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CHILD CUSTODY QUESTIONNAIRE

This questionnaire is helpful in developing facts relative to each factor of the Child Custody Act of 1970 in anticipation of litigation, mediation, or settlement negotiations. Our office must be able to develop your record to the best advantage on all the factors listed in the statute through the testimony and evidence presented. **Each of the enumerated factors** must be “considered, evaluated, and determined by the court.” MCL 722.23.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS UNDER EACH OF THE 12 FACTORS ON SEPARATE SHEETS OF PAPER AND RETURN TO OUR OFFICE.

THE 12 BEST INTEREST FACTORS ARE:

- 1) “The love, affection, and other emotional ties existing between the parties involved and the children.”

It is assumed that both you and your spouse do have love, affection, and other emotional ties with your minor children. However, in consideration of this factor, the Court will look at the following:

- A. To whom has the child bonded?
 - B. When the child has a problem, to which parent does the child speak?
 - C. Who spend more hours per day with the child?
 - D. Who prepares meals for the child?
 - E. Who has the ability to separate the child's needs from his/her own needs and to empathize with the child?
 - F. To whom does the child openly show signs of affection?
- 2) "The capacity and disposition of the parties involved to give the children love, affection, and guidance and to continue the education and raising of the children in his or her religion or creed, if any."
 - A. Who does the child's laundry and attends to his daily needs? (i.e., meal preparation, supervision and discipline, etc.)
 - B. Who stays home from work when the child is sick?
 - C. Who takes responsibility for involvement in the child's education and other school activities?
 - D. Who is responsible for involvement in extracurricular activities for the child? (I.e., sports, music, work, etc. - If the child needs a ride for after school functions, who is responsible?)

- E. Who disciplines the child appropriately?
 - F. Which parent, if any, has a history of verbal abuse, substance abuse, physical abuse, arrest and criminal convictions, or severe money problems?
 - G. Does either parent have the ability to provide the child with access to the 'extended family - grandparents, cousins, etc.?
 - H. Has either parent engaged in post-high school education activities?
- 3) "The capacity and disposition of the parties involved to provide the children with food, clothing, medical care or other remedial care recognized and permitted under the laws of this state in place of medical care, and other materials needs."
- A. Who makes purchases of clothing, deodorant, toothpaste, food, school supplies, and other necessities of life?
 - B. Who attends to the special needs of the child?
 - C. Who has the greater earning capacity?
 - D. Who adjusts working hours based on the needs of the child?
 - E. Who has the greater likelihood of continued income from his/her employment?
 - F. What is the source of each parent's income?
 - G. Who has the ability to provide medical and dental insurance for the child?
 - H. Who takes the child to doctors and dentists appointments and insures that the child is up to date with medical and dental care?
 - I. Who schedules the doctors and dentists appointments?
 - J. Who arranges and provides for day care or supervision of the child?
 - K. What are the child's grades and academic progress?
 - L. If the child needs academic assistance, which parent has made arrangements for it?
- 4) "The length of time the children have lived in a stable, satisfactory environment, and the desirability of maintaining continuity."
- A. Who can provide a safe environment?
 - B. Which parent can provide continuity in the home?
 - C. What is the permanence, as a family unit, of the existing or proposed custodial home?
- 5) "The permanence, as a family unit, of the existing or proposed custodial home or homes."
- A. What is the marital status of the parties?
 - B. How long has either party been in a stable relationship or marriage?
 - C. Are there a number of different adults in and out of the parent's home?
 - D. What is the likelihood that the current relationship will continue?
- 6) "The moral fitness of the parties involved."
- A. What was the cause of the break up of the relationship between the parents?
 - B. Which parent has a history of verbal or physical abuse?
 - C. Which parent has a history of drug or alcohol abuse or use?
 - D. Which parent has poor driving record, including any driving and drinking offenses?

- E. Is there a history of physical or sexual abuse of the child?
 - F. Which parent has a criminal record?
 - G. Is there a history of illegal or offensive behaviors?
- 7) "The mental and physical health of the parties involved."
- A. Does either parent have any mental health issues?
 - B. Does either parent have any physical health issues that would impact the ability to parent the child?
 - C. Is either parent intellectually or mentally challenged?
 - D. Do either of the parents read on a regular basis?
 - E. Is either parent currently under continued medical treatment? (I.e., daily drug usage per a doctor's prescription.)
- 8) "The home, school, and community record of the children."
- A. The academic progress of the child in school?
 - B. Which parent is actively involved in the child's schooling? (I.e., attends parent-teacher conferences, helps with homework, is involved in school activities?)
 - C. Which parent more actively supervises the child's friends and peers to insure that the activities are appropriate to the child's age and circumstances?
 - D. Which parent takes responsibility for the completion of child's school assignments and homework?
 - E. Does the child have any juvenile record or other court involvement?
 - F. What is the child's reputation at school and in the local neighborhood?
- 9) "The reasonable preference of the children, if the court considers the children to be of sufficient age to express preference."
- A. Does the child favor either parent?
 - B. Has the child expressed a preference for one parent?
 - C. How often and over what period time has the child expressed this preference?
 - D. Has the child expressed this preference to third parties - other relatives, teachers, ministers, etc.?
- 10) "The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent or the child and the parents."
- A. What is the history of each parent in attempting to accommodate the other parent's schedule in issues of parenting time?
 - B. Do the parents have an agreement for holidays and do they abide by it?
 - C. Does either parents disparage or speak ill of the other parent in the presence of the child?
 - D. What significant parenting time problems have been caused by the other parent?
 - E. What is the response when the other parent requests extra time with the child?
 - F. Could you attend a school function for the child and sit next to the other parent?

- G. What would be your reaction if you unexpectedly encountered the other parent when you were exercising parenting time in a public place? (i.e., you are with your son in a restaurant and the other parent shows up.)
- 11) "Domestic violence, regardless of whether the violence was directed against or witnessed by the child."
- A. Has there been any incidents of violence between you and the other parent?
 - B. Has there been any incidents of violence in your home?
 - C. Were the police ever called regarding any act of violence in which you were involved?
 - D. Has a PPO ever been issued against you?
 - E. Have you or the other parent ever been convicted, charged, or had court involvement or a social agency involvement because of a criminal act of violence or domestic abuse?
 - F. Has there been a pattern of violence in either home even if it has not been reported?
 - G. Has either party or the child required medical attention due to an act of violence involving the other party?
- 12) "Any other factor considered by the court to be relevant to a particular child custody dispute."
- A. Is there a history of a parent NOT exercising parenting time?
 - B. Does either parent spend excessive time traveling and/or is otherwise away from home for extended periods of time?
 - C. Does either parent have a history of failing to notify the other parent of significant events in the child's life? (I.e., emergency medical issues, school problems, etc.)
 - D. Does either parent have a history of failing to discuss significant events or issues with the other parent?
 - E. Does either parent have other children whose custody or parenting time affect the best interest of your child?
 - F. Does either parent have a new spouse or significant other that causes problems in parenting time and other issues?
 - G. Any other factor that you want the Court to consider?