

BowTieLawyer

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Hurricanes and Legal Custody

Legal custody is the decision making right regarding your child.

An article about legal custody and hurricanes posted during a hurricane, how clever. But clevern raise a significant issue in legal custody...

Legal custody, most commonly joint, requires that each parent keep the other parent informed of the child's well-being. This includes, but is not limited to their health, education and general welfare. It requires that parents communicate and cooperate, within reason, when it comes to making decision about the well-being of the child. (Even if a parent has sole legal custody the other parent still has the right to be informed about the child and has the right to access school and medical records pursuant to Mississippi law, 93-5-26)

SEC. 93-5-26. Noncustodial parent's right of access to records and information pertain children.

Notwithstanding any other provisions of law, except those provisions protecting the confidential records and except for cases in which parental rights have been legally terminated, access to records and information pertaining to a minor child, including but not limited to medical, dental and school records, shall not be denied to a parent because the parent is not the child's custodial parent if such parent's parental rights have not been terminated by adoption or by a termination of parental rights proceeding.

Legal custody includes sharing the status of the child's well-being and location in emergency situations. County Chancery Court requires specific language that states;

“IT IS FURTHER ORDERED that in the event of a threat, disaster, or other emergency situation involving a hurricane, which causes an emergency evacuation, any party who has custody of a minor child (either physical custody or visitation) shall notify the other parent of the location and status of the minor as soon as reasonably possible.”

While this should be common sense, divorced parties and warring parents are not always known for common sense. So please let the other parent know that the children are safe, where they are and



them.

Stay safe and stay dry.

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