

How Do Utah Courts Determine the “Best Interest” of the Child?

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It's amazing how differently two people can view the exact same situation, and this comes up again and again in divorce. **When a marriage ends, it creates a lot of uncertainty**, and that stress can also make parents fail to see the circumstances for what they're really worth. In these cases, it's worth finding out [how the courts make the decisions about parental rights](#), and [Wall Legal Solutions](#) can help.

What Are a Child's Best Interests?

A court is always going to look at ways they can keep the biological parents in the child's life. **Children do best when they have proper emotional, physical and financial support coming from more than one place.** This also helps so that the one parent doesn't have to take on their needs all by themselves. Generally, if both parents want [custody](#), the judge will look at the relationship of both parents to the child, and how that has affected the child's upbringing.

The child may be asked which parent they would prefer to spend the majority of their time with, and the judge may petition outside family members or friends to give their own opinions about the matter. Should these inside people be deemed as biased though, the judge may instead assign a court worker to [observe family dynamics](#) and then report back with their findings. [Visitation schedules](#) will be modified based on all of these factors. Also, circumstances are always changeable in the light of new evidence brought to the court's attention such as [abuse or neglect](#).

How “Best Interest” is Determined in Utah

Utah courts are looking at the divorce statutes as a guide, regardless of whether or not the couple was ever married. Parents may be granted physical custody, in which the child lives with them, and/or legal custody, in which the parent is involved in the decisions for the child's future. **Joint physical and joint legal custody is always most preferable, and will be granted unless there are specific circumstances.** One parent will have to prove that the other has serious misgivings when it comes to their behavior or ethical standards around the child. The courts will determine who has the better bond with the child, and which one is most likely to be the most involved.

The child may offer their preference in the state of Utah, but this is not the sole determining factor. The judge is more looking at how the child is provided for by each parent, the physical distance between them, the status of the relationships prior to the divorce, and whether or not the parent can maintain a healthy relationship and outlook for the other parent (maturity levels.) **Both parents need to prove that they are capable of working with**

each other so that the child can see some type of consistency and harmony in their life.

Consider Your Own Best Interests with Wall Legal Solutions

As you can see, the questions become complicated quickly. ***Thankfully, there are attorneys available to help you figure out the best path moving forward.*** Our firm can cut through the emotions to find what works best for the child, so give us a call at 801-441-2388 or [contact us online](#) for a free consultation. [Wall Legal Solutions](#) is here if you need legal advice or representation. ***We have the connections and the experience to navigate the Utah courts in a number of situations.*** Not only do we handle [family law](#) cases of all kinds, but also [personal injury](#), [real estate](#), and [criminal defense](#). You can trust us to expertly represent you fairly for the best possible outcome.