

Child Custody Notebook

Information for Custody & Visitation Litigation-- (Client Name: _____)

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CUSTODY QUESTIONS

(1) PRELIMINARY

Your Response

Opposing Party's Anticipated Response

1-1: Please state your full name.

1-2: Where do you live?

1-3: Where is that? [sub-division]

1-4: Please tell me your birthday.

1-5: Are you married?

1-6: To whom?

1-7: When did you marry?

1-8: Where were you married?

1-9: Please tell me the name(s) and age(s) of your child(ren).

CUSTODY QUESTIONS

(1) PRELIMINARY

Your Response

Opposing Party's Anticipated Response

1-10: When did you and your spouse separate?

1-11: With whom has (have) your child(ren) lived after you and your spouse separated?

1-12: Please describe your educational background.

1-13: Please describe any significant health problems which you have.

1-14: Tell me whether there is anything else the Judge needs to know about these preliminary matters.

CUSTODY QUESTIONS

(2) EMPLOYMENT

Your Response

Opposing Party's Anticipated Response

2-1: Are you employed?

2-2: By whom are you employed?

2-3: How long have you been so employed?

2-4: Please give a job description of the work that you do.

2-5: What time do you leave your home to go to work in the morning?

2-6: How does your leaving for work in the morning coordinate with the child(ren) leaving to go to school?

CUSTODY QUESTIONS

(2) EMPLOYMENT

Your Response

Opposing Party's Anticipated Response

2-7: How would you handle the child(ren) going to school in the morning in the event the Court grants you custody?

2-8: How is this handled at the present time?

2-9: Where does (do) the child(ren) go after school until you get home from work?

2-10: With whom does (do) the child(ren) stay during this time?

2-11: Tell me about this person/daycare center.

2:12: How is (are) your child(ren) doing under this arrangement?

CUSTODY QUESTIONS

(2) EMPLOYMENT

Your Response

Opposing Party's Anticipated Response

2-13: Describe the degree of flexibility you have in your employment in the event the child(ren) become(s) ill, or for any other reason you have to be home with the child(ren) for a day or two?

CUSTODY QUESTIONS

(2) EMPLOYMENT

Your Response

Opposing Party's Anticipated Response

2-14: Tell me the times, if any, during which you were not gainfully employed.

2-15: Please explain.

2-16: Tell me whether you believe that being gainfully employed is important.

2-17: Why?

2-18: To what extent have you explained this to your child?

CUSTODY QUESTIONS

(2) EMPLOYMENT

Your Response

Opposing Party's Anticipated Response

2-19: Please give me some examples of your explanations.

2-20: Tell me whether there is anything else the Judge needs to know about your employment, and its effect(s) upon your child(ren).

CUSTODY QUESTIONS

(3) REPUTATION AND CHARACTER

Your Response

Opposing Party's Anticipated Response

3-1: Tell me the extent to which you drink alcohol.

3-2: Do you abuse alcohol?

3-3: Tell me whether you have ever been arrested or convicted of "drunk driving" or any other alcohol related offense. (If so, give details.)

3-4: Tell me whether you have ever used any illegal drug, or abused any drug lawfully prescribed for you. (If so, give details.)

3-5: Tell me whether you have ever struck your spouse. (If so, give details.)

CUSTODY QUESTIONS

(3) REPUTATION AND CHARACTER

Your Response

Opposing Party's Anticipated Response

3-6: Tell me whether you have ever struck your child(ren).
(If so, give details.)

3-7: Tell me whether you, as an adult, struck anyone.
(If so, give details.)

3-8: Tell me whether you have ever been arrested for or convicted of any crime.
(If so, give details.)

3-9: Describe any mental illness, if any, you may have.
(If so, give details.)

CUSTODY QUESTIONS

(3) REPUTATION AND CHARACTER

Your Response

Opposing Party's Anticipated Response

3-10: Describe your military service, if any.

3-11: Tell me whether you are a member of any civic, social, or fraternal organization.
(Give details.)

3-12: Tell me the names of any professional or business organization of which you are a member.
(Give details.)

3-13: What public office have you held?
(Give details.)

3-14: Tell me anything else the Judge needs to know about your reputation.

CUSTODY QUESTIONS

(3) REPUTATION AND CHARACTER

Your Response

Opposing Party's Anticipated Response

3-15: Tell me anything else the Judge needs to know about your character

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

HOME

4-1: Please describe the home in which you live.
(PHOTO)

4-2: How long have you lived in this home?

4-3: Why did you choose to live in this home?

4-4: Tell me how your child(ren) feel about living there.

4-5: Does (do) your child(ren) have his (their) own, separate bedroom(s)?

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

4-6: Please describe (their) bedroom(s).
(PHOTO)

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

CHORES

4-7: Tell me the extent to which your child(ren) is (are) responsible for his (their) room(s).

4-8 Please describe the extent to which your child(ren) help(s) you with the housekeeping.

4-9: How and why did you select these particular chores for your child(ren)?

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

MEALS

4-10: How many meals each day does (do) your child(ren) have in your home?

4-11: Tell me the extent to which you are aware of the nutritional values of food?

4-12: Describe the extent to which you try to provide your child(ren) with nutritionally balanced meals.

4-13: Who does the shopping for food?

4-14: How often does (do) your child(ren) accompany you to the grocery store?

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

4-15: What kind of food does (do) your child(ren) have for breakfast?

4-16: Who prepares breakfast for him (them)?

4-17: What kind of food does (do) your child(ren) have for lunch?

4-18: Who prepares lunch for him (them)?

4-19. How often do you have dinner with your child(ren)

4-20: What kind of dinners do you usually serve for your child(ren)?

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

4-21: Who prepares dinner?

4-22: Describe the conversations, if any, you have with your child(ren) as you share your meals together.

4-23: Describe your child(ren's) table manners.

4-24: Tell me why your children's table manners are important to you.

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

4-25: How often do you take your child(ren) to "fast food" restaurants?

4-26: Describe your child(ren's) table manners when he (they) is (are) having a meal in public.

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

CLOTHES

4-27: Who purchases clothes for your child(ren)?

4-28: Where do you purchase his/their clothes?

4-29: How often does (do) your child(ren) shop with you?

4-30: Describe any particular likes or dislikes your child(ren) has/have regarding his (their) clothing?

4-31: How do you select clothes for him(them)?

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

4-32: Who does the laundry, mending and sewing?

4-33: Who does the laundry?

4-34: How often do (does) your child(ren) help with the laundry?

4-35: How does (do) he (they) help?

4-36: Describe the extent to which your child(ren) is (are) responsible for the care of his (their) clothes.

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

HYGIENE

4-37: Describe generally your child(ren's) cleanliness.
(Describe routine)

4-38: Describe the extent to which you see to it that your child(ren) brush(es) his (their) teeth regularly.
(Describe routine)

CUSTODY QUESTIONS

(4) LIVING SITUATIONS

Your Response

Opposing Party's Anticipated Response

DISCIPLINE

4-39: How do you deal with the discipline of your child(ren)?

4-40: What does (do) your child(ren) do which causes you to take disciplinary action?

4-41: Describe the extent to which your method of discipline seems to be effective with your child(ren)?

CUSTODY QUESTIONS

(5) EDUCATION (SCHOOL)

Your Response

Opposing Party's Anticipated Response

5-1: What school(s) does (do) your child(ren) attend?

5-2: How far from your house is this school?

5-3: How does (do) your child(ren) get to school?

5-4: In what grade(s) is (are) your child(ren)?

5-5: How often have you visited your child(ren's) school(s)?

5-6: Describe the extent to which you have engaged in activities at your child(ren's) school(s).

CUSTODY QUESTIONS

(5) EDUCATION (SCHOOL)

Your Response

Opposing Party's Anticipated Response

5-7: How often do you do this?

5-8: What are their names of your child(ren)'s teachers?

5-9: How often have you met with your child(ren's) teachers?

5-10: Describe any problems your child(ren) is/are having in school.

5-11: What are you doing about these problems?

CUSTODY QUESTIONS

(5) EDUCATION (SCHOOL)

Your Response

Opposing Party's Anticipated Response

5-12: Tell me about your child(ren's) grades.

5-13: Describe your child(ren)'s attitude about school.

5-14: Describe whether your child(ren) gets get along with his (their) classmates.

5-15: Describe your your child(ren)'s attitude about his (their) teachers?

5-16: Tell me the amount, if any, of homework your child(ren) has/have.

5-17: Does (do) your child(ren) ever ask you to help with homework?

CUSTODY QUESTIONS

(5) EDUCATION (SCHOOL)

Your Response

Opposing Party's Anticipated Response

5-18: To what extent do you help your child(ren) with homework?

5-19: Tell me how often you read to your child(ren) in the home?

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

FRIENDS

6-1: How often does (do) your child(ren) have friends over to your house to play?

6-2: Who are these friends?

6-3: Where do they live?

6-4: How often does (do) your child(ren) have friends over to spend the night?

6-5: Who are these friends?

6-6: Where do they live?

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

6-7: Does (do) your child(ren) have birthday parties?

6-8: Who sets up the birthday parties?

6-9: Describe the last birthday party your child(ren) had.

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

SCOUTS

6-10: Is (are) your child(ren) members of the Boy/Girl Scouts?

6-11: Who takes your child(ren) to the meetings/events?

6-12: Who picks your child(ren) up from the meetings/events?

6-13: Does (do) your child(ren) like Scouting?

6-14: What awards or achievements has (have) your child(ren) earned?

6-15: To what extent do you help your child(ren) with work on Scout Badges?

6-16: To what extend do you volunteer with the Scout Troop?

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

OTHER GROUPS

6-17: Is (are) your child(ren) members of any other club or organization?

6-18: Of what other club or organization is (are) your child(ren) members?

6-19: Who takes your child(ren) to the meeting?

6-20: Who picks up your child(ren) after the meeting?

6-21: What awards or achievements has (have) he (they) earned?

6-22: To what extent do you help your child(ren) with this?

6-23: Describe your child(ren)'s attitude toward this club/organization.

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

SPORTS

6-24: Does (do) your child(ren) participate in organized sports?

6-25: What kind?

6-26: Who takes your child(ren)?

6-27: Who picks your child(ren) up?

6-28: What awards or achievements has (have) your child(ren) earned?

6-29: To what extent do you help with this?

6-30: Describe your child(ren)'s attitude toward this sport.

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

CULTURE

6-32: Does (do) your child(ren) take dance or music lessons?

6-33: Does (do) your child(ren) like these activities?

6-34: Who takes your child(ren) to the lessons?

6-35: Who picks your child(ren) up from the lessons?

6-36: To what extent do you encourage these lessons?

6-37: What do you do to encourage these lessons?

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

6-38: To what extent do you take your child(ren) to concerts, the theater, plays, museums, movies, etc.?

6-39: Does (do) your child(ren) like these things?

6-40: Describe the last such outing.

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

TV

6-41: To what extent do you monitor the time and the content of your child(ren's) television viewing?

6-42: What restrictions do you impose?

6-43: Why?

6-44: To what extent does (do) your child(ren) accept this?

CUSTODY QUESTIONS

(6) EDUCATION (SOCIAL)

Your Response

Opposing Party's Anticipated Response

RELATIVES

6-45: What relatives does (do) your child(ren) have who live nearby?

6-46: Describe the extent to which you see that your child(ren) maintain(s) good relationships with these relatives.

6-47: Why do you do this?

CUSTODY QUESTIONS

(7) EDUCATION (RELIGIOUS)

Your Response

Opposing Party's Anticipated Response

7-1: Are you a member of a Church?

7-2: What Church?

7-3: How often do you attend Church?

7-4: To what extent is (are) your child(ren) involved in Church activities?

7-5: Tell me why you think it is important for your child(ren) to go to Church.

7-6: Do you tell your children this?

CUSTODY QUESTIONS

(7) EDUCATION (RELIGIOUS)

Your Response

Opposing Party's Anticipated Response

7-7: What other things do you do to encourage your child(ren)'s religious training?

CUSTODY QUESTIONS

(8) RECREATION

Your Response

Opposing Party's Anticipated Response

8-1: What recreational activities do **you** enjoy doing?

8-2: To what extent does (do) your child(ren) participate with you?

8-3: What does (do) he (they) do?

8-4: Does (do) he (they) like to play with you?

8-5: What recreational activities does (do) your child(ren) enjoy doing?

8-6: To what extent do you participate with him (them)?

CUSTODY QUESTIONS

(8) RECREATION

Your Response

Opposing Party's Anticipated Response

8-7: What do you do?

8-8: Does (do) your child(ren) like you playing with him (them)?

CUSTODY QUESTIONS

(9) HEALTH CARE (PHYSICAL)

Your Response

Opposing Party's Anticipated Response

9-1: Describe any special medical or dental health problems your child(ren) may have.

9-3: What special care or attention must be paid to your child(ren)?

9-4: Do you do this/these thing(s)?

9-5: Who is your child(ren's) regular doctor or pediatrician?

9-6: Do you know the doctor?

9-7: Estimate how many times you have been to the doctor's office with your child(ren)?

9-8: Has your spouse been to the doctor's office?

CUSTODY QUESTIONS

(9) HEALTH CARE (PHYSICAL)

Your Response

Opposing Party's Anticipated Response

9-9: Does (do) your child(ren) go for regular checkups?

9-10: Who usually takes them?

9-11: How often?

9-12: What prescription drugs does (do) your child(ren) take at this time?

9-13: What prescriptions drugs has (have) your child(ren) taken over the past several years?

9-14: Who gives your child(ren) the medicine when he/they need(s) it?

CUSTODY QUESTIONS

(9) HEALTH CARE (PHYSICAL)

Your Response

Opposing Party's Anticipated Response

9-15: How many times during the past several years has (have) your child(ren) been ill enough that he (they) had to stay home for several days?

9-16: Who would stay with your child(ren) during this period of time?

9-17: Describe any problem with your employment or with your spouse's employment that this created.

CUSTODY QUESTIONS

(10) HEALTH CARE (EMOTIONAL)

Your Response

Opposing Party's Anticipated Response

10-1: Describe any emotional problems that your child(ren) have.

10-2: What treatment, if any, is being given?

10-3: What else are you doing about this problem?

CUSTODY QUESTIONS

(11) SPECIAL NEEDS

IF ANY CHILD HAS A SPECIAL NEED, WE NEED TO FLAG IT HERE AND ELABORATE ON IT, IF NECESSARY.

SPECIAL NEED(S):

SHORT SUMMARY

- See: _____(5) SCHOOL
- _____ (6) SOCIAL
- _____ (7) RELIGIOUS
- _____ (9) PHYSICAL
- _____ (10) EMOTIONAL
- _____ This has not been previously discussed.

Now, please elaborate on this need unless it has already been covered per above.

CUSTODY QUESTIONS

(12) CHILD CARE

Your Response

Opposing Party's Anticipated Response

12-1: Does your child(ren) require child care before/after school?

12-2: Describe any other day care requirements for your child(ren) (i.e.,: evenings out, etc.) and how you are providing for this care.

CUSTODY QUESTIONS

(13) A DAY IN THE LIFE

Your Response

Opposing Party's Anticipated Response

WEEKDAY

13-1: Describe a typical weekday that you have with your child(ren) from the time the first person in the household gets up until the end of the day when the last person goes to sleep.

CUSTODY QUESTIONS

(13) A DAY IN THE LIFE

Your Response

Opposing Party's Anticipated Response

WEEKEND

13-2: Describe in detail a Saturday that you have with your child(ren) from the time the first person wakes up until the last person goes to sleep.

13-3: Describe in detail a Sunday that you have with your child(ren) from the time the first person wakes up until the last person goes to sleep.

CUSTODY QUESTIONS

(14) VISITATION PROBLEMS

Your Response

Opposing Party's Anticipated Response

14-1: Describe any problems you have had in effecting visitation with your child(ren).

14-2: Tell me whether or not you think the other parent is angry.

14-3: Tell me whether or not you think the custodial parent is vengeful?

14-4: Does this, in your mind, show an unwillingness to share custody on that parent's part?

14-5: Describe the effect this has on your child(ren)?

CUSTODY QUESTIONS

(15) CHILD SUPPORT

Your Response

Opposing Party's Anticipated Response

15-1: Describe the child support you have paid/which has not been paid to you.

15-2: Describe the effect this has had on your child(ren)?

CUSTODY QUESTIONS

(16) RELATIONSHIP BETWEEN CHILD(REN) AND PARENTS

Your Response

Opposing Party's Anticipated Response

16-1: Describe your child(ren's) relationship with his (their) mother/father.

16-2: If you were awarded custody of your child(ren), to what extent would you encourage a strong relationship between him (them) and his (their) father/mother?

16-3: Why?

CUSTODY QUESTIONS

(16) RELATIONSHIP BETWEEN CHILD(REN) AND PARENTS

Your Response

Opposing Party's Anticipated Response

16-4: What kind of relationship do you have with your child(ren)?

16-5: Describe any particular kinds of talents which, in your opinion, enable you to be a good parent.

16-6: Why do you believe that the child(ren) would be better off in your custody than in the custody of your spouse?