


# 50/50 Child Access: A Passionate and Heated Debate

By Josh Simon

A photograph showing the back of a man in a striped short-sleeved shirt and light-colored trousers walking alongside a young boy in a white polo shirt and denim shorts. They are walking away from the camera on a light-colored surface.

**D**ivorce Magazine conducted a poll at [www.DivorceMag.com](http://www.DivorceMag.com) and used social media channels, such as LinkedIn, Facebook and our blog, to gauge public opinion on this controversial topic: should 50/50 custody be the starting point in divorce law and only be adjusted based on special circumstances (e.g. abuse). As expected, feedback was and remains varied, impassioned and thought-provoking. A very small sampling of the hundreds of comments we've received from a range of divorce professionals and divorcing individuals are provided below and results of our online poll are shown on page 42.

## For

"50/50 should be the presumption for custody, regardless of parental ability and the children's needs."

*Family Lawyer in Washington D.C.*

"Since during a marriage, parents are joint legal custodians of their children, this arrangement should remain unchanged upon its dissolution — unless of course there are conditions that would make joint custody unworkable."

*Canadian Trial Consultant*

"In the Nordic countries we have had joint custody for many years. It was introduced in Iceland in 1992, Denmark in 1995, Norway in 1997 and Sweden in 1998. A few parents can't handle it, but the general opinion is, that it works well, so just move on."

*Denmark Attorney*

From individuals across the web come the following comments:

"I agree it should be 50/50... as women we didn't create [children] by ourselves

and why would we want to raise them ourselves?"

"For those of us who are great dads, we should get to start with 50/50 so the mom doesn't have a totally unfair advantage to begin with. I shouldn't have to prove I deserve my kids; you should have to prove I don't."

## Against

"Anger, hurt, frustration, rejection, resentment and blaming usually occur due to unresolved issues. All of these factors escalate while trying to reach an agreement and usually continues post divorce. This happens when the couple does not make any emotional progress or come to terms with their situation. Co-parenting or 50/50 custody becomes difficult and sometimes impossible."

*Florida-area licensed  
Clinical Social Worker*

"Stop and think about your daily life. Do you work? What are your hours? Even though I live with my daughter and wife, I do not spend 50% of my time with her. I see her for an hour in the morning and an hour or two at night. I try to get my clients to focus on the quality of time rather than the quantity of time."

*New York Divorce Attorney*

Additionally, divorced/divorcing individuals have been forthcoming and candid with their views.

"How do you ask for 50/50 custody when you are currently not even being 'bothered' with your child?"

"I don't think 50/50's what's best for the kids. They need a "home" they're in/at

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