

## **The Child Custody Trial Checklist**

Nobody wants to be in a situation where two parents are arguing over custody of their child or children. However, when you find yourself embroiled in a custody battle, you desperately want to do what's right for your kid or kids.

As upsetting as going to court can be, it's essential to arm yourself with the facts. It also helps to be realistic about the legal process in the state of Nevada.

That's where this checklist comes into play.

It will help you identify and discard the myths about child custody cases. This checklist will also assist you to focus on what's going to maximize your chances of getting a favorable outcome.

It helps to know that as far as physical custody goes, courts will base their decision on what's best for your child.

To win, you have to demonstrate that you are your child's best shot – and you'll need to do that in a way that satisfies the official guidelines laid out for the judge.

It doesn't matter what you know, or think you know, about what's best for your child. In the real world, having a clear understanding of the legislation and frameworks in place is the key to being successful.

It sounds complicated, and to a degree, it is – but don't despair. We've put easy to understand child custody checklist together. It's specific to the state of Nevada and will help you identify the steps you'll need to take, based on your situation and circumstances.

Typically in the state of Nevada, the court will consider awarding joint custody and then move to assign primary care to one party. The quality of your evidence supplied will significantly influence which way the court decides to go.

In Nevada, joint physical custody can range between a 50/50 timeshare and a 60/40 timeshare.

## **The Timeshare - What You Need to Provide to the Court**

There may have been no court orders issued in the past, but one parent has been primarily caring for the child or children in question. In such cases, the court will consider the preceding twelve-month period.

The court will use it as the basis for the assessment of deviations from any regular timeshare arrangement it sets. It will look at things like vacations, school holidays, and other planned and unplanned events. Each parent must be awarded a minimum 40% share, according to Nevada law.

So, what can you do to provide the best proof of your timeshare entitlement based on that preceding twelve-month period? Examine the last calendar year and identify all relevant evidence, then give as much evidence as possible relating to the following:

## **Daycare / School**

When it comes to children, school and daycare records are an excellent source of information for a court. You'll need to pay careful attention to that fact if you've been acting as the primary carer for your child or children.

Harvesting and submitting information from school and daycare records can significantly strengthen your case.

You'll find that your child's school or daycare center keeps detailed records in the form of sign-in and sign-out sheets. They will demonstrate to the court who was dropping off and picking up your child or children on a day-to-day basis.

## **Camp & Other Recreational or Hobby Activities**

The chances are, your child does something outside of school, whether that be regularly or less frequently. In either case, the organization responsible for your kid during the time they attend an activity is responsible for keeping a record.

You can use records like these to illustrate your case further.

The camp will have copies of permission slips or letters, and they'll also maintain records of how and who paid the fees. Use that resource to strengthen your case.

In terms of more regular activities, such as soccer or little league, you can seek out similar records. It's also likely you'll be far more familiar with the organizers of such activities. If that's the case, it's well worth asking for statements from coaches and organizers too.

## **School, Teachers, Babysitters, Other Parents**

Demonstrating to a judge that your child has regularly been attending school is always a great move. The more you can provide to the court in terms of school records, the better.

Attendance records don't only show that your kid is on the right track. Evidence your child has good attendance and arrives at school on time goes a long way to illustrating your home environment is stable.

Anyone who has raised kids will know that it's pretty much impossible to do it alone – or extremely difficult at best. The fact is that looking after children of school-going age involves a lot of contacts, cooperation, and interaction.

Usually, people like babysitters or after-school carers, parents of other children, and even family members help out occasionally.

People you interact with and cooperate with daily, in the course of caring for your child or children, can be an excellent point of reference for a judge. Babysitters and other parents who regularly share childcare tasks with you can paint a vivid picture in terms of your regular family life.

Teachers who see you pick up or drop off your child, or recall conversations about your child's progress in class are also a valuable resource. Don't be afraid to ask as many people as possible for statements.

## **Vacations, Trips, & Other Activities**

It's imperative to keep in mind that, no matter how much of a model parent you are, the court and judge need hard evidence. Judges are restricted by strict Nevada guidelines when making decisions.

Don't take anything for granted, and gather as much evidence as you can. When it comes to vacations, you may have taken with your children, present receipts for travel arrangements. Things like invoices from hotels, meals, flights, and other transport types will also paint a picture of where you went, and how long you stayed.

Photographs are also an excellent source of information for a court trying to decide custody arrangements. Don't be afraid to supply as much photographic evidence as possible. Everything helps when you're attempting to persuade the court, you should be a primary carer for your child.

Even if it was merely a day trip to a local museum, or a train journey into the city to visit the zoo for an afternoon, gather as much evidence as possible. Everything you provide will help, such as tickets and souvenirs.

## **Personal Communications – Emails, Texts, & Phone Records**

In most cases of dispute between two parents, there will have been communications between both parties during the preceding twelve-month period. The good news is that such records will usually tell a pretty accurate story about who's been responsible and reasonable.

Communications often also clearly demonstrate who had the interests of the children at heart.

You must harvest all of the communications between yourself and your fellow parent and present evidence to the court. Gather old phone bills and highlight call records — Print relevant emails and texts which illustrate conversations arguments about caring for your child or children too.

Don't be reluctant to provide records which contain unfortunate language or other things you wouldn't ordinarily be comfortable sharing. It's important to remember that the court uses black and white reasoning to decide custody arrangements. Things like colorful language won't go against you.

The court is likely to award primary care to a parent who's more likely to be reasonable about granting the other parent access. Highlight any texts, letters, or emails that demonstrate you've been sensible.

Show the court you are willing to make an effort to maintain a relationship between your children and the other party. In any custody case, the parent who can show the court they're a mature and responsible adult – prioritizing the interests of their child – will be better off.

If you've been doing your best to cooperate with the other parent, present the court with as much evidence as possible to back that fact up.

## **Living Arrangements & Employment**

Assuring the court that you provide a stable home environment for your child is essential. You can do so by providing evidence of a lease or ownership documents for your home. If other people have been living in the same household as your child, obtain and provide police checks or arrest records.

Providing for a child costs money, and showing the court that you are financially stable is a good move. You don't need to be wealthy. However, providing details of your employment, such as paylips and tax returns, will help you to show the judge that you're a responsible parent.

## **Past Convictions for Abuse**

If the other parent has had any problems or convictions for abuse, this is the time to highlight that fact. It's not only crucial to demonstrate you provide a wholesome environment for your child – it's also ok to bring up reasons why your fellow parent can't or won't.

Make sure to accurately document any past or ongoing instance where the other parent has neglected or abused your child or children. You can turn to CPS records and even old police reports or records to illustrate such events.

Instances of violence don't need to be limited to acts against the child or children. Make sure to submit evidence of any event involving violence against you, or anyone else within your household.

Again, you can use police reports, arrest records, and court records to bring such things to the judge's attention. You can also use hospital records, which detail any injuries received, to show the court that violence has taken place.

## **Your Children & their Relationships**

Relationships form an essential part of your child's wellbeing, and it's an excellent idea to let the court know you're on top of that. Submit any evidence you possess, which illustrates the nature of the child's relationship – good or bad – with both parents.

You can use items like letters and emails, birthday or Christmas cards, and photos. Also, find relevant text messages, and just about anything you can gather.

If your child has siblings, let the court know you also prioritize helping them maintain a healthy relationship with their brother or sister. That factor can be especially important in the case of half-brothers or sisters, who may live in another city or part of the world.

## **Don't Give Up!**

We get it – negotiating a child custody case can seem like having a mountain to climb. However, understanding the Nevada legal process and documentation requirements will make that climb easier.

Even the most robust case can fail without the correct supporting evidence. You must remember that you'll need to submit as much documentation as possible at every step of that climb.

