## Charts\*

Chart 1: Alimony/Spousal Support Factors

STATE	Statutory List**	Marital Fault Not Considered	Standard of Living	Status as Custodial Parent Considered
Alabama			х	
Alaska	х	x	x	x
Arizona	х	x	x	x
Arkansas		x		
California	х	x	x	
Colorado	x	x	x	x
Connecticut	х		x	x
Delaware	х	x	x	x
District of Columbia	х	x	x	
Florida	х		x	
Georgia	х		x	
Hawaii	х	x	x	x
Idaho	х			
Illinois	х	x	х	x
Indiana	x	x		
Iowa	x	x	x	x
Kansas		x		*
Kentucky	x	x	х	
Louisiana	x	^	^	x
Maine	x	x		Α
Maryland	x	^	х	
Massachusetts	X		x	
Michigan	A		x	
Minnesota	x	x	x	x
	X	X	X	X
Mississippi				
Missouri	X		X	X
Montana	X	X	X	X
Nebraska	X	X	Х	X
Nevada		X	X	X
New Hampshire	х		Х	X
New Jersey	X	X	Х	X
New Mexico	X	X	X	
New York	X		X	X
North Carolina	X		Х	
North Dakota				
Ohio	X	X	Х	X
Oklahoma		X		X
Oregon	X	X	X	X
Pennsylvania	X	-	X	
Rhode Island	X		X	X
South Carolina	X		x	X
South Dakota			x	
Tennessee	х		x	X
Texas	х		x	X
Utah	х		x	x
Vermont	х	X	х	x
Virginia	х		x	
Washington	х	x	x	
West Virginia	x			
Wisconsin	x	x	x	x
Wyoming				

<sup>\*</sup> These charts are a combination of reporter and law student work and reflect our best efforts to gather ever-changing information.

<sup>\*\*</sup> Although there is a statutory list of factors, the judge may in its discretion consider other factors under the particular circumstances of the case.

Chart 2: Custody Criteria

STATE	Statutory Guidelines	Children's Wishes	Joint Custody*	Cooperative Parent	Domestic Violence	Health	Attorney or GAL
Alabama	x	x	х		x		
Alaska	x	х	х		x		x
Arizona	x	x	х	x	x	x	x
Arkansas					x		
California	x	x		x	x	x	x
Colorado	x	x	x <sup>1</sup>	x	x	x	x
Connecticut		x	х				х
Delaware	x	x	х		x	x	х
District of Columbia	х	x	х	х	x	x	х
Florida	х	x	х	x	x	x	х
Georgia	х	х	х		x		х
Hawaii	x <sup>2</sup>	x <sup>8</sup>	x <sup>7</sup>		x		x <sup>9</sup>
Idaho	х	х	х		х	х	
Illinois	х	х	х	х	х	х	х
Indiana	x	x	x	x	x	x	x
Iowa	x	x	x	x	x	x	x
Kansas	x	x	x	x	x	x	
Kentucky	x	x	x	x	x	x	х
Louisiana	x	x	x		x	_ ^	
Maine	x	x	x		x		х
Maryland		x	x	х	x	x	x
Massachusetts		^	X		x	_ X	X
Michigan	х	х	x	x	x	x	x
Minnesota				Х			
	x	х	X		x	X	x x <sup>2</sup>
Mississippi Missouri	x	_	X		_	X	
	х	Х	х	х	х	X	x
Montana	х	х	х		х		Х
Nebraska	х	х	х		х	X	X
Nevada	х	х	х	X	х		х
New Hampshire	х	х	х		x		х
New Jersey	х	х	х	X	х	X	x
New Mexico	х	х	х	X	x x <sup>2</sup>	X	х
New York		X					x
North Carolina		x <sup>2</sup>	Х	2	х	X	
North Dakota	x	х	x x <sup>10</sup>	x <sup>3</sup>	Х	X	
Ohio	x <sup>2</sup>	х			Х	X	X
Oklahoma	х	х	х	х	Х		x <sup>4</sup>
Oregon	х	х	Х	х	X		x <sup>3</sup>
Pennsylvania	х	х	х	х	x	x	х
Rhode Island		х	х	х	х	X	х
South Carolina		х	х	х	Х	X	х
South Dakota		x	X	x	х		
Tennessee	х	x <sup>5</sup>	x <sup>6</sup>	x	х		х
Texas	x	x	х	x	х	Х	x
Utah	x	x	х	x			x
Vermont	х		х		х		х
Virginia	x	x <sup>2</sup>	х	x	х	x	x <sup>4</sup>
Washington	x	x			x	X	х
West Virginia	x	x	х		х		
Wisconsin	х	х	х	х	х	х	х
Wyoming	х	х	х	х	х	х	

- \* Court in the exercise of its sound discretion shall consider the best interests and welfare of the minor child.
- 1. Now uses term "parental rights and responsibilities."
- 2. Considered if child is old enough.
- 3. By case law.
- Not mandatory.
   The court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must listen to the reasonable preferences of a child age twelve or older, giving greater weight to the preferences of older the court must list the court children. The court may at its discretion hear the reasonable preference of children under the age of twelve.
- 6. In divorce, courts no longer use "custody" terminology, instead, separately allocating between the parents (1) residential time and (2) parental responsibility in specific areas such as nonemergency health care, religion, education and extracurricular activities.
  - 7. Emphasizes "best interest of child."
  - 8. If child is of sufficient age and capacity to reason and form intelligent preference.
- 9. Appointment of custody evaluators and guardians ad litem authorized by administrative rule.
- 10. Now uses the term "shared parenting."

Chart 3: Child Support Guidelines

STATE	Income Share	Percent of Income	Extraordinary Medical Deduction	Child-care Deduction	College Support	Shared Parenting Time Offset
Alabama	х	х	хр	x m	x	
Alaska		x	x m	x	x	x
Arizona	х		x m	хр		
Arkansas		х	x d	x d		
California	х		x m	x m		x
Colorado	х		x m	x m		x
Connecticut	х		x d		x	
Delaware			x m	x m		x*
District of Columbia		х	x d	x	x	x
Florida	х		хр	x m		
Georgia		х	хр	x m		
Hawaii	х	х	x m <sup>3</sup>	х	x	x
Idaho	х		x m	хр		x
Illinois		х		·	x	
Indiana	х	<u> </u>	хр	x m	x	x
Iowa		х	r'	x m	x	x
Kansas	х	-		x m		x
Kentucky	x		x m	хр		A .
Louisiana	x		x m	x m		
Maine	x		x m	x m		
Maryland	x		x m	x m		x
Massachusetts	^	х	x m	X	x	Α
Michigan	x	X .	x m	x m	X	x
Minnesota	X		X III		X	
Mississippi		x x	x d	x m x d		X
Missouri		X	x u			_
Montana	Х		x m	X	X	X
Nebraska			x iii	x m		
Nevada	х			x m x d		X
		X	x m	ха		X
New Hampshire		X	x d		X	
New Jersey	х	-	x m	x m	X	X
New Mexico	х	-	х р	x m		X
New York	х		x m	x m	X	
North Carolina	х		х р	x m		X
North Dakota		X		x d		
Ohio	х		х р	x m		x p
Oklahoma	х		ха	x m		X
Oregon	x		хр	x m	X	X
Pennsylvania	х		x m/d	x m		
Rhode Island	x		x d	x m		
South Carolina	x		x d	x m	X	
South Dakota	x		x d	x d	1	2
Tennessee		Х	x m		x <sup>1</sup>	x <sup>2</sup>
Texas		Х	x m	x d		
Utah	x		x m	x m/p		X
Vermont	х	-	x m	x m		X
Virginia	х		ха	ха		X
Washington	X		x m	x m	X	
West Virginia	х		x m	x m		x
Wisconsin		Х	x m	x d		
Wyoming	х		x d	x d		x

<sup>\*</sup> by case law

a mandatory add-ons

m mandatory deduction

p permissive deduction

d deviation factor

<sup>1.</sup> May be voluntarily agreed by the parties, in which case it is contractually enforceable thereafter, but otherwise may not be imposed by the court. However, an obligor parent may be required to contribute during a child's minority to an educational trust fund that would be used for college costs post-minority.

<sup>2.</sup> Support may be increased or decreased if the obligor spends more or less than 80 days (the putative normal amount of time) with a child.

<sup>3.</sup> Credit given for actual cost of health-care-insurance premium paid for children.

<sup>4.</sup> Starting January 1, 2004.

Chart 4: Grounds for Divorce and Residency Requirements

STATE	No Fault Sole Ground	No Fault Added to Traditional	Incompatibility	Living Separate and Apart	Judicial Separation	Durational Requirements
Alabama		x	х	2 years	х	6 months
Alaska	x	x	х	2 years	X	6 months
Arizona	x	x <sup>1</sup>			x	90 days
Arkansas		x		18 months	x	60 days
California	x				x	6 months*
Colorado	x				x	90 days
Connecticut		x		18 months	x	1 year
Delaware		x	х	6 months		6 months
District of Columbia	x			1 year	x	6 months
Florida	x					6 months
Georgia		x				6 months
Hawaii				2 years <sup>3</sup>	x	6 months <sup>4</sup>
Idaho		x			x	6 weeks
Illinois		x		2 years	x	90 days
Indiana			x		x	60 days
Iowa	x				x	1 year
Kansas			x		x	60 days
Kentucky	х			60 days	х	180 days
Louisiana		x <sup>1</sup>		6 months <sup>2</sup>	х	6 months
Maine		x			х	6 months
Maryland		x		1 year	х	1 year
Massachusetts		x		•	x	None
Michigan	х				х	6 months
Minnesota	х				х	180 days
Mississippi		x				6 months
Missouri		x		1-2 years	x	90 days
Montana	х		х	180 days	x	90 days
Nebraska	х			•	x	1 year
Nevada			х	1 year	х	6 weeks
New Hampshire		x		2 years		1 year
New Jersey		x		18 months		1 year
New Mexico		x	х		x	6 months
New York		x		1 year	х	1 year
North Carolina		x		1 year	x	6 months
North Dakota		x		•	x	6 months
Ohio		x	х	1 year		6 months
Oklahoma			х	•	x	6 months
Oregon	х				х	6 months
Pennsylvania		x		2 years		6 months
Rhode Island		x		3 years	х	1 year
South Carolina		x		1 year	х	3 months (both residents)
South Dakota		x			x	None
Tennessee		x		2 years	x	6 months
Texas		x		3 years		6 months
Utah		x		3 years	x	90 days
Vermont		x		6 months		6 months
Virginia		x		1 year	х	6 months
Washington	х			•		1 year
West Virginia		x		1 year	x	1 year
Wisconsin	х				x	6 months
Wyoming		x	х		x	60 days

<sup>\*</sup> California requires domicile as distinguished from residency for jurisdictional purposes.

<sup>1.</sup> Covenant marriage statutes establish specific grounds for divorce for covenant marriages.

<sup>2.</sup> Two years for covenant marriages.

<sup>3.</sup> Grounds are either marriage irretrievably broken or two years separation.

<sup>4.</sup> Six months in state and three months in circuit waiting for divorce itself, but can file as soon as residency established.

Chart 5: Property Division

STATE	Community Property	Only Marital Divided	Statutory List of Factors	Nonmonetary Contributions	Economic Misconduct	Contribution to Education
Alabama		x		x		x
Alaska	x <sup>1</sup>		x	x	x	
Arizona	х				x	x
Arkansas		x	x	x		
California	х		x	x	х	х
Colorado		x	x	x	х	
Connecticut			x	x	x	х
Delaware		x	x	x	x	х
District of Columbia		x	x	x	x	
Florida		x	x	x	x	x
Georgia		x				
Hawaii		x <sup>4</sup>	x <sup>5</sup>	x <sup>2</sup>	x <sup>3</sup>	
Idaho	х		x			
Illinois		x	x	x	х	
Indiana		X	x	x	x	х
Iowa		^	x	x	x	X
Kansas			x	^	x	^
Kentucky		X	x	x	x	х
Louisiana	x	Α	- X		^	, A
Maine	X		-			
		X	X	x	x	
Maryland		X	X	X	х	
Massachusetts			X	x	x	X
Michigan		X	1	x	х	x
Minnesota		X	х	x	x	
Mississippi		X	х	x	x	X
Missouri		X	X	x	x	x
Montana			x	x	х	
Nebraska		X	-	X		
Nevada	х	X		X	х	х
New Hampshire			x	X	х	х
New Jersey		X	x	x	х	х
New Mexico	х					
New York		x	x	x	x	x
North Carolina		x	x	x	x	x
North Dakota				x	x	x
Ohio		x	x	x	x	x
Oklahoma		x		x	x	
Oregon				x	x	x
Pennsylvania		x	x	x	x	x
Rhode Island		x	x	x	х	x
South Carolina		х	x	x	х	х
South Dakota				x	x	
Tennessee		x	x	x	х	х
Texas	х				х	
Utah						
Vermont			х	x	х	x
Virginia		x	x	x	x	x
Washington	х		x			
West Virginia		x	x	x	х	x
Wisconsin	х	x	x	x	x	x
Wyoming	^	x	x	x	1 ^	^
11 youning	1	, A	, A	A .	1	1

- 1. The parties by contract can agree to make some or all of their martial property community property.
- 2. During marriage nonmonetary contributions do not affect property division nor does the lack of them.
- 3. No statutory provision apply; case law is mixed.
- 4. During marriage nonmonetary contributions do not affect property division, nor does the lack of them.
- 5. No statutory provisions; case law is mixed.

Chart 6: Third-Party Visitation

STATE	Stepparents	Grandparents— Death of their child	Grandparents— Child Divorce	Out of Wedlock	Any Interested Party
Alabama		X	x		
Alaska	x <sup>4</sup>	X	x	x	
Arizona	x <sup>1</sup>	X	x	x	
Arkansas		X	x		
California	x	X	x		
Colorado		x	x	x	
Connecticut	x	x	x	x	
Delaware	x		х		
District of Columbia					
Florida		x	х	x	
Georgia		x	х		
Hawaii	x		x		
Idaho			x	x	
Illinois	x	x		x	
Indiana	x	x	x	x	
Iowa					
Kansas	X	x	x	x	1
Kentucky	Α	x	x	x	
Louisiana		x	x	Α	
Maine	X	x	x	x	
Maryland	Α		x	Α	
		X			
Massachusetts		X	x		
Michigan	X	X	X		
Minnesota	X	X	X	X	
Mississippi		X	X		
Missouri		X	x	X	
Montana		X	x	X	
Nebraska	X	X	X		
Nevada		X	x	X	
New Hampshire	X	X	х	X	
New Jersey	X	X	х	X	
New Mexico	X	X	х	X	
New York	X	X	x	X	
North Carolina			x		
North Dakota	x	X	x		
Ohio	x	X	x	x	x <sup>2</sup>
Oklahoma		X	x	x	
Oregon	x	X	x	x	
Pennsylvania		X	x		
Rhode Island		X	x		
South Carolina		X	x	x	
South Dakota		X	x	x	
Tennessee	x		x		
Texas	x	X	x	x	
Utah	x	X	x	x	
Vermont		X	x		
Virginia					x <sup>3</sup>
Washington	х		x		· ·
West Virginia		x	x	x	
Wisconsin		x	x	-	1
Wyoming	X	x	x		x
11 youning	Λ	^	^		^

- Allows visitation and, in some cases, custody to those in *loco parentis*.
   Extends only to relatives of minor child.
   This includes any relative or a stepparent.
   Only if stepparent is established as child's "psychological parent" under case law.

Chart 7: Appointment Laws in Adoption, Guardianship, Unmarried Parent and Divorce Cases\*

Discretionary   Req' di f abuse   Req' di f minor is a party   At'y or GAL - Discretionary - GAL - Ant'y Other Prof reglect	STATE	Adoption	Cuondianahi	Unmarried Donast	Divorces Pole When Who
Autiona Discretionary Discretionary No stantae Art'y or GAL - Discretionary - Art y Gov't Art'y Artinonal Discretionary - Art y Cov't Art'y Artinonal Coversionary - Art y Cov't Art'y Artinonal Coversionary - Art'y Cov't Art'y Art'y Cov't Coversionary - Art'y Cov't Cov't Cov't Coversionary - Art'y Cov't Co					
Arisona Discretionary Brey of the terminate guardianthips of t					
Regid if to terminate guardinatible Arkamana Discretionary Discretionary Regid if abuse respect Octorable Discretionary Regid if abuse respect Discretionary Discretionary Regid if abuse respect Discretionary Discretionary Regid if abuse respect Discretionary D					
Cultionnia         Discretionary contegled to englet         Roy'd if abuse on neglect         Roy'd if fution is a party or fuel for the party of the			Req'd if to termi-		,,,
Olorado Discretionary Discretionary Reg di fi abase i respect de l'acceptant de l	Arkansas	Discretionary	Discretionary	No statute	Att'y - Discretionary - Att'y
Discretionary	California	Discretionary		Req'd if minor is a party	Hybrid - Discretionary - Att'y/Gov't Att'y
Delaware Discretionary Required Discretionary Ant'y or GAL - Discretionary - GAL - Ant'y Orber Prof. Discretionary Discretionary Discretionary Society of Society Discretionary - Ant'y or GAL - Discretionary - Ant'y Control of Society -	Colorado	Discretionary	Discretionary	Discretionary	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Discretionary   Art y or GAL - Discretionary - Art y Grav' (Art) (Professional labb)   Discretionary   Discr	Connecticut	Discretionary		Req'd if minor is a party	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Piorida   Discretionary   Afr.   Discretionary	Delaware	Discretionary	Required	Discretionary	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Coorgia   Discretionary   Discretionary   Discretionary   Discretionary   Discretionary   Discretionary   Discretionary   Discretionary   Art   GAL - Discretionary - Art   Yes   Control   Discretionary   Discretionary   Art   Control   Discretionary   Discretionary   Art   Control   Discretionary   Discretionary   Art   Control   Discretionary   Discretionary   Discretionary   Art   Discretionary - Art   Yes   Discretionary   Discretionary   Discretionary   Art   Discretionary - Art   Yes   Discretionary   Discretionar	District of Columbia	Discretionary	Discretionary	No statute	GAL - Discretionary - Att'y
Bawaii   Discretionary   Discretionary   Requ'if minor is a party   GAL - Discretionary - Art'y Gov'tArt'yProfessional   Islinois   Required   Discretionary   Discretionary   Art'y - Discretionary - Art'y - GAL - G	Florida	Discretionary	Discretionary	Discretionary	
Illinois   Required   Discretionary   Discretionary   Art'y - Discretionary - Art'y for 'tab'	Georgia	Discretionary	Discretionary	Discretionary	GAL - Discretionary - Att'y
Illinois   Required   Discretionary   Discretionary   Req'd if minor is a party   GAL - Discretionary - Art'y Grov's Art'y Grow   Discretionary   Discretionary   Req'd if minor is a party   GAL - Discretionary - Art'y Grow	Hawaii	Discretionary	Discretionary	Req'd if minor is a party	GAL - Discretionary - Att'y/ Gov't/Att'y/Professional
Indiana   Discretionary   Reg'd if minor is a party   GAL - Discretionary - Alt'y   Discretionary   Reg'd if minor is a party   GAL - Discretionary - Alt'y   Discretionary		No statute	Required		Att'y - Discretionary - Att'y
Discretionary   Discretionary   Discretionary   Req'd if minor is a party   GAL - Discretionary - Art'y					Att'y - Hybrid or GAL - Discretionary - Att'y/Gov't/Att'y
Kansas         Discretionary         Discretionary biscretionary         Req'd if minor is a party control process.         GAL - Discretionary - Art'y           Kentucky         Req'd in some instances         Discretionary         No statute         At'y - Req'd if abuse involved - Art'y           Louisiana         Discretionary         Discretionary         No statute         At'y - Req'd if abuse involved - Art'y           Maine         Discretionary         Discretionary         No statute         GAL - Discretionary - Art'y           Manyland         Req'd if minor over 10         Requied         GAL - Discretionary - Art'y           Massachusetts         Req'd if contested         Discretionary         Discretionary         Discretionary           Michigan         Discretionary         Discretionary         Discretionary         Discretionary         Hybrid - Discretionary - Art'y           Minsouri         Req'd if contested         Discretionary         Required         GAL - Req'd if abuse involved - Art'yProfessional           Mottana         Discretionary         Discretionary         Required         GAL - Req'd if abuse involved - Art'yProfessional           New Jensey         Discretionary         Discretionary         Required         GAL - Discretionary - Art'y           Neval Seapure         Discretionary         Discretionary         R					
Req'd in some instances   Discretionary   Discretionary   No statute   Art'y - Req'd if abuse involved - Art'y   Maine   Discretionary   Discretionary   No statute   GAL - Discretionary - Art'y   Other Professional   GAL - Discretionary - Art'y   Other Professional   Req'd if minor over 10   O					
instances   Discretionary   Discretionary   No statute   Att'y - Req' d if abuse involved - Att'y					
Maine         Discretionary         Discretionary over 10 over 10         No statute         GAL - Discretionary - Att'y Other Professional GAL - Discretionary - Att'y over 10 over 10           Massachusetts         Req'd if minor over 10         Req di finition over 10         Required over 10         GAL - Discretionary - Att'y           Michigan         Discretionary         Discretionary         Discretionary         Att'y Disinterested Person           Michigan         Discretionary         Discretionary         Discretionary         Hybrid - Discretionary - Att'y           Minesota         Discretionary         Discretionary         Discretionary         GAL - Req'd if abuse involved - Att'yProfessional Missouri           Missouri         Req'd if contested         Discretionary         Discretionary         GAL - Req'd if abuse involved - Att'yProfessional Att'y or GAL - Discretionary - Att'y           Nebraska         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           New Hampshire         Discretionary         Discretionary         Required         GAL - Discretionary - Att'yOther Professional Att'y or GAL - Discretionary - Att'yOther Professional New Jersey           New Mexico         Req'd if contested         Req'd if contested         Req'd if minor is a party         GAL - Discretionary - Att'yOther Professional New Jersey           North Carolina         Discretionary </td <td></td> <td></td> <td>Discretionary</td> <td></td> <td></td>			Discretionary		
Maryland   Req' di fi minor over 10   Neveritionary   Req' di fi minor over 10   Neveritionary   Discretionary   Discretionary   Discretionary   Att'y Discretionary - Discretionary - Discretionary - Discretionary - Required - Att'y or GAL - Discretionary - Att'y Discretionary - Discretionary - Discretionary - Required - Att'y or GAL - Discretionary - Att'y Discretionary - Att'y or GAL - Discretionary - Att'y Orth Carolina - Discretionary - Di					
Massachusetts Req'd if contested Discretionary Discretionary Att'y or GAL - Discretionary - Att'y Discretionary - Discretionary					
Michigan Discretionary Discretionary Discretionary Hybrid - Discretionary - Att'y Minnesota Discretionary Discretionary Discretionary GAL - Req' if abuse involved - Att'yProfessional Missouri Req' dif contested Discretionary Required GAL - Req' dif abuse involved - Att'yProfessional Missouri Req' dif contested Discretionary Required GAL - Req' dif abuse involved - Att'yProfessional Missouri Req' dif contested Discretionary Required GAL - Discretionary - Att'y Montana Discretionary Discretionary Required GAL - Discretionary - Att'y Discretionary - Discretionary - Discretionary - Discretionary - Discretionary - Att'y Discretionary -	-	over 10	over 10	-	
Minnesota         Discretionary         Discretionary         GAL - Req'd if abuse involved - Att'y/Professional Mississippi         Req'd if contested Discretionary         Discretionary         GAL - Req'd if abuse involved - Att'y/Professional Missouri         Req'd if contested Discretionary         Required         GAL - Req'd if abuse involved - Att'y/Professional GAL - Req'd if abuse involved - Att'y or GAL - Discretionary         Att'y or GAL - Discretionary         Att'y or GAL - Discretionary - Att'y           New Ada         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other Professional           New Jersey         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other Professional           New Mexico         Req'd if contested         Req'd if minor is a party         GAL - Discretionary - Att'y/Other Prof.           New York         Required         Required         Required         Att'y or GAL - Discretionary - Att'y/Other Prof.           Ohio         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Oregon         No statute         No statute         No statute         Att'y or GAL - Discretionary - Att'y           Pennsylvania	Massachusetts	Req'd if contested	Discretionary	Discretionary	1 -
Mississippi         Req'd if contested         Discretionary         Discretionary         GAL - Req'd if abuse involved - Att'y/Professional           Missouri         Req'd if contested         Discretionary         Required         GAL - Req'd if abuse - Att'y           Montana         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Morbanska         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y Other Professional           New da         No statute         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other Professional           New Mexico         Req'd if contested         Req'd if ontested         Req'd if minor is a party         GAL - Discretionary - Att'y           North Carolina         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Att'y           Ohio         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Oklahoma         Req'd if contested         Discretionary		Discretionary	Discretionary		
Missouri         Req'd if contested         Discretionary         Required         GAL - Req'd if abuse - Att'y           Montana         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Nebraska         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y           Nevada         No statute         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other Professional           New Jersey         Discretionary         Req'd if contested         Req'd if minor is a party         GAL - Discretionary - Att'y           New York         Required         Required         Att'y or GAL - Discretionary - Att'y/Other Prof.           North Carolina         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y/Other Prof.           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Att'y/Other Prof.           Oklahoma         Req'd if contested         Discretionary         Required         Att'y or GAL - Discretionary - Att'y/Other Prof.           Oregon         No statute         No statute         Att'y or GAL - Discretionary - Att'y/Other			Discretionary		GAL - Req'd if abuse involved - Att'y/Professional
Montana         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Nebraska         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y           New Ada         No statute         Discretionary         Required         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other Professional           New Jersey         Discretionary         Discretionary         Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.           New Mexico         Req'i fi contested         Required         Required         Att'y or GAL - Discretionary - Att'y           New York         Required         Required         Att'y or GAL - Discretionary - Att'y           North Carolina         Discretionary         Required         GAL - Discretionary - Att'y/Gov't Att'y           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Does not specify           Oklahoma         Req'd if contested         Discretionary         Requires party's request         Att'y or GAL - Discretionary - Att'y           Oregon         No statute         No statute         GAL - Discretionary - Att'y           Oregon         No statute         No statute </td <td></td> <td></td> <td></td> <td></td> <td></td>					
Nebraska         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y           Nevada         No statute         Discretionary         Required         GAL - Discretionary - Att'y (Other Professional data)           New Hampshire         Discretionary         Discretionary         Discretionary         GAL - Discretionary - Att'y (Other Professional data)           New Jersey         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y           New Mexico         Req'd if contested         Req'd if contested         Req'd if minor is a party         GAL - Discretionary - Att'y           New York         Required         Required         Att'y or GAL - Discretionary - Att'y           North Carolina         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Orio         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Orio         Discretionary         Discretionary         Required         Att'y or GAL - Discretionary - Att'y           Oregon         No statute         No statute         Att'y or GAL - Discretionary - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Required					
Nevada         No statute         Discretionary         Required         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other Professional           New Hampshire         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other Prof.           New Hampshire         Req'd if contested         Req'd if contested         Req'd if contested           New Maxico         Req'd if contested         Req'd if contested         Req'd if minor is a party           New York         Required         Required         Att'y or GAL - Discretionary - Att'y/Gov't Att'y           North Carolina         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y/Gov't Att'y           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Does not specify           Nohio         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Oregon         No statute         No statute         Att'y or GAL - Discretionary - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         <					
New Hampshire         Discretionary         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other Professional           New Jersey         Discretionary         Discretionary         Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.           New Mexico         Req'd if contested         Req'd if contested         Req'd if minor is a party         GAL - Discretionary - Att'y           New York         Required         Required         Required         Att'y or GAL - Discretionary - Att'y/Gov't Att'y           North Carolina         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Att'y           Ohio         Discretionary         Discretionary         Required         GAL - Discretionary - Att'y           Oregon         No statute         No statute         Att'y or GAL - Discretionary - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y/Other           South Carolina         Required         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y/Other					
Discretionary   Discretionary   Discretionary   Discretionary   Att'y or GAL - Discretionary - GAL - Art'y/Other Prof.					
New Mexico         Req'd if contested         Req'd if contested         Req'if if contested         Required         Required         Att'y or GAL - Discretionary - Att'y           New York         Required         Required         Att'y or GAL - Discretionary - Att'y           North Carolina         Discretionary         Discretionary         Required         GAL - Discretionary - Does not specify           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Att'y           Ohio         Discretionary         Discretionary         Requires party's request         Att'y or GAL - Discretionary - Att'y           Oklahoma         Req'd if contested         Discretionary         No statute         GAL - Discretionary - Att'y           Oregon         No statute         No statute         No statute         Att'y or Hybrid - Discretionary - Att'y           Pennsylvania         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Att'y           Rode Island         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y/Other           Tennessee         Discretionary         Required					Att'y or GAL - Discretionary -
New York         Required         Required         Required         Att'y or GAL - Discretionary - Att'y/Gov't Att'y           North Carolina         Discretionary         Discretionary         Required         GAL - Discretionary - Does not specify           North Dakota         Required         Discretionary         Required         GAL - Discretionary - Att'y           Ohio         Discretionary         Discretionary         Required and Formation of Professory         Att'y or GAL - Discretionary - Att'y           Oklahoma         Req'd if contested         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Oregon         No statute         No statute         Att'y or Hybrid - Discretionary - Att'y           Pennsylvania         Discretionary         Discretionary         Discretionary           Rhode Island         Discretionary         Discretionary         Discretionary           South Carolina         Required         Discretionary         Poss not specify           South Carolina         No statute         Discretionary - Att'y or GAL - Discretionary - Att'y Other           Tennessee         Discretionary         Required         Discretionary         Att'y - Discretionary - Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Discretionar	New Mexico	Req'd if contested	Req'd if contested	Req'd if minor is a party	
North Dakota   Required   Discretionary   Required   GAL - Discretionary - Att'y	New York	Required	Required	Required	Att'y or GAL - Discretionary - Att'y/Gov't Att'y
Ohio         Discretionary         Discretionary         Requires party's request         Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.           Oklahoma         Req'd if contested         Discretionary         No statute         GAL - Discretionary - Att'y           Oregon         No statute         No statute         Att'y - Req'd if a minor requests - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         Req'd if action seeks to legitimize minor         GAL - Discretionary - Att'y/Other           South Dakota         No statute         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Tean         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Utah         Discretionary         Discretionary         Req'd if minor is a party         Att'y or GAL or Att'y Ad Litem - Req'd if in best interest - GAL can be Att'y/Adult           Vermont         Req'd if contes	North Carolina	Discretionary	Discretionary	Required	GAL - Discretionary - Does not specify
Oklahoma         Req'd if contested         Discretionary         No statute         GAL - Discretionary - Att'y           Oregon         No statute         No statute         No statute         Att'y - Req'd if a minor requests - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or Hybrid - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         Req'd if action seeks to legitimize minor           South Dakota         No statute         Discretionary         No statute           Tennessee         Discretionary         Required         Discretionary - Att'y or GAL - Discretionary - Att'y           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Vermont         Req'd if contested         Discretionary         Req'd if minor is a party         Att'y or GAL - Discretionary - Att'y Ad Litem - Req'd if in best interest - GAL can be Att'y/Adult           Virginia         Discretionary         Req'd if minor is a party         Att'y or GAL - Discretionary - Att'y Or GAL - Req'd if abuse involved - Att'y	North Dakota	Required	Discretionary	Required	GAL - Discretionary - Att'y
Oregon         No statute         No statute         No statute         Att'y - Req'd if a minor requests - Att'y           Pennsylvania         Discretionary         Discretionary         No statute         Att'y or Hybrid - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         Req'd if action seeks to legitimize minor           South Dakota         No statute         Discretionary         Att'y - Discretionary - Att'y/Other           Tennessee         Discretionary         Required         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           Verman         Req'd if contested         Discretionary         Att'y or GAL - Discretionary - Att'y/Other           Vermont         Req'd if contested         Discretionary		Discretionary	Discretionary		Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Pennsylvania         Discretionary         Discretionary         No statute         Att'y or Hybrid - Discretionary - Att'y           Rhode Island         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         Req'd if action seeks to legitimize mimor         GAL - Discretionary - Att'y/Other           South Dakota         No statute         Discretionary         No statute         Att'y or GAL - Discretionary - Att'y           Tennessee         Discretionary         Required         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Out of Att y Ad Litem - Req'd if in best interest - GAL can be Att y/Adult           Utah         Discretionary         Discretionary         Req'd if minor is a party         Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y           Vermont         Req'd if contested         Discretionary         Req'd if minor is a party         Att'y req'd if minor is a witness - GAL is discretionary - Att'y           Virginia         Discretionary         Discretionary         Discretionary         Discretionary           West Virginia         Discretionary         Discretionary         Discretionary         Discretionary           Req'd					GAL - Discretionary - Att'y
Rhode Island         Discretionary         Discretionary         Discretionary         Att'y or GAL - Discretionary - Does not specify           South Carolina         Required         Discretionary         Req'd if action seeks to legitimize minor         GAL - Discretionary - Att'y/Other           South Dakota         No statute         Discretionary         No statute         Att'y - Discretionary - Att'y           Tennessee         Discretionary         Required         Discretionary         Att'y or GAL - Discretionary - Does not specify           Texas         Discretionary         Discretionary         Att'y or GAL - Tat'y Ad Litem - Req'd if nest interest - GAL can be Att'y/Adult           Utah         Discretionary         Discretionary         Req'd if minor is a party         Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y           Vermont         Req'd if contested         Discretionary         Req'd if minor is a party         Att'y or GAL - Req'd if abuse involved - Att'y           Virginia         Discretionary         Discretionary         Discretionary         Att'y or GAL - Req'd if abuse involved - Att'y/Other           West Virginia         Discretionary         Discretionary         Req'd if father brings action         Att'y or GAL - Req'd if obuse involved - GAL does not specify					
South Carolina   Required   Discretionary   Req'd if action seeks to legitimize minor					
South Dakota No statute Discretionary No statute Att'y - Discretionary - Att'y  Tennessee Discretionary Required Discretionary Att'y or GAL - Discretionary - Does not specify  Texas Discretionary Discretionary Discretionary Att'y or GAL - Discretionary - Does not specify  Texas Discretionary Discretionary Req'd if minor is a party Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y  Vermont Req'd if contested Discretionary Req'd if minor is a party Att'y req'd if minor is a witness - GAL is discretionary - Att'y  Virginia Discretionary Discretionary Discretionary Discretionary GAL - Req'd if abuse involved - Att'y  Washington Discretionary Discretionary Discretionary GAL - Discretionary Att'y or GAL - Req'd if abuse involved - SAL with or involved - SAL with or involved - GAL does not specify  Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y				·	
Tennessee Discretionary Required Discretionary Att'y or GAL - Discretionary - Does not specify Texas Discretionary Discretionary Discretionary Att'y or GAL or Att'y Ad Litem - Req'd if in best interest - GAL can be Att'y/Adult Utah Discretionary Discretionary Req'd if minor is a party Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y Vermont Req'd if contested Discretionary Req'd if minor is a party Att'y req'd if minor is a witness - GAL is discretionary - Att'y Virginia Discretionary Required Req'd if minor is a party Att'y or GAL - Req'd if abuse involved - Att'y Washington Discretionary Discretionary Discretionary GAL - Discretionary - Att'y West Virginia Discretionary Discretionary Req'd if father brings action involved - GAL does not specify Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y		-	•	to legitimize minor	
Texas Discretionary Discretionary Discretionary Att'y or GAL or Att'y Ad Litem - Req'd if in best interest - GAL can be Att'y/Adult  Utah Discretionary Discretionary Req'd if minor is a party Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y  Vermont Req'd if contested Discretionary Req'd if minor is a party Att'y req'd if minor is a witness - GAL is discretionary - Att'y  Virginia Discretionary Required Req'd if minor is a party Att'y or GAL - Req'd if abuse involved - Att'y  Washington Discretionary Discretionary Discretionary GAL - Discretionary - Att'y Other  West Virginia Discretionary Discretionary Req'd if father Att'y or GAL - Req'd if abuse involved - GAL does not specify  Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y			·		
Utah Discretionary Discretionary Req'd if minor is a party Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y Vermont Req'd if contested Discretionary Req'd if minor is a party Att'y or GAL - Discretionary - GAL is discretionary - Att'y Virginia Discretionary Required Req'd if minor is a party Att'y or GAL - Req'd if abuse involved - Att'y Washington Discretionary Discretionary Discretionary GAL - Discretionary - Att'y Other West Virginia Discretionary Discretionary Req'd if father Att'y or GAL - Req'd if abuse involved - GAL does not specify Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y					
Vermont         Req'd if contested         Discretionary         Req'd if minor is a party         Att'y req'd if minor is a witness - GAL is discretionary - Att'y           Virginia         Discretionary         Required         Req'd if minor is a party         Att'y or GAL - Req'd if abuse involved - Att'y           Washington         Discretionary         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other           West Virginia         Discretionary         Req'd if father brings action         Att'y or GAL - Req'd if abuse involved - GAL does not specify           Wisconsin         Req'd if contested         Discretionary         Required         GAL - Req'd if contested - Att'y		Discretionary	Discretionary	Discretionary	interest - GAL can be Att'y/Adult
Virginia Discretionary Required Req'd if minor is a party Att'y or GAL - Req'd if abuse involved - Att'y  Washington Discretionary Discretionary Discretionary GAL - Discretionary - Att'y/Other  West Virginia Discretionary Discretionary Req'd if father Att'y or GAL - Req'd if abuse involved - GAL does not specify  Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y		Discretionary	Discretionary		Att'y or GAL -Discretionary -GAL - Att'y/Gov't Att'y
Washington         Discretionary         Discretionary         Discretionary         GAL - Discretionary - Att'y/Other           West Virginia         Discretionary         Discretionary         Req'd if father brings action         Att'y or GAL - Req'd if abuse involved - GAL does not specify           Wisconsin         Req'd if contested         Discretionary         Required         GAL - Req'd if contested - Att'y	Vermont	Req'd if contested	Discretionary	Req'd if minor is a party	
West Virginia         Discretionary         Discretionary         Req'd if father brings action         Att'y or GAL - Req'd if abuse involved - GAL does not specify           Wisconsin         Req'd if contested         Discretionary         Required         GAL - Req'd if contested - Att'y	Virginia	Discretionary	Required	Req'd if minor is a party	Att'y or GAL - Req'd if abuse involved - Att'y
brings action involved - GAL does not specify  Wisconsin Req'd if contested Discretionary Required GAL - Req'd if contested - Att'y	Washington	Discretionary	Discretionary	Discretionary	GAL - Discretionary - Att'y/Other
	West Virginia	Discretionary	Discretionary	· ·	
Wyoming Discretionary Discretionary Req'd if minor is a party Hybrid - Req'd if abuse involved - Att'y	Wisconsin	Req'd if contested	Discretionary	Required	GAL - Req'd if contested - Att'y
	Wyoming	Discretionary	Discretionary	Req'd if minor is a party	Hybrid - Req'd if abuse involved - Att'y

<sup>\*</sup> Prepared by Linda Rio, Director of the ABA Child Custody Pro Bono Project.