

Split Custody

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What is Split Custody?

In a split custody arrangement, parents are either divorced or separated and *split the children*. For example, the father has legal custody of one or more of the children, and the mother has legal custody of one or more of the children. The children's living arrangements vary from agreement to agreement, with certain stipulations required by law of all agreements. **Split custody is also referred to as rotating custody. If you are considering split custody, and if it will work best for your family, consulting with an experienced attorney is in the best interest of everyone involved.**



Our experienced Utah family attorneys at [Wall & Wall Attorneys at Law](#) can answer any questions you have and are here to assist you every step of the way.

Split Custody Arrangement

In a split custody arrangement, *the children's custodial time or [visitation](#) divides the children between the two parents*, rather than all the children living with one parent at a time.

Living arrangements may include:

- Children with siblings living independent of each other, separated from each other but living with one of the parents
- Children with siblings living intermittently with each other depending on the arrangement of the custody schedule with assigned living arrangements alternating between parents
- The children living with the parents with time divided equally between parents

Court ordered mediation is often required to give both parents equal opportunity to work out the details of the parenting plan. A split custody arrangement is easier if both parents live close to each other.

In split custody arrangements:

- Each parent may still possess and share legal custody of all the children
- Each parent always maintains physical custody of at least one child
- A parent may have permanent custody of a child who lives with them permanently

Split custody arrangements cannot be used in all situations. Parents must prove to the court that split custody is the only way to [best serve the interests and needs of the children](#). In split custody arrangements, the sibling groups must contain two or more children who share the same two parents.

In contrast, when parents can work together and agree upon basic decisions without confrontations, split custody arrangements work well.

When to have a Split Custody Arrangement

A split custody arrangement should be considered when:

- One or more of the children has behavioral issues that are better controlled by one of the parents or the environment that parent is able to provide.
- When a child's behavior becomes problematic due to the presence of their siblings, more problematic, that is, than age-typical fighting and sibling rivalry, it may be in the children's best interest to provide separate living arrangements between the parents. Professional help is also advised.
- When one or more of the children has special needs, it may be easier to provide for those needs when custody is split between parents. These special needs may include: educational, medical, emotional, developmental or social needs.
- When one of the parents lives in an area that can better provide for the educational opportunities of a child, or provides opportunities for one of the children to pursue an interest not available with the other parent, the parent living in that area may gain custody of that child.
- One or more of the children wants to have split custody living arrangements. As children become teenagers, their wishes can be taken into consideration. If a child wishes to change living arrangements from one parent to another, the parents may wish to honor their children's wishes.

Split custody arrangements are rare because:

- Most courts and parents consider it best for siblings to remain together
- Split custody makes it difficult for children to spend time together as a unit with each parent
- Split custody makes it difficult for the children to spend time together as siblings

Experienced Family Law Attorneys at Wall Legal Solutions

There are several different custody arrangements to consider, and with [Wall & Wall Attorneys at Law](#), our **experienced attorneys are available to help you figure out *what will work best* for your family. Our goal is to help you get *the best possible arrangement* in caring for your children. You can *trust Wall & Wall* to represent you fairly for the *best outcome possible*. Feel free to [contact Wall & Wall Attorneys at Law](#) for a free consultation. Call 801-948-2244 today!**