

Laws Regarding Child Custody in Florida Explained

In Florida, a parenting plan refers to a custody arrangement which establishes the time sharing schedule and parental responsibilities of both parents. Married couples going through a divorce should consider working together on a custom plan that fits their unique circumstances rather than letting a Judge decide.

Once both parents reach an agreement, they may submit the agreed parenting plan to the court, and the court will approve it provided that custody and visitation are adequately addressed. The agreement should include the specific schedule that the child will spend time in the household of each parent, and whether one or both parents will make decisions regarding the well being of the child, such as issues of education and religion.

Florida courts may grant either shared or sole custody. If one parent is granted sole parental responsibility, he or she makes major decisions on behalf of the child. Shared parental responsibility will also be granted by Florida courts unless there's evidence that shared custody contradicts the best interests of the child. If both parents fail to agree on certain issues, each parent may be designated by the court to be individually responsible for making decisions on behalf of the child rather than requiring them to agree on each issue.

When both parents can't agree on a parenting plan, it's up to the court to determine the parenting plan based on the best interests of the child. The court, in determining a parenting plan, will take into account different factors such as each parent's ability to provide care to the child, the physical distance between the parents, and which of the parents was the primary caretaker of the child during the marriage. If the child is deemed by the court to be mature enough to express preference, then the child's wishes will also be taken into account.

Child support is a related issue that will be addressed in the settlement agreement incorporating the parenting plan. The court will determine the amount to be allocated for the child according to Florida's statutes. Parents, however, may deviate from the standard calculation formula and agree on certain amounts for child support. The court typically determines child support payments based on each parent's financial resources and the child's financial needs such as medical expenses, day care costs, and such other expenses.

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