

ESPOSITO v. ESPOSITO was a 1963 New Jersey Supreme Court decision. Limited details. Famous WatchTower attorney, and onetime WatchTower Vice President, Hayden C. Covington co-represented Mary Esposito.

Dominick Esposito and Mary Esposito were married in 1953. Dominick Esposito was a nominal Catholic, and Mary Esposito was an occasionally observant Protestant. In September 1960, Mary Esposito joined the Jehovah's Witnesses. Thereafter, serious marital discord arose turning mostly on Dominick Esposito's objections to his wife's new religious affiliation, and her training of their infant son as a Jehovah's Witness. The son was born in 1956, and had been baptized in the husband's Catholic Church. At some unidentified point in 1961, the couple divorced, although they both continued to live in the same apartment. In October 1961, Dominick Esposito petitioned for sole custody of the child. In October 1962, an order of joint custody was entered.

On November 16, 1962, Dominick Esposito filed an appeal. On November 20, 1962, a further order was entered which provided that the child was to spend each weekday evening with his father, and all day Saturday. It provided further that "on Sunday the child may attend church services with his father, if the child so desires."

Mary Esposito appealed the both orders, and particularly had a problem with the provision allowing the father to take the son to Catholic Church on Sunday. Covington evidently advised Mary Esposito to move out of the apartment she shared with her former husband, and to pursue sole custody, which would give her the authority to control the son's religious upbringing. The appellate decision essentially put things on hold pending future legalities.