

What is the difference between Custody and Placement?

Wisconsin courts have the right to make two separate important decisions about children in a divorce or paternity case.

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Physical Placement

One decision is which parent the child(ren) lives with and how the parents share time with the child(ren). The decisions about where the child(ren) lives and how they share time are described in the law as the decisions about “physical placement.” The factors for deciding physical placement are provided in the article [Factors in Deciding Physical placement of children](#). Any time with a parent is called “placement” time, rather than “visitation” or any other term, no matter how much or how little time the child(ren) spends with the parent.

Legal Custody

The other decision the court can make is whether both parents, or just one of the parents, is given the right to make important decisions about their child(ren)’s life. A ‘custodial’ decision concerns major, important decisions, rather than smaller parenting choices, such as whether a child eats fast food or has short hair. Custodial decisions include where the child(ren) goes to school, what church or temples they attend, what non-emergency health care they receive, consent to obtain a driver’s license, consent to enter military service, and consent to marry.

If both parents are given decision-making rights, the parents have “Joint Legal Custody.” If only one of the parents is given decision making rights, that parent has “Sole Legal Custody.” The factors for deciding legal custody are provided in the article [Factors in Deciding Legal Custody](#). In most cases, parents are given joint legal

custody. Joint legal custody means both parents equally share the right to make major decisions, and neither parent has a superior right over the other for such decisions.

[All about custody and placement Custody & Placement Family Law](#)

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