



should not be overturned on appeal, however, unless those determinations are against the manifest weight of the evidence. *In re Marriage of Quindry*, 223 Ill. App. 3d 735, 737, 585 N.E.2d 1312, 1314 (1992); *In re Marriage of Radae*, 208 Ill. App. 3d 1027, 1029-30, 567 N.E.2d 760, 761 (1991); *In re Marriage of Felson*, 171 Ill. App. 3d 923, 926-27, 525 N.E.2d 1103, 1105 (1988). We further acknowledge that determinations by the trial court regarding the credibility of the parties are to be given great deference. *In re Marriage of McHenry*, 292 Ill. App. 3d 634, 641, 686 N.E.2d 670, 675 (1997). In light of these principles, we have no choice but to affirm. The court carefully considered all the relevant factors, including nonstatutory ones as well, and while placing greater emphasis on some factors, it clearly identified reasons for those distinctions. Section 602(a) of the Illinois Marriage and Dissolution of Marriage Act states that the trial court shall consider all the relevant factors in making its determination of custody. 750 ILCS 5/602(a) (West 2008). The most significant concern in any custody determination, however, is rendering a decision that is in the best interests and welfare of the child involved. *Hall v. Hall*, 226 Ill. App. 3d 686, 689, 589 N.E.2d 553, 555 (1991). Under the circumstances presented, the court found Father to be the better choice to have primary custody. We cannot say that this decision is against the manifest weight of the evidence in this instance.

The evidence revealed that both parties are actively involved in the raising of their daughter. Each party also admitted that the other parent was capable of caring for her and that she was comfortable living in the other party's home. Everyone also agrees that she is close to her paternal half-sister, as well as to her paternal and maternal extended family members. She also has strong ties with all four grandparents who help to take care of her when needed.

The evidence also revealed that Father works for his family's business, which is adjacent to the marital residence. He normally works from 8 in the morning to 5 in the

evening plus several Saturday mornings, but he also has the flexibility to leave whenever needed. Mother's work schedule had recently changed, allowing her to spend more time with her daughter. Prior to that change, however, Mother had been working rotating shifts, which required her to leave home before their daughter was awake or after she came home from daycare. Father regularly provided care for their daughter during these times, and when both parents were working, she would attend a nearby daycare or would stay with grandparents.

Mother complained that Father was involved in several outside activities, in addition to regularly playing computer games at night, which took him away from his family. Father admitted that he joined a trapshooting league on Thursday evenings and a pool league on Monday nights. He further stated he did so to get out of the house during the week as a way of helping to relieve stress inside the household during the period Mother was still residing in the marital home. Father testified he would be quitting those activities after the hearing and had already stopped most of the computer games.

Mother left the marital residence after purchasing a home in a neighboring town in February of 2010. After the parties separated, their daughter lived primarily with Mother. In spite of acknowledging that Father was capable of taking care of their daughter, Mother refused to allow Father overnight unsupervised visitation in the marital home, where she previously had spent her entire life. The court specifically viewed this as an unwillingness on Mother's part to facilitate and encourage a close and continuing relationship between Father and his daughter. The court also noted that Mother had a temper, which had been displayed on several occasions in front of the child. Mother downplayed those incidents as being pregnancy-related mood swings. Again, we note that the trial court is in the best position to judge the credibility of the witnesses. *In re Marriage of McHenry*, 292 Ill. App. 3d at 641, 686 N.E.2d at 675. The court also noted that Mother's new residence was located in a different school district with a lower rating on academic abilities. Taking all of these

factors into consideration, the court ultimately decided that it was in the child's best interest to award primary physical custody to Father. Even though Mother regularly served as the primary caretaker of the parties' minor child, clearly, both parties were actively involved in raising their daughter. The trial court set forth in detail its analysis in arriving at its child custody determination. After thoroughly reviewing all the relevant factors, the court concluded that the best interests of the parties' minor daughter would best be served by granting primary custody to Father subject to extensive visitation by Mother. Under these circumstances, we cannot say that the court's decision in this instance requires a reversal.

For the aforementioned reasons, we affirm the judgment of the circuit court of Clinton County.

Affirmed.