

McCarter Team, Through an Amicus Brief, Successfully Defends Children Against Abusers

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Related People:

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McCarter partners Kia Freeman and Wyley Proctor filed an amicus brief on behalf of the Women's Bar Association and Massachusetts Law Reform Institute in a landmark case deciding how Massachusetts treats evidence of domestic abuse in child custody modification cases. In its Dec. 26th decision, the Massachusetts Supreme Judicial Court agreed that (1) a judge must consider *all* evidence of domestic abuse in child custody cases, regardless of when the abuse occurred, and (2) the presumption that awarding custody to an abuser is not in a child's best interest applies in all custody proceedings, including modification proceedings. This important decision makes it harder for abusive parents to get custody of children.