

Article - Family Law

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§9–201.

(a) Subject to the provisions of §§ 9–101, 9–101.1, and 9–101.2 of this title, in determining what legal custody and physical custody is in the best interest of a child, the court may consider the following factors:

- (1) stability and the foreseeable health and welfare of the child;
- (2) frequent, regular, and continuing contact with parents who can act in the child's best interest;
- (3) whether and how parents who do not live together will share the rights and responsibilities of raising the child;
- (4) the child's relationship with each parent, any siblings, other relatives, and individuals who are or may become important in the child's life;
- (5) the child's physical and emotional security and protection from exposure to conflict and violence;
- (6) the child's developmental needs, including physical safety, emotional security, positive self-image, interpersonal skills, and intellectual and cognitive growth;
- (7) the day-to-day needs of the child, including education, socialization, culture and religion, food, shelter, clothing, and mental and physical health;
- (8) how to:
 - (i) place the child's needs above the parents' needs;
 - (ii) protect the child from the negative effects of any conflict between the parents; and
 - (iii) maintain the child's relationship with the parents, siblings, other relatives, or other individuals who have or likely may have a significant relationship with the child;
- (9) the age of the child;

(10) any military deployment of a parent and its effect, if any, on the parent–child relationship;

(11) any prior court orders or agreements;

(12) each parent’s role and tasks related to the child and how, if at all, those roles and tasks have changed;

(13) the location of each parent’s home as it relates to the parent’s ability to coordinate parenting time, school, and activities;

(14) the parents’ relationship with each other, including:

(i) how they communicate with each other;

(ii) whether they can co–parent without disrupting the child’s social and school life; and

(iii) how the parents will resolve any disputes in the future without the need for court intervention;

(15) the child’s preference, if age–appropriate; and

(16) any other factor that the court considers appropriate in determining how best to serve the physical, developmental, and emotional needs of the child.

(b) The court shall articulate its findings of fact on the record or in a written opinion, including the consideration of each factor listed in subsection (a) of this section and any other factor that the court considered.

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