

STATE CUSTODY STATUTES RELEVANT TO DOMESTIC VIOLENCE

(Statutes in effect as of 1/15/19)

STATE	FRIENDLY PARENT PROVISION WITH EXCEPTION FOR DV	FRIENDLY PARENT PROVISION WITH NO DV EXCEPTION
Alabama		30-3-152
Alaska	25.20.090 , 25.24.150	
Arizona	25-403	
Arkansas		9-13-101
California	Family Code 3040 , 3044	
Colorado	14-10-124	
Connecticut		46b-56
Delaware		13-728
Florida		61.13
Georgia		19-9-3
Hawaii	571-46	
Idaho		
Illinois		5/602.5 , 5/602.7
Indiana		
Iowa	598.41	
Kansas		23-3203
Kentucky	403.270	
Louisiana	Civil Code Art. 134	
Maine		19A:1653
Maryland		Fam Law 9-105
Massachusetts		
Michigan	722.23	
Minnesota	518.17	
Mississippi		
Missouri		452.375
Montana	40-4-212	
Nebraska		43-2922(17)(d)
Nevada		125C.0035
New Hampshire	461-A:6	
New Jersey	9:2-4	
New Mexico		40-4-9.1
New York		
North Carolina		
North Dakota		14-09-06.2
Ohio		3109.04
Oklahoma		43-112
Oregon	107.137	
Pennsylvania	23-5328(a)(13)*	23-5328(a)(1)*

STATE	FRIENDLY PARENT PROVISION WITH EXCEPTION FOR DV	FRIENDLY PARENT PROVISION WITH NO DV EXCEPTION
Rhode Island		
South Carolina		63-15-240
South Dakota	25-4A-24	
Tennessee		36-6-106
Texas		
Utah		30-3-10 , 30-3-10.2
Vermont	15-665	
Virginia	20-124.3	
Washington		
West Virginia	48-9-206 **	
Wisconsin		767.41
Wyoming		20-2-201
District of Columbia		

*Pennsylvania has two provisions with friendly parent language, one of which has a DV exemption and one does not.

**West Virginia's statute incorporates by reference § 48-9-209 regarding domestic violence.

This project was made possible by Grant Number 90EV0439-02-01 from the Administration on Children, Youth, and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the U.S. Department of Health and Human Services.