

How To Apply For Custody

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Going through a [divorce with children](#) brings with it a whole new level of challenges. Individuals are often at a loss about how to proceed legally. Although such an experience can be daunting, the law offices of Wall and Wall are here to help you through the challenges you are facing. Wall and Wall specializes in [family](#) and [divorce](#) cases. We have logged over 190 years of combined legal experience. To assist you as you sort through how child custody works in divorce proceedings in Utah, here are the basics to consider.

First of all, **there are two aspects of custody: Physical and Legal.** Within each of those two groups there are three smaller divisions. In both, there are three parts which include sole, joint, and split custody. Beginning with physical custody, here are the basics of how child custody works in the event of a divorce.

Physical Custody

This type of custody refers to where the child will spend his or her nights. **Generally, joint physical custody is the best option.** Joint physical custody refers to the child living at both of the parents' homes at least 111 nights out of the year each. However, there are times that this is not possible. Some of the reasons for this are as follows:

- The parents live far away from each other
- Special needs on the part of the child
- History of [domestic violence](#) in the family
- Other reasons determined on a case-by-case basis

Sole physical custody refers to the child living at only one parent's home most of the time. **If the child lives at one parent's home less than 111 days a year, then the other parent is considered to have sole physical custody.** Split physical custody comes into play when there is more than one child involved. In this case, at least one child goes to each parent for sole physical custody.

Legal Custody

Legal custody, on the other hand, refers to who is legally able to make important decisions for the child. This includes matters related to education, medical, and religious beliefs and any other important decision. **In the case of joint legal custody, both parents make important decisions for the child.** One parent makes all important decisions for a child in sole legal custody. Lastly, split legal custody comes into play when there are two or more children involved. Each parent receives legal rights to exhibit sole legal custody for at least one of their children.

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It is important for the parents to work out a plan regarding what physical and legal custody would best look like for their children. The best-case scenario is that this would be done in a healthy manner with few problems and some filled-out paperwork from [Utah's government website](#). It is still wise to seek legal counsel even if things are conducted in a civil manner. Decisions made at this point can have a negative or positive outcome for years to come.

Sometimes significant conflicts arise that require outside assistance. ***In the midst of a custody battle, the best thing you can do is to seek legal counsel.*** When an agreement cannot be reached between parents, the matter is brought before a judge to help decide what to do.

Custody matters can be both emotional and confusing. If you are currently working through a divorce with children who are minors, you don't have to walk that road alone. Wall and Wall well understands the challenges you are facing both legally and personally. We are committed to helping you through this difficult process. ***You will find extra calmness in knowing that your child custody concerns are being diligently looked after.*** We at Wall and Wall have helped thousands navigate through situations involving child custody in the past. With Wall and Wall, experience and caring staff are on your side. [Contact us here](#), or call 801-803-6988 for a free consultation.