

IS VERMONT THE WORST STATE IN THE COUNTRY FOR CHILDREN?

On shared custody, Vermont goes further than any other state. One parent’s objection removes both shared legal and physical custody from the court’s options—before the court can decide whether sharing would best serve the child’s interests and well-being.

ONLY VERMONT GIVES ONE PARENT A COMPLETE VETO OVER SHARED LEGAL AND PHYSICAL CUSTODY

49 STATES

COURTS RETAIN SHARED-CUSTODY OPTIONS

Courts may order shared legal custody, shared physical custody, or both when the child’s best interests support it.

VERMONT

ONE PARENT’S OBJECTION ELIMINATES ALL SHARED-CUSTODY OPTIONS

Under §§ 664–665, both shared legal and physical custody are removed—without first finding that sharing would harm the child.

VERMONT’S OWN POLICY RECOGNIZES THE CHILD’S NEED

Section 650 says it is in a child’s best interests to have the opportunity for “maximum continuing physical and emotional contact with both parents.”

Section 666 presumes that when parents agree to divide or share parental rights and responsibilities, their agreement is in the child’s best interests.

Safety exception: likely physical or significant emotional harm.

YET THE VETO CAN FORCE THE VERY “VIOLENT DISLOCATION” VERMONT COURTS WARN AGAINST

Vermont courts use that phrase for a change in physical custody. Yet when one parent objects to sharing, § 665(a) requires the court to assign primary or sole custody to one parent—even if the child already lives in shared care.

Kilduff 1988; Sochin 2005; 15 V.S.A. § 665(a)

THE NATIONAL TREND IS TOWARD SHARED CUSTODY

2021 ARKANSAS	joint custody presumption
2022 WEST VIRGINIA	50/50 custody presumption
2023 FLORIDA	equal-time presumption
2023 MISSOURI	equal or ≈ equal-time presumption
2026 MISSISSIPPI	joint custody + equal-time presumption
2026 LOUISIANA	equal physical custody default

All remain subject to the child’s best interests and safety.

SOLE CUSTODY IS ASSOCIATED WITH WORSE CHILD OUTCOMES

MOTHER-REPORTED GOOD MENTAL HEALTH — WISCONSIN (RISER 2025)



Sole custody was associated with an 11-point lower likelihood of good mental health than shared custody.

Wisconsin survey of 374 mothers; descriptive rates shown.

REMOVE THE VETO.
PROTECT CHILDREN FROM PARENTAL DISAGREEMENT.