

A Guide for Joint Custody and Shared Parenting

Families change when parents separate, but parenting does not end. Separation and divorce is a time to begin new parenting responsibilities and a new parenting relationship.

This brochure is a guide for joint custody and shared parenting. It will help you understand some of the issues related to joint custody and parenting plans, which help children make positive adjustments to their restructured family.

Joint Legal Custody

Legal custody gives a parent the right to make medical, educational and religious decisions for their children, and to give consent for a minor child to marry or enter the armed services. Joint legal custody means that both parents share these decisions. Parents who agree to joint custody generally continue to play a full and active role in providing a sound social, economic, educational and moral environment for their children. Joint legal custody means that both parents have the responsibility for raising the children and carrying out the tasks of guiding, disciplining, supporting and caring for the children.

Please note that the laws where you live may define joint custody more fully. Information may be obtained on the Internet, at a law library or from a court's self-help center. Please consult a family law attorney for complete information about joint custody specific to your location.

Here are some thoughts to consider when deciding whether or not joint custody is best for you:

- An unworkable marriage does not necessarily result in an unworkable parenting relationship. The best interests of children are met when parents can work together in carrying out the responsibilities of raising children together.
- Both parents have a right and a responsibility to make decisions affecting their children. Parents should consult with one another on important questions about education, religious upbringing and health care. When major decisions can be made together, both parents can impart their values to their children. Responsible parenthood respects that both parents have important concerns.
- Parents have individual strengths that are important to their children. Joint custody can allow parents to provide individual guidance to their children while collaborating on child rearing skills.
- Both parents will care for their children at separate times. Joint custody encourages parents to be consistent in managing daily routines and activities.
- Joint custody requires a plan for day-to-day care of the children. A *parenting plan* is a written statement of the arrangements that parents will follow in raising their children.

Parenting Plans

A parenting plan is prepared with consideration of the circumstances of both parents and the ages and developmental needs of the children. A parenting plan includes a schedule that identifies the specific days and times that children are in the care of each parent. A parenting plan identifies who will care for the children on major holidays, traditional family times and school vacation periods.

Many parents and children benefit from specific schedules and detailed parenting arrangements. You may want to begin with clearly defined days and times for your parenting schedule. Changes to a schedule can be made, as needed, by mutual agreement of the parents.

There are many ways that parents can organize the schedule for children. Some parents choose to arrange the care of children in one primary residence, with school routines and activities managed by one household. Other parents arrange for the care of children in equal blocks of time. In either case, a parenting plan should assure stability and quality of parenting.

Here are some issues to consider as you develop your parenting plan:

Parenting Time

- Determine when the children spend time with each parent.
- Be specific about arrangements for exchanging children. Name the place, the time and who will provide transportation.
- Identify important holidays and family events and agree upon how the children will share in these events with both parents.

- Plan for the care of the children during school vacation periods. Make certain that each parent keeps the other informed about vacations and travel arrangements for the children.
- Be certain that children have the opportunity to spend quality time with family and extended family for vacations by planning in advance.

Financial Arrangements

- A parenting plan should address the financial responsibilities of the parents including child support, child care, extracurricular activities, unreimbursed medical expenses, tuition and other child-related expenses. It is important to consult an attorney to better understand your legal and financial obligations to your children.

Communication

- Parents and children should be able to talk with one another by telephone during normal waking hours.
- Parents should arrange a way to contact one another in the event of an emergency that affects the children.
- Parents should provide advance notice to one another of intent to change their address or telephone number.

Education

- Parents should agree on the school their children will attend.
- Make sure that both parents can participate in school conferences, events and activities and can consult with teachers and other school personnel.

- Arrange for both parents to receive report cards and progress reports directly from the school.
- If the children attend private school, the parenting plan should address how parents will share the cost of tuition and fees.

Medical Care

- Parents should agree on how health insurance will be provided for their children. Both parents should follow the rules of any medical insurance plan in order to provide the most cost-effective health care.
- Both parents should be informed of routine health care check ups and appointments. Any doctor's instructions for care or medication must be provided to both parents.
- Each parent should notify the other of any emergency care sought for the children as soon as possible.

Religious Education

- Parents have a right to determine their own religious affiliation. It is important that parents agree on how their children will be involved in religious activity and affiliation, including religious education.

Athletics, Arts and Enrichment Programs

- Parents should consider their children's interests and wishes when planning their children's participation in these activities. Children will need the help of both parents to attend performances, practice sessions, games or other activities.

- Parents should respect one another's opinions about activities that they might find objectionable.
- Parents should determine how to share the costs of fees, equipment and other expenses.

Additional Considerations

- Children grow up and circumstances change over time; therefore, your parenting plan may also need to change. Your parenting plan can include time frames for review, such as when children enter school or complete elementary school or junior high. Other life events such as re-marriage or relocation can prompt parents to reexamine the parenting plan and make any necessary changes.
- Just because you have reached an agreement doesn't mean there will be no more conflict. Many parents agree to a dispute resolution process if disagreements arise between them. Mediation or counseling may be used as an alternative to court action.

This brochure provides a checklist of issues for you to consider when deciding about future parenting. However, a checklist is not enough. Successful shared parenting requires cooperation, communication and patience with the other parent and your children. To learn more about the laws and requirements in your area, please contact a family law attorney, your court or the local bar association.

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