

# Joint Legal and Sole Physical Custody

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The court system offers parents a number of options for custody arrangements. Each one comes with different rules and rights, though. ***The critical nature of court-assigned custody means it is in the child's best interest if both parents consult attorneys to work out an agreement that suits the current situation.*** Our experienced attorneys at **Wall & Wall Legal Solutions** can help you every step of the way.



In general, family courts see the benefit in a co-parenting scenario – one that gives both parents an active role in the child's life once the divorce is finalized. The exception is if contact with one or both parents puts the child in danger – emotional or physical. As a parent, it's important to develop an understanding of the varying degrees of custody, so you know your rights.

## What is Joint Legal and Sole Physical Custody?

When the judge decides the optimal choice for the child is joint legal and sole physical custody, this means that child stays with one parent for more than 225 nights each year. The parent without physical custody has regular **visitations** and still makes decisions for the child. ***The goal is to provide the child with a stable home life.*** This is often a more practical choice if both parents work or if the child is attending school.

## What is the Difference Between Legal and Physical Custody?

The biggest difference is found in the decision-making process. ***A parent with legal custody is in charge of making all important decisions for the wellbeing of the child. Physical custody, on the other hand, involves the place of residence or where the child lives most of the time.***

Child custody scenarios can be complex, so let's define them further.

## What Does Joint Legal Entail?

The state of Utah defines joint legal custody as allowing both parents:

- Rights
- Privileges
- Duties or responsibilities
- Powers

**Joint legal custody puts both parents in a decision-making role. No one parent can make an important choice for that child without the approval of the other. For example, it takes both parents to decide on:**

- A school
- A health treatment or care plan
- A safety issue
- A religion

***When the judge assigns joint legal custody, it is because that is the best option for the child*** even if it's not necessarily what the parents want. Utah law tends to favor this custody arrangement because it gives children a chance to have both parents active in their lives, even if they live in one home most of the time.

## **What Does Sole Physical Entail?**

Under the law, ***sole physical custody means that a child lives with the custodial parent most of the time – specifically 255 or more nights a year.*** *The non-custodial parents still have the right to standard [visitation](#), usually about 86 overnight visits* broken up in various ways, such as:

- Every other weekend
- One weekend evening
- Four weeks during the summer with at least two uninterrupted weeks

When a parent has sole physical custody, the courts strive to establish physical residency, and in some states, that role goes to whoever was the primary caregiver during the marriage. It has less to do with making critical life choices for the child than just establishing a stable home and some familiarity.

## **Picking an Experienced Family Law Attorney like Wall Legal Solutions**

**When entering into a custody situation, you want a legal firm like [Wall & Wall Attorneys at Law PC](#) at your side. *We have the legal knowledge and compassion* to help you through what can be a difficult time for the entire family. *We educate you on the various forms of custody and how each one effects you while ensuring your legal rights are protected in court.* Our goal is the same as yours, to know your child is getting the best possible solution. **Feel free to [contact Wall & Wall Attorneys at Law online](#) or by calling us at 801-948-2244 today for a free consultation.****