

# *Law Offices Of Peter J. Russo, P.C.*

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<h2><b>CUSTODY INFORMATION SHEET</b></h2>
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1. Father's Name \_\_\_\_\_

2. Father's Address \_\_\_\_\_

\_\_\_\_\_

3. Persons who reside with Father and relationship to Father:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Mother's Name \_\_\_\_\_

5. Mother's Address \_\_\_\_\_

\_\_\_\_\_

6. Persons who reside with Mother and relationship to Mother:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Name, Date of Birth and present residence of all children involved in this custody action:

<u>NAME</u>	<u>DOB</u>	<u>ADDRESS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Was/Were the child(ren) born out of wedlock? Yes \_\_\_\_ No \_\_\_\_  
If yes, which ones

\_\_\_\_\_  
\_\_\_\_\_

9. Who presently has custody of the child(ren), providing that persons' address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. List all places where the subject child(ren) have lived for the last 5 years including the address, the dates they lived there and with whom.

<u>DATE</u>	<u>LOCATION</u>	<u>WITH</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. Is father: married \_\_\_\_ single \_\_\_\_ divorced \_\_\_\_

12. Is mother: married \_\_\_\_ single \_\_\_\_ divorced \_\_\_\_

13. Are father and mother presently married? Yes \_\_\_\_ No \_\_\_\_

14. Has there been any other custody litigation regarding the child(ren)? Yes \_\_\_\_ No \_\_\_\_

If yes, please state court and case number \_\_\_\_\_

15. Are there any current actions regarding the child(ren)? Yes \_\_\_\_ No \_\_\_\_

If yes, please state court and case number \_\_\_\_\_

16. Is there anyone else who may have a right to visitation or custody who is not a party to this action? Yes \_\_\_\_ No \_\_\_\_

If yes, please state their name: \_\_\_\_\_

17. Who will have legal custody? \_\_\_\_\_

a. Note: typically shared between the parents

b. Legal custody involves important decisions such as the child's health, schooling and religion

18. Physical custody:

a. Physical custody involves who physically has the child in their custody

b. Ex. One party can have "primary" custody, having the child in their custody more than the other parent, or the parties can have "shared" custody, having the child in their custody equal time.

c. What do you want the custody schedule to be?

i. Week to week

ex. If one party has primary, that party may have the child M-F and every other weekend, or M-F and one weekend a month, and the other parent can make time up over holidays or summers

ex. One party can have the child one week, and the other party the next week, or two days on and then two days off and every other weekend

\*remember: this is what you and the other party believe will be in the best interest for your child

Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ii. Holidays:

Often they are alternating, for example, Mom gets child on certain holidays in even years and Dad in odd years, so different holidays are spent with different parents every year. However, also consider family traditions on both sides of the family and what will work best for the child.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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- iii. Vacation time:  
Often each parent will be entitled to a lump sum time in the summer, such as two consecutive weeks, in order to take a vacation if so desired

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19. Other considerations:

- a. Who claims child on tax returns as a dependent? \_\_\_\_\_

- b. Notice before leaving state with child

- i. You may wish to receive, for example, two weeks notice before the other parent leaves the state with the child. Note, you may want to define leaving the state in durational miles so that a parent does not have to give notice if they run to Hagerstown, MD for the day

- c. Right of first refusal

- i. This concerns time when the child will be in the other parents custody and for whatever reason has obligations that will make him absent for a specific duration, such as eight (8) hours. The other parent would then be required to be notified and have the right to care for the child during that period instead of the child be cared for by a third party.

- d. Support

- i. Please note: even if you can agree to child support payments, you cannot typically waive the right to file with Domestic Relations to change such payments in the future. The reason is that the Courts believe that the right to child support is a right of the child, not the parent