

How to Cope with a Child Custody Battle

Disputes between parents mostly relate to either legal custody, which is the right to take major decisions on a child's behalf, such as those related to education, health, extra-curricular activities, religious belief; or physical custody, that is, determining with whom the child will actually live, granting of visitation rights, with which parent will holidays be spent, etc.

How does a child custody battle, emotionally affect children who find themselves in the centre of a tug of war between parents? Are child-custody battles avoidable? The answer, here, could be that parents could use a neutral mediator or third party to come to an agreement on the terms and conditions of child custody.

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Child custody issues are common to the layman and celebrities alike. Even film and pop stars undergo this battle when divorcing their spouses. And the latest to make news regarding child custody is Britney Spears, who has lost a custody battle for her two kids, to ex-husband Kevin Federline.

With almost 50% of marriages ending in divorce, there are a lot of children who suffer from the break-up of their families. Most of these children are under the age group of 16. With their parents besieged by their own problems, these children are usually denied the love and care of both the parents.

Also, the divorcing couple often try to take revenge on their spouses through these children. They try to deny them custody and visitation rights; fail to pay for child maintenance regularly and do not actively participate in the upbringing of the children. All of this adds to the woes of these children.

Child Custody Battles

Whenever, parents file for divorce, child custody is awarded based on the best interest of the child. There are prolonged courtroom battles between the partners. By the time, the decision is made on custody rights; the divorcing couple would have already spent a huge fortune on the solicitor's bill and might be emotionally devastated.

The custody is usually granted to the mother, while the father is made to support the child's financial needs. The father, who is the non-custodial parent, is granted visitation rights where he can spend time with the child during weekends or holidays. However, in some special cases, where the non-custodial parent has been found indulging in child abuse or might in some way be dangerous to the child, he might be denied the visitation rights. In these cases, supervised visitation might be allowed.

In cases, where the mothers have been the breadwinners of the family and the father have stayed at home to take care of the children, the custody might be awarded to the father. There are also various support groups that are fighting for child custody rights of the father.

Also, joint custody might be awarded in some cases. This is found to be best for children, as they can enjoy the loving care of both the parents. Children in joint custody are found to recover faster from the emotional distress caused by their parents' divorce. The support and cooperation of the parents is required to obtain and carry out joint custody.

Types of Child Custody Disputes

Disputes related to child custody are of two types:

Legal Custody: Here, the parents are seen to fight over the right to make major decisions on behalf of the child which includes but are not limited to education, health care, religion, extra-curricular activities.

Physical Custody: In this type of dispute, the fight is over whom the child should stay with. In this battle, issues such as visitation, visitation rights, and timings are discussed.

Mediation as a Solution to Child Custody Battles

If you are really considering valid alternatives to court room battles for resolving child custody disputes, I would rather recommend mediation. All that you need to do is to appoint a mediator who is acceptable to both and then put your faith to a large extent on him to arrive at a solution that is acceptable to all. Else, you would end up spending a fortune on your attorney's bill.

A second variation of mediation that you could use will be to interact with family members. When you interact with people, there is a lot of inflow of ideas. You could work out a permutation and combination of these ideas and then arrive at a solution that best suits your needs.

The Final Word

As a last word, I would like to mention that when you are involved in a child custody dispute, you should have the interests of the child in mind and then take a decision. Do not make them scapegoats of your intention of getting back at your spouse. Do not punish them for no fault of theirs.

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About the Author

James Walsh is a freelance writer and copy editor. If you would like more information on how to get a quickie [Divorce](#) see <http://www.quickie-divorce.com>