

Do's and Don'ts for Separating and Divorcing Parents:

From DivorceNet by Bernard Rotham, Esq., Sankel, Skuman and McCartin, LLP

Do tell your children that you love them and that the separation or divorce is not their fault.

Do reassure your child that divorce is not a sign of personal failure or a cause for shame.

Do establish consistent patterns of child care from the beginning of the separation.

Do let your child continue being a child.

Do encourage your child to have a continued relationship with the other parent.

Do establish and maintain a calm atmosphere and a stable environment.

Do maintain regular patterns of contact with both parents.

Do inform your child's teachers about your separation or divorce and about any changes in living arrangements.

Do include the other parent in important decisions and events in your child's life.

Do continue to reassure your children that even though you and the other parent are no longer together that both of you will always love and care for them.

Don't have hostile, name-calling fights in front of the children.

Don't ask your child to choose whom he or she loves more or with whom he or she wants to live.

Don't let your child feel like he or she is being shuttled between parents.

Don't use the child for emotional support or as someone in whom you confide your deep, dark secrets.

Don't try to hurt your ex-spouse by discouraging visitation.

Don't say negative things about your ex-spouse even if you feel strongly that they are true.

Don't use your child to deliver messages to your ex-spouse.

Don't prevent the other parent's relatives from having access to the child.

Don't allow issues of visitation or custody to become linked with those of spousal and child support.

For copies of this and other brochures in the "Creating a Parenting Plan" series, contact Family Court Services at (213) 830-0835

To schedule a mediation appointment and for the online Our Children First Program go to: www.lacourt.org

www.lacourt.org

FAM FCS 013 (Rev. 9/15)

Creating A Parenting Plan



FAMILY COURT SERVICES



What is a Parenting Plan?

A parenting plan describes how decisions will be made when the child will be with each parent by setting forth:

- Legal custody
- Time-sharing schedule
- Holiday and vacation schedule
- Transportation arrangements
- Any other agreements about the care of and responsibility for the child.

Your parenting plan may provide a general overview of the custody arrangements or describe the plan precisely. General plans are suitable for parents with a low level of conflict, while plans that are more specific work best for parents experiencing high conflict in their relationship.

Factors to Consider When Creating a Plan:

- The age, maturity level and temperament of each child.
- Any special needs of the child.
- Each child's relationship with siblings and parents.
- The distance between the two homes.
- The flexibility of both parents' work schedules.
- Child care arrangements.
- Transportation needs.
- The ability of the parents to communicate and cooperate.

Legal Custody Options

Joint Legal Custody means that both parents share the right and responsibility to make decisions related to the health, education and welfare of the child (Family Code section 3003). In making the custody order the Court may grant joint legal custody without granting joint physical custody (Family Code section 3085).

Sole Legal Custody means one parent has the right and responsibility to make decisions related to the health, education and welfare of the child (Family Code Section 3006).

Physical Custody Options

Joint Physical Custody means that each parent has significant periods of time with the child. Joint physical custody shall be shared in such a way so as to assure a child of frequent and continuing contact with both parents (Family Code section 3004). In making an order for joint physical custody, the Court may specify one parent as the primary caretaker of the child and one home as the primary home of the child (Family Code section 3086).

Sole Physical Custody means a child shall reside with and be under the supervision of one parent, subject to the Court ordering visitation for the other parent (Family Code section 3007).

Factors to Consider About Joint Custody

For joint custody to be successful, parents must:

- Be consistent between homes
- Cooperate
- Avoid conflict in front of the children
- Share in parenting tasks
- Cooperate with the transfer of the children's possessions between homes.

If parents are not cooperative, a joint custody plan may not be an optimal choice.

Importance of Parents Creating a Plan Together:

Every family is unique. Parents are encouraged, whenever possible, to work together to develop a plan that they both agree will meet the best interests of their children. To help parents in this important task the Superior Court offers Mediation Services, Our Children First program –online and in person—, and a series of brochures that highlight the needs of the children from birth to adulthood.

Parents who make their own decisions about parent/child time-sharing schedules report greater satisfaction and commitment to the arrangements.