

Grown Ups Relationships End, But Parenting Continues On

“What do you mean your taking my children away from me ? I've raised them since birth and practically alone. I've done everything for them, everything with them. They are my entire world. You're ripping my heart out ! How can this be ?”

Believe it or not, this seemingly nightmare of a scenario can and does happen.

Custody Does Not Create A License

If one parent has custody of their children, it does not give them permission to ignore the other parent. In fact, in New York the custodial parent has an absolute duty to assure meaningful contact between the children and the non-custodial parent.

In New York, as in most places throughout the Country, custody cases hinge simply on what is determined as best for the child. The willingness of a parent to assure quality contact between the children and the other parent, however, is a major factor that the Court will contemplate in deciding what is best for the children. This is a very significant element that can override other considerations. Even that the children are flourishing with the parent who has primarily taken care of them throughout their lives can be of lesser persuasion.

Feelings Must Be Set Aside

Yes, the custodial parent must set aside even the most intense hatred for the non-custodial parent. Even if those ill feelings are reasonable because the non-custodial parent is a complete half-wit or a mean spirited, spiteful ogre, those personal emotions must still be ignored.



New York Courts have often ruled that willful interference with a non-custodial parent's right to enjoy an ordinary relationship with the children is so contrary to what is best for the children, that it raises a strong probability that this parent should not continue to have custody.

So let the custodial parent beware -

The job description of 'custodial parent' comes with burdens that might, at times, be deemed unfair. They must create a sincere environment in which the relationship between the children and non-custodial parent can and will be encouraged. Failing this creates a risk of losing custody.

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