

## Best Interests of the Child Maps– Summary Matrix<sup>1</sup>

By Morgan Lewis and Bockius LLP<sup>2</sup>– December 29, 2017

The table below indicates the general categories of “best interest” factors that apply in each US state and territory for custody determinations. Please note that many states provide additional or different factors for determining a child’s best interests in other circumstances (e.g., adoption, visitation, or termination of parental rights). See “Factors in State Laws” for comprehensive information on child’s best interests statutes. The tables that follow include more details on the factors that apply in each state, including the more specific factors that apply in each category.

**Disclaimer:** The Statute Analysis Map and reports can be powerful resources and training tools, but do not remove the responsibility of each and every lawyer to engage in original analysis and research, including by taking into consideration the facts relevant to a particular client’s circumstances. Reports are labeled with the date of last update. If you reach a conclusion that conflicts with the material herein, you can contribute to our knowledge by sending an email to the Morgan Lewis Knowledge Management and Training Team at [knowledgemanagement@morganlewis.com](mailto:knowledgemanagement@morganlewis.com).

Jurisdiction	Catch-all	Child's Family Relationships	Child's Needs	Child's Wishes	Continuity & Stability of Child	Family Violence and Criminal History	Joint Custody	Parental Cooperation & Conflict	Parental Fitness	Parental Wishes	Substance Abuse & Mental Illness
Alabama					X	X	X	X			
Alaska	X	X	X	X	X	X		X	X		X
American Samoa	X					X					
Arizona		X	X	X	X	X		X	X		X
Arkansas				X		X	X				X
California	X		X			X		X			X
Colorado	X	X	X	X	X	X		X	X	X	X

<sup>1</sup> This publication was developed under grant number SJI-15-T-234 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.  
National Immigrant Women’s Advocacy Project (NIWAP, pronounced *new-app*) American University, Washington College of Law 4300 Nebraska Avenue NW · Washington, D.C. 20016 (o) 202.274.4457 · [info@niwap.org](mailto:info@niwap.org) · [wcl.american.edu/niwap](http://wcl.american.edu/niwap) · <http://niwaplibrary.wcl.american.edu/>

<sup>2</sup> Developed for the National Immigrant Women’s Advocacy Project, American University, Washington College of Law.

Jurisdiction	Catch-all	Child's Family Relationships	Child's Needs	Child's Wishes	Continuity & Stability of Child	Family Violence and Criminal History	Joint Custody	Parental Cooperation & Conflict	Parental Fitness	Parental Wishes	Substance Abuse & Mental Illness
Connecticut		X	X	X	X	X		X	X	X	X
Delaware		X	X	X	X	X			X	X	X
District of Columbia		X	X	X	X	X	X	X	X	X	X
Florida			X	X	X	X		X	X		X
Georgia		X	X	X	X	X		X	X		X
Guam			X	X		X					
Hawaii		X	X	X		X		X	X		X
Idaho		X	X	X	X	X	X		X	X	
Illinois	X	X	X	X	X	X		X	X	X	X
Indiana		X	X	X	X	X			X	X	X
Iowa		X	X	X	X	X	X	X	X		X
Kansas		X		X	X	X		X		X	X
Kentucky		X	X	X	X	X		X	X	X	X
Louisiana		X	X	X	X			X	X		X
Maine		X	X	X	X	X	X	X	X		X
Maryland		X	X	X	X	X			X	X	
Massachusetts		X				X		X	X		X

Jurisdiction	Catch-all	Child's Family Relationships	Child's Needs	Child's Wishes	Continuity & Stability of Child	Family Violence and Criminal History	Joint Custody	Parental Cooperation & Conflict	Parental Fitness	Parental Wishes	Substance Abuse & Mental Illness
Michigan	X	X	X	X	X	X		X	X		X
Minnesota		X	X	X	X	X	X	X	X	X	X
Mississippi	X	X	X	X	X	X	X		X		X
Missouri		X	X	X	X	X		X	X	X	X
Montana	X	X	X	X	X	X		X	X	X	X
Nebraska	X	X	X	X	X	X			X		
Nevada		X	X	X		X		X	X	X	X
New Hampshire	X	X	X	X	X	X		X	X		X
New Jersey		X	X	X	X	X		X	X		X
New Mexico		X	X	X	X	X	X	X	X	X	X
New York	X	X	X	X		X		X	X	X	X
North Carolina			X			X	X		X		
North Dakota	X	X	X	X	X	X		X	X		X
Northern Mariana Islands	X		X			X	X				
Ohio	X	X	X	X	X	X		X	X	X	X

Jurisdiction	Catch-all	Child's Family Relationships	Child's Needs	Child's Wishes	Continuity & Stability of Child	Family Violence and Criminal History	Joint Custody	Parental Cooperation & Conflict	Parental Fitness	Parental Wishes	Substance Abuse & Mental Illness
Oklahoma	X		X			X		X			X
Oregon		X				X		X	X		
Pennsylvania	X	X	X	X	X	X		X	X		X
Puerto Rico	X	X	X		X	X	X	X	X	X	X
Rhode Island		X	X	X				X	X	X	X
South Carolina	X	X	X	X	X	X		X	X	X	X
South Dakota		X		X	X				X		
Tennessee	X	X	X	X	X	X		X	X		X
Texas		X	X			X			X		X
U.S. Virgin Islands	X	X	X		X	X			X		
Utah	X	X	X	X	X	X	X	X	X		
Vermont		X	X		X	X		X	X		
Virginia	X	X	X	X		X		X	X		X
Washington	X	X	X		X	X		X	X		X
West Virginia		X			X	X		X	X		

Jurisdiction	Catch-all	Child's Family Relationships	Child's Needs	Child's Wishes	Continuity & Stability of Child	Family Violence and Criminal History	Joint Custody	Parental Cooperation & Conflict	Parental Fitness	Parental Wishes	Substance Abuse & Mental Illness
Wisconsin	X	X	X	X	X	X		X	X	X	X
Wyoming	X	X			X	X		X	X		X

© 2017 - Morgan, Lewis and Bockius LLP