family unit of each of the parents
- Age of the child
- The mental and physical health of each parent
- Each parent's involvement, or lack thereof, in the child's educational, social, medical, and extracurricular activities

If you are a parent who has a child while unmarried, our Family Law attorneys at Bovis, Kyle, Burch & Medlin can advise you on the best course of action to help you obtain parenting time with your child.

Our Family Law attorneys at Bovis, Kyle, Burch & Medlin work with clients individually to highlight what is in the best interest of the child.