

Best Interests Factor Worksheet

Virginia judges decide custody using the ten factors in Code § 20-124.3. Use this sheet to gather your thoughts on each one before we meet, so our time together goes to what matters in your case.

HOW TO USE THIS

Fill in what applies to your family. Skip what does not. Bring this with you, or email it ahead. This is a preparation aid, not legal advice, and it does not decide your case. Which factors carry the most weight depends on your specific facts, and we will walk through that together.

1. The child's age and physical and mental condition

List each child's age and any physical, developmental, or mental-health needs. What could you show? School records, an IEP or 504 plan, medical or therapy records, and a short note on each child's daily routine and what they need.

2. Each parent's age and physical and mental condition

Note anything about your own health, and the other parent's, that affects caregiving. Keep it honest and both ways. Think about what your own records or a doctor could confirm.

3. Each parent's relationship with the child

Describe your bond with your child and how you read and meet their emotional, learning, and physical needs. Examples that show it: your daily routines, how you handle a hard day, and who your child turns to and when.

4. The child's needs and important relationships

List the people and places that matter to your child: siblings, grandparents, close friends, school, faith community, and activities. Note which schedule keeps those relationships steady.

5. The role each parent has played, and will play, in caregiving

Write down the day-to-day caregiving you have done and plan to keep doing: school pickups, meals, bedtime, homework, doctor visits, activities. What could show it? A calendar, texts, or school and medical contact records.

6. Each parent's willingness to support the child's bond with the other parent

Note how you have supported your child's time with the other parent, and any concern about access being blocked, in either direction. Keep this factual: dates, messages, and exchanges.

7. Each parent's willingness and ability to cooperate

Describe how you communicate and make decisions with the other parent. Examples: how you share school news, handle schedule changes, and agree on medical or activity choices.

8. The child's own preference, if old and mature enough

If your child is older, note what they have said about where and with whom they want to live, without pressuring them. Your attorney will tell you whether and how a court considers this.

9. Any history of family abuse or sexual abuse

If there is any history of abuse affecting your child or your household, note it, along with any records such as protective orders, police or CPS reports, or medical records. If you or your child are in danger, tell your attorney, and call 911 in an emergency.

10. Any other factors that affect your child's wellbeing

Add anything the earlier prompts did not cover: housing stability, work schedules, the distance between homes, a new partner in the household, or substance concerns.

Bring this to your strategy session. Call 571 260 0999 or visit novalegalprofessionals.com

Based on the ten factors in Virginia Code § 20-124.3. Statute language paraphrased for readability; confirm the current text with your attorney. Every custody case turns on its own facts.