

Best Interests of the Child

In determining a child's best interests, a guardian ad litem shall consider and evaluate all of the factors affecting the best interests of a child in the context of a child's age and developmental needs.

Whenever a best interests determination is required, the court shall consider and evaluate all of the factors affecting the best interests of the child in the context of such child's age and developmental needs. Such factors shall include:

The physical safety and welfare of such child, including food, shelter, health, and clothing;

The love, affection, bonding, and emotional ties existing between such child and each parent or person available to care for such child;

The love, affection, bonding, and emotional ties existing between such child and his or her siblings, half siblings, and stepsiblings and the residence of such other children;

Such child's need for permanence, including such child's need for stability and continuity of relationships with his or her parent, siblings, other relatives, and any other person who has provided significant care to such child;

Such child's sense of attachments, including his or her sense of security and familiarity, and continuity of affection for such child;

The capacity and disposition of each parent or person available to care for such child to give him or her love, affection, and guidance and to continue the education and rearing of such child;

The home environment of each parent or person available to care for such child considering the promotion of such child's nurturance and safety rather than superficial or material factors;

The stability of the family unit and the presence or absence of support systems within the community to benefit such child;

The mental and physical health of all individuals involved;

The home, school, and community record and history of such child, as well as any health or educational special needs of such child;

Such child's community ties, including church, school, and friends;

Such child's background and ties, including familial, cultural, and religious;

The least disruptive placement alternative for such child;

The uniqueness of every family and child;

The risks attendant to entering and being in substitute care;

Such child's wishes and long-term goals;

The preferences of the persons available to care for such child;

Any evidence of family violence, substance abuse, criminal history, or sexual, mental, or physical child abuse in any current, past, or considered home for such child;

Any recommendation by a court appointed custody evaluator or guardian ad litem; and

Any other factors considered by the court to be relevant and proper to its determination