

Grandparents and Child Custody Rights

Grandparents feel out of touch when it comes to issues of child custody and divorce. While they undoubtedly love their grandchildren, the tension involved with a divorce can cause them to be overlooked by the natural parents. But what many grandparents don't know is that they too have a say in the custody hearings. Every state now recognizes grandparents as immediate members of the child's family. This means they can fight for things like visitation rights if they don't feel like they have been treated fairly.

In cases where both parents are dead, or for instances neither parent can provide a suitable home, grandparents can be considered for legal custody. The court always looks to place children with a blood relative whenever possible. The process gets slightly more complicated when there are multiple siblings and grandparents who qualify, and in these cases a formal custody hearing with all parties is conducted. Parents who would prefer to have their parents look after the children in the event of death should make sure they have the proper legal documentation in place to expedite the process.

Visitation for grandparents after a divorce is an issue is much more common these days. Many spouses will try to use the children as bargaining chips for their own selfish desires. There are cases where the grandparents are blocked from seeing their grandkids only to spite the other family. Not only is this tactic immoral, but it is also illegal in most circumstances. Grandparents who feel like they have been unfairly excluded should research their rights and get involved with the agency who is handling the divorce case. By making the court aware of the situation in the early stages it is possible to avoid long-term problems down the line.

Petitioning for grandparents custody or visitation rights requires that they show a history of involvement with the child as well as sufficient means to care for them. While visitation rights are rarely denied in court, they can be granted with restriction. For example, the judge may require a parent be present for all custodial sessions or they may grant partial custody, which allows for unsupervised visitation for a certain amount of time each month. If the grandparent believes there will be issues with securing visitation time then they should make it a priority to seek involvement with the custody hearing. In the event they get resistance from either parent then the next step is to hire an attorney and file their own petition for custody.

There are many different types of child custody situations, but the one that receives the least amount of discussion are those that involve grandparents. Most people would agree that the love and nurturing of a grandparent is an important part of a child's development. Having exposure to the experiences and knowledge of our elders helps us to navigate the through the peaks and valleys of life. Unfortunately there are rare scenarios when one or both parents try to prevent the grandparents from seeing their grandkids. This can be a stressful situation to deal with, but the grandparent should recognize that they do have rights, and they are entitled to use these rights to gain visitation privileges.

About the Author

No one should keep you from participating in your grandchildren's life. Learn more about [custodial rights for grandparents](#) by visiting [ObtainCustody.com](#)

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