The Rosen Law Firm

                                                                      Checklist

                                                          Trial of a Custody Case

I.          Factors - Best Interests

1.         Parental wishes

2.         Child's preferences

3.         Interactions of Child with family and non-family members

a.         Parent-Child Relationship

b.         Siblings

c.         Prospective post-litigation family members

4.         Housing, Health, and Hygiene

a.         Size and cleanliness of dwelling

b.         Good/poor personal hygiene

c.         Hospitalization for physical reasons

d.         Excessive relocation

e.         Roommates

5.         Parenting Capabilities

a.         Food preparation

b.         Attention to detail

c.         Plays with child

d.         Assists child with school work

6.         Time available for child

7.         Child's adjustment to Home, School and Community

8.         Mental and Physical Health of the Child and the Parents

a.         Emotional stability/instability

b.         Suicide attempt

c.         Hospitalization for mental reasons

d.         Physical disability

9.         Involvement in educational process

a.         Member PTA

b.         Attend parent-teacher conferences

c.         School volunteer

10.       Child Care

(1)        Competent/incompetent care

(2)        Consistent/interrupted child care

(3)        Emergency/No emergency with regards to child

11.       Undermining of one parent by the other

12.       Integration into family

13.       Stability of environment

14.       Failure to pay child support

15.       Interference with visitation

16.       Abduction of Child

17.       Move out of State

18.       Perjury

19.       Age of Children

20.       Gender

21.       Race

22.       Religion

23.       Domestic Violence

24.       Child Abuse

25.       Alcohol and Drug Abuse

a.         Rehabilitated alcoholic

26.       Sexual conduct of parents

a.         marital affairs

b.         unnatural sex acts

c.         prostitution

27.       Homosexual parent

28.       Alternative Lifestyles

29.       Moral behavior and lifestyle of parents

30.       Economics

II.        Documentary Evidence

1.         Medical Records and Reports of Children and Parents

2.         Psychological Evaluation Reports

3.         School Records

4.         School projects/homework

5.         Court Records of other proceedings

6.         Photographs

7.         Other Documents

a.         Driving Records

b.         Criminal records

c.         Personnel records

d.         Extracurricular activity records, i.e. church, camp, school

III.       Pretrial Tactical Considerations

1.         Establishing a Favorable Status Quo

2.         Changing the Facts

3.         Choosing the Time of Trial

4.         Jurisdictional Considerations

IV.       Use of Non-Expert Witnesses

1.         Parents

a.         Client

b.         Non-client parent as adverse witness

2.         Relatives

a.         Client's relatives

b.         Non-client parent's relatives

3.         Other adults involved with the children

a.         Teachers

b.         Day-care workers

c.         Baby-sitters

d.         Ministers/Clergy

e.         Activity leaders in sports

f.          Scout leaders

g.         Teachers of other instructional activities

h.         Neighbors

i.          Friends

j.          Co-workers

k.         Roommates

l.          Housekeepers

m.        Nannies

n.         Child's friend's parents

o.         Independent witnesses (i.e. police officers, etc.)

4.         Character witnesses for parent

5.         Children

V.        Expert Witnesses

1.         Court Appointed experts

2.         Privately retained experts

3.         Disciplines of experts

a.         Psychiatrists

b.         Psychologists

c.         Social Workers

d.         School evaluation experts