

What is the Best and Worst Evidence for Custody & Access Hearings?"

Question: I am currently in a custody dispute with my wife concerning our two sons. My wife lied to the court about me abusing her and the children in order to gain temporary custody of the children. I have more than enough evidence to prove that she intentionally lied. How likely is the court to find her in contempt? What is the best approach to force the court to hold her accountable for her lies?

Answer: No question that perjury is a criminal offence, but parents are very rarely prosecuted. Moreover, it is only "contempt" if she has disobeyed a court order. However, the more she lies, the more she loses credibility. But disproving her lies doesn't necessarily prove you are the superior parent. You must now demonstrate your intimate understanding, skill and acquaintance of the children's needs. Warring parents often lose sight of what judges look for. What is your evidence of the children's needs, not just merely of mom's faults and lies?