

A TALE OF TWO FAMILIES

Two similar families live only a river apart. After separation, each child has two homes. Same caregiving history. Same separation. Different state. Different legal outcome.

WHITE RIVER JUNCTION



PRIMARY



SECONDARY

LEBANON



PARENT



PARENT

VERMONT

1

THE LAW'S OPENING MOVE

EITHER PARENT CAN VETO SHARING.

If either parent does not agree to share, the court must rights and responsibilities primarily or solely to one.

15 V.S.A. § 665(a)

2

THE INCENTIVE IT CREATES

POSTURE AS THE "BETTER" PARENT

Each has reason to prove why the other should lose.

With only one primary role, appearing cooperative can help the other parent "win." The law makes cooperation a strategic risk and turns co-parents into opponents.

3

THE ORDER

THE COURT MUST PICK A PRIMARY OR SOLE PARENT.

The result is winner-take-all: shared legal decision-making and shared physical responsibility are unavailable without agreement.

4

WHAT THE CHILD LIVES WITH

- RELATIONSHIPS** May lose meaningful time with one parent.
- CARE** Care is concentrated in one home instead of shared.
- CONFLICT** Conflict and damaged trust can follow the child home.
- STABILITY** Unequal roles add financial and parental stress.

THE CASE ENDS. THE CHILD MAY CARRY THE CONFLICT.

NEW HAMPSHIRE

1

THE LAW'S OPENING MOVE

DISAGREEMENT DOES NOT END SHARING.

≈ Equal time remains available. Joint decision-making is presumed best if either parent asks for it.

N.H. RSA 461-A:2, :5-6

2

THE INCENTIVE IT CREATES

SHOW YOU CAN CO-PARENT

Supporting the child's other relationship helps your case.

The court weighs support for the other-parent relationship. Refusal alone does not hand either parent control.

3

THE ORDER

THE COURT CAN KEEP BOTH PARENTS IN BOTH ROLES.

If parents cannot make a plan, the court may make one, based on the child's best interests and safety. If time is not approximately equal, the court must explain why.

4

WHAT THE CHILD LIVES WITH

- RELATIONSHIPS** Both safe parent-child bonds can remain central.
- CARE** Care and decisions can remain shared across both homes.
- CONFLICT** Less room to use the child's time as leverage.
- STABILITY** Shared roles leave more room for stability.

THE CASE ENDS. BOTH SAFE PARENTAL BONDS CAN REMAIN.

VERMONT, ARE WE ON THE CHILD'S SIDE?

Vermont Kids Connected

vermontkidsconnected.org