

Case Scenario #1

- **Child Age:** 9-months-old
- **Context:** Parents of baby stayed home from work the first 4 weeks of baby's life and were both involved in meeting baby's needs. Mother stayed home another 6 weeks after the father returned to work. Baby is now in a day care while parents work full-time. When baby was 6-months-old, father moved out, but still sees baby every day at mother's home.
- **Legal Details:** Father files a custody action seeking primary custody because mother is a "workaholic" and he seeks a temporary custody order because mother won't let him have overnights. Mother states that overnights are harmful, as they disrupt the baby's routine.

Discussion Questions

- What should the court consider to support the baby's positive physical, cognitive, and psychological development?
- How would you resolve the temporary custody request? Does it matter that mother is or is not breastfeeding?
- What other information do you want before making a permanent custody decision?

Case Scenario #2

- **Child Age:** 6-8 weeks
- **Context:** Unwed mother gives birth to child 2 weeks before her due date. Father and mother broke up before baby was born and mother does not tell him when she has the baby. He finds out 1 week after the baby is born and tries to communicate with mother so he can see his son, but she avoids his calls for a while. When baby is 5 weeks old, mother allows dad to see the baby at her home for an hour and agrees he can visit the baby at her home for one-hour visits when she is there to supervise. He shows up for every visit mom agrees to. Mother won't let him have any unsupervised time with the baby.
- **Legal Details:** Father files a paternity and child custody action and is seeking joint custody. He has filed a motion for a temporary order for overnight visitation arguing that mom is interfering with his ability to form a relationship with his child.

Discussion Questions

- What should the court consider to support baby's positive physical, cognitive, and psychological development?
- How would you resolve the temporary custody request? Does it matter that mom is or is not breast feeding?

Case Scenario #3

- **Child Age:** 3 years of age
- **Legal Details:**
 - A permanent custody order for baby awarded joint legal and physical custody between mom and dad. Things worked well until girlfriend (GF) moved into dad's home when toddler was 2.5 years of age. GF is actively involved with the child and dad reports the child has a positive relationship with her.
 - Six months after GF moves in, mom has filed a motion to modify, arguing that since GF moved in, the child now has temper tantrums, cries when going to dad's, and is having more nighttime potty accidents than before. Dad says child's behavior is normal for the child's age and that the child settles down and is happy once at his house and cries when leaving his house to go to mom's. Assume there is a substantial change in circumstances affecting the child's welfare.

Discussion Questions

- What child development issues related to the best interests of the child are raised in this scenario?

What additional information would you like to know before deciding?