



BUZZARD
— LAW FIRM —

FREE GUIDE · FAMILY LAW

Child Custody in *North Carolina*

How custody is decided, what mediation looks like, how child support is calculated, and how to put your children first while you protect your rights.

Buzzard Law Firm
728 S. Main St., Lillington, NC

910-893-2900
Family law in Harnett County

WHY THIS GUIDE MATTERS

Every custody decision comes back to one question.

North Carolina courts decide custody based on the **best interest of the child**. There's no automatic preference for mothers or fathers. Judges look at the whole picture of each child's life and each parent's role in it.

Most parents reach an agreement without a trial. Knowing how the process works helps you plan, stay calm and keep the focus on your children.

North Carolina at a glance

Best interest

of the child is the standard for custody decisions.
N.C.G.S. § 50-13.2

Mediation

Most contested custody cases go through a court custody mediation program first. N.C.G.S. § 50-13.1

Guidelines

Child support is usually set under the North Carolina Child Support Guidelines. N.C.G.S. § 50-13.4

Changed circumstances

A custody order can be modified after a substantial change affecting the child. N.C.G.S. § 50-13.7

THE BASICS

Legal custody and physical custody

Legal custody

The right to make major decisions about a child's education, health care and religious upbringing. Parents often share it.

Physical custody

Where the child lives day to day. Schedules range from one primary home with visitation to an equal week-on, week-off arrangement.

What judges consider

- Each parent's role in the child's daily care, school and health
- The child's ties to home, school, community and siblings
- Each parent's ability to support the child's relationship with the other parent
- Any history of domestic violence, substance abuse or neglect
- The child's wishes, depending on age and maturity

THE PROCESS

How a custody case usually moves

- 1 **Filing.** One parent files a custody claim, often with a claim for child support.
- 2 **Parenting class and mediation.** Parents typically attend an orientation and meet with a court mediator to work on a parenting agreement.
- 3 **Agreement or hearing.** An agreement can become a court order. If mediation doesn't resolve everything, a judge decides.
- 4 **Temporary orders.** A court can set a temporary schedule while the case is pending.
- 5 **Changes later.** Either parent can ask to modify the order if circumstances change substantially.

Emergencies are different. If a child faces a substantial risk of bodily injury, sexual abuse or being taken out of state, a court can enter an emergency custody order quickly. N.C.G.S. § 50-13.5(d)

SUPPORT

Child support

The Guidelines use both parents' incomes, the number of overnights with each parent, and costs like health insurance and work-related child care. Support generally continues until a child turns 18, and can continue while a child is still in high school, up to age 20. N.C.G.S. § 50-13.4(c)

Mistakes to avoid

- 01 **Putting children in the middle,** using them as messengers or asking them to choose.
- 02 **Speaking badly about the other parent** in front of the children or online.
- 03 **Withholding visits** or support as leverage.
- 04 **Moving away** with the children without an agreement or court approval.
- 05 **Skipping mediation** or showing up unprepared.
- 06 **Relying on texts** that read badly. Assume a judge may see every message.

ABOUT BUZZARD LAW FIRM

Steady guidance for your family.

Attorney **Rachel Hairr** concentrates her practice in family law, including child custody, child support, equitable distribution and divorce. She and the team live in Harnett County and know the local courts.

Whether your case can be settled in mediation or needs to go before a judge, we'll help you build a plan that puts your children first and protects your relationship with them.



Talk to a family lawyer.

Call our Lillington office to schedule a consultation. Monday–Friday, 8 a.m.–5 p.m.

910-893-2900



Scan to request a consultation, or visit
buzzlawfirm.com/consult

728 S. Main St., Lillington, NC 27546

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BRING THIS TO YOUR CONSULTATION

Parenting worksheet

Fill in what you know. It helps us understand your family quickly.

CHILD'S NAME	AGE / GRADE	SCHOOL	SPECIAL NEEDS, HEALTH OR ACTIVITIES

Today's arrangement

WHERE THE CHILDREN LIVE NOW	DATE YOU SEPARATED
CURRENT SCHEDULE WITH EACH PARENT	ANY EXISTING ORDERS OR AGREEMENTS
WHO HANDLES SCHOOL, DOCTOR VISITS AND DAILY ROUTINES	
☐ Work schedules ☐ School calendars ☐ Pay stubs / tax returns ☐ Child care costs ☐ Health insurance cost ☐ Any court papers	