

Homeschooling and Divorce

- ❖ This issue is one that causes controversy among parents who disagree on how to educate their children.
- ❖ The HS, although legal in PR, could be seen as a side in court when there are custody, pension and/or divorce cases (family court). Especially when there is a war of power, contest or no agreement between the parties.
- ❖ Can the other party object? Yes, especially if they share custody and parental authority. If the opposing party contributes financially to the maintenance, it can refuse that this is the alternative for educating him. They must always seek the best interest of the child and, above all, encourage dialogue to analyze which is the best alternative and that the decision is not based on disarrangement or bringing the other party against it.



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❖ Courts will always seek the best interest of the child, so they are not going to tilt the balance one way or the other, but they evaluate many concepts before reaching a decision and parents must present evidence as to why they choose one mode of education versus the other. Sometimes they may need experts in Homeschooling, which can include a lawyer and a psychologist (both experts on the subject, who understand and promote this lifestyle).

❖ These are very regrettable situations, but if there have been any precedents in court, where children have returned to school, handed over custody to the other party, etc. We have also seen successful outcomes, but each case is individual and has its particularities.



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❖ We always invite reflection and open communication between the parties, leaving aside any animosity they may feel and sit down to talk about their children's well-being and future. If no agreement is reached, then a third party (judge) will make the decision for you after evaluating the evidence presented.

❖ If you need legal assistance, please feel free to write us your situation at our email: contact@tchers.net so that we can refer you to a legal advisor if necessary.

