

Understanding the Types of Child Custody in Massachusetts

In Massachusetts, along with most other states, there are two types of child custody: 1) legal custody; 2) physical custody. Not all parents understand the difference between the two types of custody, and it can sometimes be confusing.

When a parent has legal custody of a child, then the parent has the right to make important and major decisions in the child's life. This includes where the child will go to school, decisions about the child's health and welfare, what religion(s) the child will be raised in, as well as other significant decisions affecting the child. Typically, but not always, both parents share legal custody, which then is known as joint legal custody. However, in certain instances, only one parent has legal custody, which is known as sole legal custody.

The other type of custody is physical custody. This type of custody relates to who the child physically resides with. If a child resides with one parent more than the other parent, then the parent who has the child more of the time has primary physical custody. If parents equally share time with the child, then there is no primary physical custodian, but rather joint or shared physical custody.

A custody arrangement is typically created either by agreement of the parents or by order of the court. The legal standard for developing a custody arrangement is the best interests of the child. Through the legal standard, the courts analyze how a child's living arrangements and upbringing affect their physical, mental, and emotional well-being, and based upon that, what is best for the child. Oftentimes, the determination is very case and fact-specific, and there is not one "clear cut" answer to any case.

Are you a trying to obtain custody of your child? Are you seeking to modify a current custody order? Here at Amaral & Associates we offer free consultations and have over twenty years experience with child custody, family law and divorce matters. Please contact us for a free consultation (617) -539-1010, or visit our website at www.amarallaw.com.

KEYWORDS

CUSTODY ARRANGEMENT, PHYSICAL CUSTODY, LEGAL CUSTODY, CHILD CUSTODY, CUSTODY SCHEDULE, CUSTODY AGREEMENT MA, CUSTODY DETERMONATION, FAMILY LAW, FAMILY LAW BOSTON, FAMILY LAW MA, FAMILY LAW MEDIATION, FAMILY LAW MEDIATION BOSTON, CHILD CUSTODY MA, CHILD CUSTODY LAWYERS, CHILD CUSTODY ATTORNEY, CUSTODY MA, CUSTODY BOSTON, NORTH SHORE FAMILY LAW, NORTH SHORE CHILD CUSTODY LAWYER MA

There are two different types of child custody. Not all parents understand the difference between the two types of custody, and it can sometimes be confusing. This article outlines the two different types of child custody in Massachusetts.