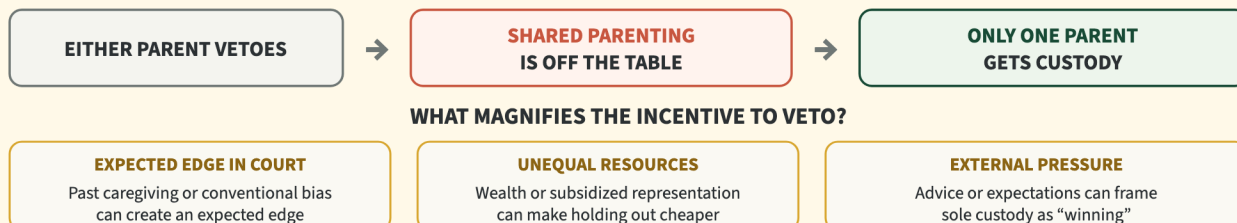


WHY NOT SHARE THE WORK OF PARENTING?

When a parent does not agree to share custody, that disagreement is sometimes treated as proof the parents “cannot” cooperate. But disagreement alone proves no such incapacity: Vermont law gives a parent rational incentives not to agree.

VERMONT'S VETO · 15 V.S.A. § 665(a)

ONE PARENT'S DISAGREEMENT TAKES SHARED PARENTING ENTIRELY OFF THE TABLE.



WHICH CHOICE DOES VERMONT LAW REWARD?

	AGREE TO SHARED PARENTING?	
	AGREE · WHAT I RISK	DISAGREE · WHAT I MIGHT WIN
PARENTING TIME / STATUS	Shared parenting time; no chance to win sole custody	Primary status; other parent becomes secondary
CHILD SUPPORT FORMULA	Lower monthly child-support \$\$	Higher monthly child-support \$\$
MAINTENANCE SUPPLEMENT	No maintenance-supplement payment	Maintenance-supplement payment
SPOUSAL MAINTENANCE	Weaker custodian-based alimony claim	Alimony claim as child's custodian
PROPERTY DIVISION	Weaker family-home claim	Family-home award or right to remain
TAX / PUBLIC BENEFITS	Loss of custodial tax / benefit eligibility	Head of Household / child-linked benefits
LEGAL DECISION-MAKING	Shared authority and compromise	Sole authority over major decisions
SCHOOL / TRAVEL / LOGISTICS	Negotiating school, travel, logistics	Control of school, travel, logistics
RELOCATION / MOBILITY	Agreement or litigation before moving	Greater freedom to relocate with child
FUTURE MODIFICATIONS	Locking in a shared arrangement	Sole-custody award hard to dislodge

INCENTIVE FAILURE

WHEN THE LAW REWARDS DISAGREEMENT, THE COSTS FALL ON CHILDREN, FAMILIES, AND THE PUBLIC.

CHILDREN

Less time and connection; more exposure to conflict

SECONDARY PARENT

Less parenting time, authority, and status

FAMILY RESOURCES

Legal fees, lost work, fewer resources for children

CAREGIVING LOAD

Daily care and mental load concentrated in one home

CONFLICT

Self-reinforcing; incentives to display it and assign blame

PUBLIC

More hearings and taxpayer-funded court time

VERMONT SUPREME COURT JUSTICE MARILYN SKOGLUND IDENTIFIED THIS PROBLEM IN 1997

“Worse, it provides further incentive for divorcing parents who are primary caregivers to refuse to cooperate with their spouses on sharing parental rights and responsibilities, and thus undermines the Legislature’s stated policy of furthering children’s best interests by maximizing their continuing physical and emotional contact with both parents following divorce.”

Cabot v. Cabot, 166 Vt. 485, 505 (1997), concurring and dissenting opinion

VERMONT'S CUSTODY LAW SHOULD REWARD COOPERATION.

Vermont Kids Connected

vermontkidsconnected.org