

Child custody is the most litigious aspect of family law proceedings in Mississippi. Chancellors in Mississippi have authority to award custody of minor children in a variety of actions including initial divorce cases and in custody actions between unmarried parents and third parties. In addition, a chancellor awarding custody in one of these cases will have continuing jurisdiction to modify or enforce its order (through contempt proceedings).

In any case where custody of your child is at stake, representation by an experienced family law attorney is critical to protect the best interests of your child and ensure that your fundamental right to make decisions that will guide your child's life is protected. A critical point to remember is that once custody of a child is lost, it is often very hard to recover. Each case is special with varying facts and children who have different or sometimes special needs. Moreover, your case must be handled in such a professional and discrete manner as to minimize the child's exposure to the dispute between parents. I encourage you to read the short discussion below relating to child custody and support in Mississippi.

### **Types of Child Custody**

In Mississippi, there are two types of child custody: (1) physical custody, and (2) legal custody. Physical custody is the period of time in which a child resides with one of the parents. On the other hand, legal custody refers to the right to make decisions relating to the health, education and welfare of your child.

### **Ways Custody May be Split.**

There are a variety of ways that child custody may be awarded in Mississippi. Both physical and legal custody may be awarded solely to one parent or parents may be made joint physical and legal custodians. Joint legal custody means that parents share decision-making rights with regard to the child. When joint physical custody is awarded, a child will spend a significant time with both parents. A court may award joint physical and legal custody, joint legal custody with sole physical custody in one parent, joint physical custody with sole legal custody in one parent or physical and legal custody to either parent. Where a home has more than one child, a court may also order split custody, though there is a strong preference for keeping siblings in the same home in Mississippi.

[Child Custody in Mississippi Continued...](#)