

MICKEY LAW GROUP

WHAT IS IMPORTANT IN A CUSTODY SUIT

When two people cannot agree on custody and visitation of their child, they can ask the court to intervene and make orders. How a child custody suit is initiated depends on whether there is a current custody order in place (from a previous case or from a previous divorce order). If there are no previous orders, one party has to file a “Suit Affecting the Parent Child Relationship” (SAPCR). This petition informs the court that the parents cannot agree on a custody arrangement that works for both of them, so they need the courts to decide. If there are previous orders in place, but one party feels they are no longer working, then they have to file to modify the previous order (Petition to Modify the Parent Child Relationship). The other party is then served with notice of the suit and must file an answer.

Temporary Orders

One party, or both parties, can ask the court for temporary orders. The court makes temporary orders instructing all parties on what to do until the final trial or a final agreement is made. Temporary orders can include orders regarding who the child(ren) will live with, what rights each parent has, who pays child support and how much, and implement a visitation schedule.

What you need to do to win

The court’s number one consideration when deciding where a child should live is what is deemed “the best interest of the child.” There are a number of factors that are considered, including: 1) the desires of the child, 2) the emotional and physical needs of the child, 3) any emotional or physical danger to the child, 4) the parental abilities of the people seeking custody, 5) the programs available to assist the individuals to promote the best interest of the child, 6) the individual’s plans for the child, 7) the stability of the home, and 8) the previous relationship between the child and the individual.

It is imperative that you have a knowledgeable lawyer on your side to present your case in the most favorable light and convince the judge or jury that your child will be better off with you. Mickey Law Group’s exceptional lawyers can lead you through this process. Let us fight for you and your child. Call MLG at 713.360.7719 or click [here](#) to schedule a consultation.

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** This is a general overview of the child custody process for informational purposes only. Each matter is different and may require different actions.