



CHILD CUSTODY QUESTIONNAIRE

1. Initial considerations.
 - a. Is reconciliation a possibility?
 - b. Do you think mediation/conciliation services can help you and your spouse resolve the problems of parental responsibility and/or visitation?
2. Discussion as to joint custody (joint versus physical).
 - a. Do you believe the child's physical residence should be shared? What percentage for mother? What percentage for father?
 - b. Do you believe that parental responsibility of your minor child should be shared in all areas except physical residence?
 - c. Do you feel you and your spouse are able to cooperate and generally agree concerning important decision affecting the welfare of the child?
 - d. Some of the categories of "shared parental responsibility" are:
 - i. education
 - ii. religious training
 - iii. discipline
 - iv. moral values
 - v. medical and dental
 - vi. psychological or psychiatric care
 - vii. social activities
 - viii. extra-curricular activities
 - ix. recreational activities
 - x. legal care
 - xi. financial involvement
 - xii. if you feel there are other areas, please list them.How do you feel with respect to those specific areas? Do you feel responsibility can be shared in all areas or shared only in some of those areas? Please state your answer and the degree of responsibility you and your spouse should have?
 - e. Please indicate if shared responsibility would be beneficial or detrimental to the child.
 - f. If the court decides that parental responsibility should be shared and thereafter you and your spouse should disagree as to certain things, do you think mediation/conciliation could help resolve the differences? If not, can you suggest how disagreements might be resolved?
 - g. Do you think it would be beneficial to try shared parental responsibility in all or

some of the categories for one year and thereafter visit the question after seeing whether or not it can work?

3. What is in the "best interests of the child"?

a. Michigan Child Custody Act - Please state the strengths and weaknesses of you and your spouse with regard to the following statutory factors:

(1) The love, affection and other emotional ties existing between the parties and the child.

- i. Who gets the child's breakfast/lunch and dinner?
- ii. What are your child's favorites food, TV programs, stories, etc?
- iii. How would you describe the child's relationship with you? With the other party?
- iv. How has the child been affected by the marital separation?
- v. How would you go about correcting this?
- vi. Do you feel the bond and ties to the child are about equal between you and the other party?
- vii. Do you feel the bond is closer to you, and why?
- viii. How does your child know that you love him/her?
- ix. Which of you is more apt to hear about your child's problems, triumphs, adventures (i.e. comfort need for a skinned knee, joy shared with a home run hit)?

(2) The capacity and disposition of the parties involved to give the child love, affection and guidance and continuation of the educating and raising of the child in its religion or creed, if any.

- i. Who feeds the child?
- ii. Who bathes/dresses the child?
- iii. Who stays home from work when the child is sick? Why is that the person who stays home?(Work schedule flexibility? Sick days easier to get off, etc?)
- iv. Who arranged for nursery school enrollment/religious education?
- v. How are these decisions made with the other party?
- vi. Who puts the child to bed?
- vii. How do you teach your child manners? How does the other party?
- viii. How do you discipline the child? How does the other party?
- ix. Describe a typical day with your child?
- x. What is each party's present religious practice?
- xi. How does each party handle any fears manifested by the child if they become aware?

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- xii. What are the positive and negative points of each party's parenting skills as you see them?
- xiii. How do you show your child love and affection?
- xiv. Is there anything about yourself that affects your ability to give love, affection and guidance? How about the other party?
- xv. What kinds of activities do you share with the child, how much time is spent, how much involvement in the child's school and extracurricular activities do you spend? How much time does the other party spend?
- xvi. What are the rules of the home, how is discipline handled, and do you and the other party agree/disagree and what form of discipline is used?
- xvii. How is each party's ability to discipline themselves who comes first, the parent or the child?

(3) The capacity and disposition of the parties involved to provide the child with food, clothing, medical care, other remedial care recognized and permitted under the laws of this state in place of medical care, and other material needs.

- i. Who purchases the child's clothes, toys and other equipment?
- ii. Who arranges for and takes the child to doctor/dentist appointments?
- iii. Who arranges for the babysitter/childcare?
- iv. Are there any special needs of the child? Medical, education, speech, etc.?
- v. What is being done about these special needs and which party is attending to this? Who is better able to deal with this?
- vi. (How well do you feel you manage money?
- vii. How well do you feel the other party manages money?
- viii. What is the earning capacity of each party? If employed, what arrangements have been made when the child is not in school?

(4) The length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity.

- i. Describe the present custodial home.
- ii. Describe the proposed custodial home(i.e. is it in the same geographical location? How will a move affect the child?)
- iii. Describe the housekeeping standards of each home.

- iv. Who sleeps where in each home?
- v. What is the address of the custodial home, length of time in this home, and who all lives there?
- vi. Give an explanation of residential changes, if any?
- vii. How has the child adjusted to changes of residences?
- viii. Is the current home environment safe/stable for the child?
- ix. Is the proposed home environment safe/stable for the child?
- x. Which home will provide the child with the most love, affection, guidance, moral and spiritual training, educational and fulfillment opportunities?
- xi. Where do the child's friends and relatives reside?

(5) The permanence, as a family unit, of the existing or proposed custodial home or homes.

- i. What is the child's relationship to other siblings?
- ii. What is the child's relationship with the parents?
- iii. How do you think the child perceives the family unit?
- iv. What future home is proposed by the petitioning party, and what future relationship would that involve?
- v. Do you have any immediate prospects of remarriage or a continuing relationship with a person who will be significant in the life of the child? If so, describe that person's relationship with the child and how this relationship may effect the factors in the Child Custody Act.

(6) The moral fitness of the parties involved.

- i. Has there been any drug and/or alcohol involvement by either party or step-parents? If so, how much?
- ii. If so, what treatment has been sought and what has that individual's response been to the treatment?
- iii. Are there any romantic liaisons by either party?
- iv. What has the effect of said liaisons been on the child?
- v. Is foul language used by either party in front of the child?
- vi. What has the effect of said language been on the child?
- vii. What do you see as your strengths and weaknesses or your moral belief? And to the other party's?
- viii. Have there been any allegations of physical or sexual abuse of this or any other children by any party to this action.

- ix. Have any of these allegations been confirmed?
- x. Have there been any allegations of spousal abuse by any party to this action?
- xi. Have any of these allegations been confirmed?
- xii. Does either party have a driving record(excessive violations, OUIL's, or reckless and/or careless driving convictions)?
- xiii. What has the child's exposure to moral issues been and what has the child's response been to the same?

(7) The mental and physical health of the parties involved.

- i. State the physical health, any chronic illness or medicine taken regularly of all parties to this action.
- ii. State the mental health history, marriage counseling or hospitalizations of all parties to this action.
- iii. Have the parties to this action had counseling?
- iv. Is mental/emotional health related to divorce/custody disputes or to long-term instability?

(8) The home, school, and community record of the child?

- i. What school does the child attend?
- ii. What is the attendance record of the child?
- iii. What is the academic record of the child?
- iv. What is the child's attitude toward school?
- v. What extracurricular activities does the child participate in?
- vi. What is the parents' involvement in these activities, if any?
- vii. What the child's responsibilities at home (cleans room, does dishes, mows grass)?
- viii. What the parties' involvement in the child's responsibilities?
- ix. Does the child have any juvenile or other agency involvement?
- x. Does the child have close relationships with friends in the area?

(9) The reasonable preference of the child, if the court deems the child to the child to be of sufficient age to express a preference.

- i. Do you feel the child has a preference?
- ii. How do you feel the child would react if a change of custody is granted?
- iii. Why does the other party want this change of custody?
- iv. Why don't you want this change of custody?

(10) The willingness and ability of each of the parents to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

- i. What is your proposed visitation schedule?
- ii. Do you talk about the other parent in front of the child? If so, in what manner?
- iii. How do you and the other party get along with each other?
- iv. Attorney must assess statements made by his client throughout the interview to determine willingness to facilitate a relationship between the child and he other party.

(11) Are there any factors with reference to your spouse which you believe should be emphasized to the court which may affect the court's decision? A list of factors which judges sometimes consider are as follows:

- i. Occasional acts of adultery committed prior to separation.
- ii. Occasional acts of adultery committed after separation.
- iii. An ongoing affair that continues at this time.
- iv. Living with a member of the opposite sex and intention to continue without getting married.
- v. Occasional acts of homosexuality.
- vi. A "practicing" homosexual or bi-sexual.
- vii. Sexual promiscuity.
- viii. Engages in "kinky" sex.
- ix. Conviction of a serious crime.
- x. Gambling-occasional, moderate stakes.
- xi. Gambling-frequent, high stakes.
- xii. Regular church attendance.
- xiii. Spouse's moral values.
- xiv. Objectionable business practices.
- xv. Objectionable social practices.
- xvi. "Marital misbehavior" such as verbal abuse, belittling spouse in public, etc.
- xvii. Nature of party's personality (volatile, stable, etc.)
- xviii. Mental disease such as manic-depression or schizophrenia which cannot be controlled by medication and/or counseling.
- xix. Spouse is neurotic.

- xx. Serious physical disease (heart condition, cancer, etc.)
 - xxi. Physical handicap (blind, crippled, etc.)
 - xxii. Alcohol abuse.
 - xxiii. Drug abuse (prescription drugs).
 - xxiv. Drug abuse (illegal drugs).
 - xxv. Intelligence.
 - xxvi. Educational attainment.
 - xxvii. Status in community.
 - xxviii. Any other factors which you believe may be important.
- b. As to each of the above, what would your spouse say about you? State why you believe it will or will not be important for the court to consider those factors.
 - c. List the five best things your spouse might be able to say about you concerning your parenting abilities and your relationship with your child.
 - d. List the five worst things your spouse might be able to say about you concerning your parenting abilities and your relationship with your child.
 - e. List the five best things you are able to say about your spouse concerning his/her parenting abilities and his/her relationship with the child.
 - f. List the five worst things you are able to say about your spouse concerning his/her parenting abilities and his/her relationship with the child.
 - g. If you believe there will be a custody contest, list the names, addresses and telephone numbers of:
 - (i) All teachers your child has had for the past three years, state when and at what school.