iachss

9th International Academic Conference on
Humanities and Social Sciences

23 - 25 February 2024
Milan, Italy

Determining the optimal model of parental responsibility regarding the child and the significance of psychological well-being in accordance with Albanian legislation

Prof.Asoc.Dr. Blerina Reci [1], **Phd.Candidate Sindi Caushi**[2]

[1]Department of Psychology, Faculty of Education, "Aleksander Moisiu" University, Durres Albania
[2]Faculty of Law University of Tirana Albania

Abstract

Exercising parental responsibility is one of the most crucial elements of family law, conducted through the voluntary consent of parents within the framework regulated by the family code. The manner in which parental rights and obligations are exercised holds particular importance at the moment of marital dissolution. Precisely in this situation, the exercise of parental responsibility by both parents becomes challenging, as the Albanian court practice frequently involves appointing a "primary custodian" for the child and establishing visitation schedules for the other parent.

An interesting approach, predominantly applied in other countries around the world, is the joint physical exercise of parental responsibility by both parents, almost on an equal basis. Through the methods of comparing models and analysis, we will witness the significance of interpreting the best interests of the child, and the child's psychological approach, which is indispensable in every court decision when the focal point is the upbringing and education of a minor. The crucial role of the psychological expert in each decision-making process will become apparent. Determining the best models for fulfilling parental duties is a current challenge for legal practitioners, albeit not for legal norms.

Keywords: psychological approach, parental responsibility, the best interests of the child, psychological, expert