

Day #7: Child Custody Laws in New Jersey, Part III: The Contested Divorce

Hi,

Thanks again for Subscribing. Today we will wrap up the section on New Jersey custody law pertaining to a Divorce.

Litigation of Child Custody Issues in New Jersey

If the parties cannot resolve their custody issues, then the matter will likely have to be litigated. As part of the child custody litigation, there will likely be outside experts called in to assist the Court in determining which living arrangements are in the best interest of the parties' children.

Issues of parental fitness will play a larger role than the preference of the child, particularly if the child is younger.

As the prior quote about the “stranger in the black robe” demonstrates, the Court will likely push parties' toward mediation. New Jersey Child Custody

cases are highly fact sensitive. As such, the effective and aggressive use of all appropriate discovery techniques will be considered in contested or potentially contested custody disputes. This can be a difficult and expensive process for you. If there are issues of drug abuse, alcohol abuse, neglect, abuse of children, or domestic violence then such factors may all come into play in a custody battle.

Modification of New Jersey Child Custody Decisions

New Jersey child custody decisions are always subject to review and modification, in the best interests of the child (if a change in circumstances is first demonstrated).

Often times, custody decisions are consented to by the parties as part of the divorce or as a separate Custody Agreement in conjunction with their divorce proceedings. Until a child is an adult, however, custody issues may persist and/or be revisited upon either party's request.

Remember to maintain all relevant evidence, to consider creating a journal to document events, take pictures if your child is returned from parenting time

with unnatural bruising or showing signs of neglect, and to maintain a professional demeanor on social media sites to ensure the best outcome.

With our section on child custody now complete, we moved tomorrow into parenting time issues.

All the best,

Carl

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