

Chart 2: Custody Criteria

STATE	Statutory Guidelines*	Child's Wishes	Joint Custody*	Cooperative Parent	Domestic Violence	Health
Alabama	x	x	x		x	
Alaska	x	x	x		x	
Arizona	x	x	x	x	x	x
Arkansas					x	
California	x	x		x	x	x
Colorado	x	x	x ¹	x	x	x
Connecticut		x	x			
Delaware	x	x	x		x	x
District of Columbia	x	x	x	x	x	x
Florida	x	x	x	x	x	x
Georgia	x	x	x		x	
Hawaii	x	x ²	x ⁵		x	
Idaho	x	x	x		x	x
Illinois	x	x	x	x	x	x
Indiana	x	x	x	x	x	x
Iowa	x	x	x	x	x	x
Kansas	x	x	x	x	x	x
Kentucky	x	x	x	x	x	x
Louisiana	x	x	x		x	
Maine	x	x	x		x	
Maryland		x	x	x	x	x
Massachusetts			x		x	
Michigan	x	x	x	x	x	x
Minnesota	x	x	x		x	x
Mississippi	x		x			x
Missouri	x	x	x	x	x	x
Montana	x	x	x		x	
Nebraska	x	x	x		x	x
Nevada	x	x	x	x	x	
New Hampshire	x	x	x		x	
New Jersey	x	x	x	x	x	x
New Mexico	x	x	x	x	x	x
New York		x			x	
North Carolina		x ²	x		x	x
North Dakota	x	x	x	x ³	x	x
Ohio	x	x	x ¹		x	x
Oklahoma	x	x	x	x	x	
Oregon	x	x	x	x	x	
Pennsylvania	x	x	x	x	x	x
Rhode Island		x	x	x	x	x
South Carolina		x	x	x	x	x
South Dakota		x	x	x	x	
Tennessee	x	x ⁴	x ¹	x	x	
Texas	x	x	x	x	x	x
Utah	x	x	x	x		
Vermont	x		x		x	
Virginia	x	x ²	x	x	x	x
Washington	x	x			x	x
West Virginia	x	x	x		x	
Wisconsin	x	x	x	x	x	x
Wyoming	x	x	x	x	x	x

* Court in the exercise of its sound discretion shall consider the best interests and welfare of the minor child.

1. Has changed terminology away from "custody."
2. Considered if child is old enough.
3. By case law.
4. The court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older children. The court may at its discretion hear the reasonable preference of children under the age of twelve.
5. Emphasizes "best interest of child."