

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WENDY LEWIS,*	§
	§ No. 339, 1999
Defendant Below,	§
Appellant,	§ Court Below: Family Court of
	§ the State of Delaware in and for
v.	§ New Castle County
	§
THEODORE DUGAN,*	§ File No. CN98-10298
	§
Plaintiff Below,	§
Appellee.	§

Submitted: January 11, 2000  
Decided: February 25, 2000

Before **HOLLAND, HARTNETT** and **BERGER**, Justices.

**ORDER**

This 25th day of February, 2000, upon consideration of the briefs of the parties, it appears to the Court that:

1) Wendy Lewis appeals from a decision of the Family Court awarding joint custody and equal residential custody of her daughter to Lewis and Theodore Dugan, the father. Lewis complains that the trial court's analysis of the statutory factors governing custody was insufficient in that the court failed to discuss each factor separately and failed to address the issue of domestic abuse at all.

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\* Pseudonyms have been used to protect the identity of the parties to this appeal. *See* Supr. Ct. R. 7(d).

2) Under 13 *Del. C.* § 722, the trial court must determine the custody and residential arrangements that are in the best interests of the child. The statute identifies seven factors, including evidence of domestic violence, that should be considered. The trial court's decision did not identify and evaluate each of the relevant factors, and it made no mention of the domestic violence issue. As a result, this Court is unable to review the decision.

NOW, THEREFORE, IT IS ORDERED that this matter be REMANDED to the Family Court with instructions that the court state its conclusions with respect to each of the factors set forth in 13 *Del. C.* § 722 and make all findings required by 13 *Del. C.* § 706A. Jurisdiction is retained.

BY THE COURT:

/s/Carolyn Berger  
Justice