

STATEMENT OF ISSUES

The issues raised by this appeal are:

1. Was the trial court's decision on custody supported by the evidence presented at trial and the applicable law concerning custody determinations?
2. Did the trial court err in entering a conditional award of custody?
3. Did the trial court err in entering a conditional award of custody where the condition required the party awarded custody to return to the State of South Dakota in order to have custody of the minor children?
4. Did the trial court err in ignoring substantial evidence of domestic abuse perpetrated by the plaintiff/father in making its final custody determination?
5. Did the trial court err in ignoring substantial evidence of the plaintiff/father's parental unfitness in making its final custody determination?