

HackDivorce Presents:

# Parenting Plan Guide & Workbook for Divorce



by Michelle D. Rakowski

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## About the Author

Michelle D. Rakowski is a family law mediator and life coach with over 25 years experience helping families, couples and individuals resolve the big challenges in their lives.

Twelve years ago, her children's father left her and their 4 small kids and moved across the country.

She found herself in an ugly court battle and ended up with a grossly unfair Separation Agreement.

When it was all over, Michelle promised to help other people avoid the same disorientation, overwhelm and loss she had just experienced.

She went back to university to study family law mediation. As a mediator, Michelle has guided hundreds of clients through separation and divorce and realised that there was a compelling need for an easily accessible guide for separation and divorce.

Michelle integrated her years of hands-on experience in Family Law Mediation to create her comprehensive HackDivorce Course.

She is thrilled and proud to have created a set of tools that make it possible for anyone to obtain a fair and affordable Separation Agreement.

Michelle has raised her 4 children on her own as a single parent. They've each grown up into healthy and successful young people - a testament to Michelle's extraordinary and intuitive people-skills.

Michelle lives near Toronto, Canada, is a great lover of the outdoors and an avid skier.

Any questions or comments? Please feel free to contact Michelle at [allistonresolutions@gmail.com](mailto:allistonresolutions@gmail.com)

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# Chapter 1 Residency Schedules

When you're going through a divorce and you have kids, you're going to hear words like 'custody' and 'residency' used. It's important to have clarity about what these words mean.

Let's talk about 'residency' first. **Residency** refers to *where a child lives*. It's **not** about who has the decision-making power over that child's education, medical and religious and cultural involvements. Residency is about which parent's home the child is staying at and it includes the smaller day-to-day decisions.

**Access** is a term that's been traditionally used for the non-residency parent. For example, If John and Patricia's son, Max, lives primarily with Patricia, we would say that Max has residency with Patricia and that John has 'access' or visitation rights.

**Custody**, on the other hand, is about who makes the major decisions about a child's education, their health and dental and any religious and cultural involvements they might have. Many parents share custody or have joint custody of their children, which means that they make the big decisions together or that one parent makes decisions in some main areas and the other parent does likewise in other areas.

The Federal Government of Canada has just changed the official terminology that it used in the Divorce Act to no longer include the words 'custody' and 'access', but rather, to use 'decision making responsibility' and 'parenting time' instead. If you live in a different country, you can check out the federal or regional *divorce section* of the **justice website** affiliated with your government to see the terms used in your area.

## Creating a Regular Residency Schedule

One of the most important decisions you'll make while preparing your divorce agreements is your Regular Residency Schedule for the children.

Typically, the Regular Residency Schedule gives a detailed description of whose home the children will be residing in and when. It also gives details about the transitions between homes and what to do when something like an illness comes up and disrupts the regular schedule.

There are some excellent free tools on the internet that can help you figure out the best schedule for your family's needs. [You can find one here.](#)

Let's go over the basics here and then you should use the website I linked above, as well as:

- the Residency Worksheet in the Parenting Module Workbook
- the Parenting Section examples in the Real Agreements PDF resource of Lecture 1 (this lecture)

To begin with, you're going to need to determine what type of a residency arrangement suits your family's needs the best. Consider the following:

- How much do you work and when?
- Do you travel overnight for your work?

- Is your employer flexible for days when your child is sick and for school holidays?
- Is your lifestyle compatible with how frequently you want residency with your kids?

Will you be sharing the time 50/50 or perhaps it will be more of a 70/30 deal...or 80/20? I'll talk about child support in the Child Support in a later lecture, but YES, how much time your kids live with you will affect how much child support is paid.

There are so many combinations of residency schedules out there, so I'm just going to list the common ones and go over the most typical ones briefly. If one of these schedules sounds like what you want, you can then explore the links above to get more detailed descriptions and suggestions.

The most standard parenting time arrangements are:

- 50/50
- 60/40
- 70/30
- 80/20
- Long distance

## How Parenting Time is Shared

### The 50/50 Schedule

With a 50/50, or shared residency schedule, each parent gets an equal amount of time with the kids.

A one week on, one week off schedule is popular with families whose children are of school age. The children stay for one whole week with one parent and then switch to the other parent for the following whole week.

For younger children, a 2-2-3 schedule may be more suitable where the child stays with one parent for 2 days, then the other for 2 days and back to the original parent for the weekend for 3 days. Following that, the schedule flips so that each parent gets every other weekend with the child.

There are a lot of different ways that a 50/50 residency schedule can be made. Using your own imagination and looking at what has worked for others can help you figure out a plan that works best for your unique situation.

I'm not going to go through all the combinations and permutations of potential schedules, because there are just **way** too many.

Remember, I've shared a link above to a site that not only lists almost any schedule you can think of, it also has a schedule designing tools for you to personalise your schedule. Some of the services on this site are free and others are paid for.

## **The 80/20 Schedule**

This is where the children live primarily with one parent and spend every other weekend with the other parent. Sometimes there's also a midweek visit.

In primary residency situations, where the children live with one parent more than the other, the parent that gets the children only 20% of the time may wish for additional time by adding Friday or Monday holidays onto the schedule or possibly taking the children when there's a Professional Development Day and the kids don't have school.

Another way that some parents like to get some additional residency time is by taking extra weeks in the School Summer Vacation to be with the children.

What's most important is that you work out a schedule that's compatible with your needs and your ex's and that takes into consideration the needs of the children. In Family Law, the children come first, so please keep that in mind as you're working things out.

## **The Holiday Schedule**

Once you've figured out what your regular residency schedule is going to look like, you need to consider what to do with various holidays and vacation times throughout the year because often the schedule needs to be adjusted for these special times. Everybody's situation is different, so you only choose to make special arrangements for the vacations and holidays that are pertinent to your family's needs.

Questions to ask yourself are:

- Will the kids spend certain holidays with the same parent *every year* or will they alternate between parents depending on whether it's an odd numbered year or an even number year?
- How much advance notice should you and your ex give each other about making any changes to an agreed-upon schedule or finalising dates for things such as which weeks will be taken for summer vacation?

Looking at the Parenting Plan Tool section #1, question 14, let's quickly go over various holiday and vacation considerations.

Starting with Easter, the thing to think about is if you or extended family, such as grandparents, traditionally do special activities like egg dying, going to a church service, celebrating a Passover dinner or going on an egg hunt.

If you do a specific activity with a certain group of people on the same day every year, bear this in mind when deciding how to spend the holiday.



After Easter comes Mother's Day. Obviously, a special effort should be made for the kids to be with their mom on Mother's Day even if she's not on the residency schedule for that day. The same goes for fathers on Father's Day.

For 3-day long weekends you can figure out if keeping the regular schedule is best or switching it up between parents.

Some 3-day holidays are more important to certain families than others. So, for example, you may want to make special arrangements for Thanksgiving, but keep to a regular schedule for the Labour Day long weekend, which is just fine.

One-off holidays such as Canada Day, Independence Day or Halloween, again, will be up to your particular situation.

Christmas is probably one of the most special times of the year for most families and it's important to ensure that each parent gets their fair opportunity to share time with the kids on Christmas Eve, Christmas Day, Boxing Day and New Year's or any combination of those holidays that are most important for you.

Besides the specific days of Christmas, Boxing Day and New Year's, the kids are usually off of school for 2 weeks during the Christmas vacation and it should be determined whether the regular schedule will prevail on all days other than Christmas, Boxing Day or New Years, or if you will make special residency arrangements over the two weeks.

For example. If you have an 80/20 residency schedule, the parent who has the kids normally 20% of the time (so on every other weekend) may wish for a whole week of special time with the kids over Christmas, to be fair.

The special days would still be shared, but now the 20% parent gets extra time, which is nice.

If you normally take a week or two off during the summer to get away, you'll need to make sure you discuss that with your ex well in advance of the start of summer vacation. That way you can each make a plan to get away with the kids and no last-minute surprises which can cause trouble.

For instance, many of my clients opt to have a final agreement about summer vacation dates no later than June 1st and sometimes, or even May 1st, before school summer vacation begins.

Finally, a quick word about birthdays. Most parents want to make their kids' birthdays special, but I'll often hear parents say that their own birthdays don't really matter so much.

I'd like to say that while it probably doesn't matter too much *to you* about your birthday, it probably *does* matter to your kids and for most children, celebrating parents and siblings through their birthday is really important and meaningful for them.

So, when making decisions about celebrating parent's birthdays, be sure to factor in your child's needs to celebrate you also.

# Chapter 1 Workbook Questions

1. Where will your children live?

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2. Will your children live with *only* one parent, *mainly* with one parent, or *equally* in both parents' homes?

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3. Will your children spend time with a parent when they are not living with that parent?

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4. Will they spend certain evenings or weekend days with one parent and then go back to the other parent's house?

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5. The best model for our regular residency schedule is (check those that apply).

☐ 50/50    ☐ 60/40    ☐ 70/30    ☐ 80/20    ☐ Long Distance

6. On what day(s) will you switch the residency and at what time?

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8. Who will transport the children between homes?

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9. Who will pay for transportation expenses?

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10. How will pick-ups and drop-offs be coordinated?

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11. How can the parenting time schedule be changed for unforeseen events, such as illness?

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12. How much notice will be required if a change is needed for social events, special occasions or travel?

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13. Proposed Regular Parenting Time Calendar (use colour):

Sun	Mon	Tues	Wed	Thurs	Fri	Sat

#### 14. Vacation and Holiday Parenting Time

- Who will care for the children during school breaks, statutory, civic and religious holidays?
- Will your children spend certain holidays with one parent every year?
- Will holidays alternate between households?
- How much advance notice do you need from the other parent if changes will be made to the schedule?
- How will the children spend special days such as birthdays, Mother's Day or Father's Day, special events such as weddings, graduations, funerals, and any days that are especially important to your family?

Please tick off the boxes that apply to your situation:

Holiday	Regular Residency	Mother		Father	
		Odd years	Even years	Odd years	Even
Family Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Easter - Good Friday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Easter - Sunday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Easter - Monday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mother's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victoria Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Father's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canada Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Civic Holiday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thanksgiving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Halloween	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christmas Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Christmas Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boxing Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Year's Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Holiday	Regular Residency	Mother		Father	
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Odd years    Even years    Odd years    Even

years

March Break	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christmas Break	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Summer Break	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PD Day - Mondays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PD Days - Fridays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child's Birthday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Father's Birthday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mother's Birthday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## Chapter 2 Friends & Family

We will be continuing to work through the questions in the workbook. You can find the download for the ***Complete Parenting Module Workbook*** in Lecture 1.

***Question #1 asks: Will your parenting plan address your children's relationships with grandparents and other members of their extended family?***

Your children's grandparents and extended family are an important part of their identity and in many cases, their support system. Ensuring that these people remain connected to your kids, even if you don't necessarily get along with them, is part of your parental responsibility.

Of course, there are circumstances where it's not safe for this to be the case, but these situations are beyond the scope of this guide. If this happens to be you, you need to reach out for some professional support and advice.

However, whenever possible, support and promote good relationships between your children and their extended family. Try to accommodate participation in events with these people and encourage regular communication.

***Questions #2 asks: Will each parent be responsible for maintaining relationships with their side of the family while the children are in their care? What role will other family members play in your children's lives?***

It stands to reason that each party should take on the lion's share of the responsibility to keep the kids connected with ***their*** side of the family. What's more, if grandparents or aunts and uncles are providing child care for your kids, that can be acknowledged in your agreement.

Here's an example of a clause that you may wish to include to this end. More examples are in ***Real Agreements PDF***:

## Section: Parenting

1.1 It's in the children's best interest to continue relationships with their maternal grandparents named Bruce and Jinny Smith. These grandparents will have reasonable telephone access to the children and may schedule regular visits with the children"

An additional clause that could be added reads like this:

## Section: Parenting

1.1 "The grandparents, Bruce and Jinny Smith, can babysit the children if John [their son] is unable to care for the children during his residency time."

Remember, extended family can be an invaluable source of support for single parents. Not only can they help provide much needed relief from parenting tasks, they can also provide rides to activities, supportively attend special events and provide an extra shoulder to lean on when things are tough.

### **Question #3 asks *How will the children spend time with their friends?***

Maintaining social relationships is super important for kids who are going through a separation. Accommodating play dates and after-school hang outs is one of the ways that you can help provide stability and normalcy during a very turbulent time in their lives.

Coordinating dates with friends is something that you and your ex may need to communicate about on a regular basis, so think about how to best do this in your situation. Can you talk on the phone, or is an email or text better? Enforcing strong boundaries around communication with your ex is important but be reasonable and not intentionally difficult to deal with, because that can add extra stress and anxiety into your **child's life** which is probably already pretty challenging.

### **Question #4: *Who will take the children to social events such as birthday parties, sleepovers, and extra-curricular activities and arrange for and or pay for associated purchases (for example birthday presents for others)?***

In most cases, the parent that the children are having *parenting time* or *residency* with will provide transport and make arrangements for social events that happen on their residency time. Sometimes, an event may overlap with the other parent's *parenting time* and this will require good communication.

If gifts or other purchases need to be made for these special events, the parents will have to work out who pays for these. If one parent has primary residency with the kids and is receiving child support, it may be reasonable for that parent to make the purchases. However, that's not necessarily the case. The cost may be shared between the parents or perhaps they will switch off who pays from one event to the other.

### **Question #5 *Who will attend family events?***

Determining who can attend family events can be a bit dicey, especially if new partners are involved. I'll discuss how to deal with new partners in Lecture 7.



If the family event is a birthday, wedding, graduation or some other milestone achievement that would normally include family members from each side of the family, it's best to see if you can reasonably include everyone for the sake of the kids.

However, if doing so would cause hardship or a falling out, then this information should probably be shared with the children at an age appropriate level so that you can explain to them why some people will not be attending the special event. Don't volunteer any more information than is necessary in these sorts of circumstances and try hard to not make judgmental statements about the family or friends that are causing the upset.

Also, give your kids the opportunity to ask questions and process in a way that benefits them. Again, make an effort to be supportive and non-judgemental, as much as it's possible. Remember, you're doing this for the benefit of your kids. As much as it feels good to take a jab when somebody's really burned you or treated you unfairly, you need to model acceptable and appropriate behaviour for your kids and hopefully they'll then exhibit the same mature behaviour in response to other challenging situations.

***Question #6: If each of your children has a different parenting arrangement: How will you support their sibling relationship(s)? Will your parenting arrangements include time for the siblings to be together?***

If you're in a situation where the kids aren't all living together under the same roof, it's extremely important that intentional steps and plans are made to keep the kids connected with each other.

When possible, plan overlapping parenting time where the kids will all be together for an afternoon, a day, a weekend or for other special occasions.

## Chapter 2 Workbook Questions

1. Will your parenting plan address your children's relationships with grandparents and other members of their extended family?

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2. Will each parent be responsible for maintaining relationships with their side of the family while the children are in their care? What role will other family members play in your children's lives?

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3. How will the children spend time with friends?

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4. Who will take the children to social events such as birthday parties, sleepovers, and extra-curricular activities and arrange for/pay for associated purchases (for example birthday presents for others)?

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5. Who will attend family events?

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6. If each of your children has a different parenting arrangement: How will you support their sibling relationship(s)? Will your parenting arrangements include time for the siblings to be together?

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## Chapter 3 Your Child's Belongings

How you manage your children's belongings will be influenced largely by your residency situation.

In **Question #1** of the **Workbook Questions** at the end of this chapter, we see that we're being asked if the kids' belongings will travel back and forth with them.

There may be special items such as electronics and comfort items that will travel regularly between your children's homes.

If a child has primary residency with one parent, the parent that has the children less frequently may not have as many clothes and accessories for the kids at their house. It might be necessary for the kids to bring outdoor clothing or their soccer outfit or their ski equipment when visiting this parent.

Again, good communication is key here. Avoiding petty disputes whenever possible is best and no matter what, do NOT put your children in the middle of a disagreement.

Catching the kids in the middle is particularly damaging to their emotional well-being and it can inadvertently put a strain on your relationships with them, particularly as they get older.

**Question #2** asks if you will have 2 sets of certain items for the kids. This could be anything from rubber boots to outdoor gear to electronic items.

Again, this will be influenced by your residency situation and what is most reasonable for your family.

**Question #3** asks who pays for what?

This item will need to be addressed more completely when we talk about child support, but it is something to start thinking about and processing now, so that when we get to the Child Support Chapter you're all ready to go with it.

For now the factors to consider regarding who pays for what are:

- In general, regular child support is to help with daily/monthly costs such as living expenses and food. Depending on the situation, the payor's contribution to child support may cover all of their obligation towards clothing or it may cover only a portion. This will need to be discussed and agreed upon between the parties
- If regular child support is a low amount, then it usually doesn't cover the extras at all. BUT, if child support is a higher amount, then it may be more than enough to cover certain extras such as winter outerwear and sports uniforms.
- Also, consider: Will the child support payor be providing a set amount of additional money for extras every month? I've had clients who said they would pay an additional lump sum of \$200 or \$300 a month and that that money would go to extras that are over and above normal child support.

- Does one party **want** to cover certain expenses completely? Sometimes I have clients who are insistent that they pay for particular extras for the kids such as hockey or a grade 8 grad trip.

Try to go over defining what the extra expenses in your scenario are with as much detail as possible for now. As we roll along, you'll get a clearer picture of how these costs will be handled in your agreement.

## Chapter 3 Workbook Questions

1. Will belongings move between homes with your children? ☐ Yes ☐ No

2. Will your children have two sets of some items?

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3. Who will purchase items for your children?

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## Chapter 4 School & Extracurricular Activities

The first question in the workbook pages at the end of this chapter asks:

***Who will make the decisions about what school program or school the children attend? How will these decisions be made?***

Making decisions about school is a major responsibility and your Parenting Plan needs to designate which parents are taking on this responsibility.

Regular communication is imperative if you're making decisions together. Designating a time to talk about your children's education like after each report card, might be a good approach. Beyond that, attending meetings jointly with your kids' teachers is also a very good idea, more on that in a few questions...

Even if you have sole custody or decision-making authority for your children you should still keep the other parent informed of any major decisions you are making regarding the children's schooling.

Question #2 asks:

***How will you access or share information about your child's schooling with the other parent? Who will receive copies of your children's report cards?***

Communication is critical to avoiding major conflict in separation and divorce and that applies here more than ever.

One parent will need to notify the school about your child's situation of going through a separation or divorce. Depending on the situation, you may need to ask the teacher to reach out to each parent separately.

However, you and your ex might make an agreement where one person communicates regularly with the teacher and then shares that information through phone, text or email and keeps the other parent in the loop.

Unless you have extenuating circumstances, both parents should usually be allowed to access their child's school information regardless of these arrangements.

Sometimes, parents can run into issues with teachers, doctors or other professionals who will not acknowledge one of the parent's rights to access their children's information. One of the ways you can protect yourselves from this is by including a clause that says something like the following:

### **Section: Parenting**

*1.1 John and Patricia may make inquiries and be given information by the children's teachers, school officials, doctors, dentists, health care providers, summer camp counsellors or others involved with the children. The parties intend this clause to provide each of them with access to any information or documentation to which a parent of a child would otherwise have a right of access. If, for whatever reason, this clause itself is not sufficient (although both parties intend it to be sufficient authority for either of them), the parties will cooperate and execute any required authorization or direction necessary to enforce the intent of this clause.*

If you ever had to, you and your ex can submit a form to the teacher, doctor, camp counsellor etc and this form would allow access to your child's information. You can find an example of this form in the links at the end of this book.

Question #3 asks:

#### ***How will notification of classroom or school events be shared?***

Younger children often get agendas from their schools to keep track of events and assignments. If your child doesn't automatically get one of these, you may want to consider buying one and asking the teacher to use it as a 3 - way communication tool between them, your ex and yourself.

Some parents will each get their own set of communications from the school and other parents designate one of themselves as the liaison. Make sure to decide which parent connects with and shares information with the other parent, as mentioned in the previous question.

Question #4 asks:

#### ***Who will sign permission forms and pay for special school activities?***

It's up to the parents to figure out who's signing forms and what is the most efficient and consistent way of doing this.

If one parent is in the exclusive decision making role around school issues, then it stands to reason that this parent should sign the school forms.

Beyond that, who pays for special activities is unique to your situation.

Many parents split everything 50/50.

Some will pay according to how much money they make, or proportionate to income. For example, if one parent makes 80% of the combined income between them, that parent would pay for 80% of the special expenses. Another arrangement that I've seen in my practice is where the parent that the children primarily live with, who is receiving child



support, will pay up to a certain amount, say \$30, per special school expense, and if the amount goes over that, the other parent will then split the difference or pay the difference.

There are lots of ways this can be done.

When you're making your own agreements there's a lot of room for creativity and making choices that suit your personal situation.

Question #5 asks:

***How will your children get to and from school? Who will be authorised to drop off and pick up your children from school?***

Your kids safety is top priority no matter what. Younger children will especially need a clearly defined transportation schedule with specified, trusted drivers that may include parents, grandparents, caregivers, siblings and /or friends.

As kids get older and exercise more independence, they may take on more responsibility for getting themselves to and from school, but as long as the kids are in your care, it's still up to you to know what the plans are regarding their transport to and from school.

Question 6 asks:

***Who will attend parent-teacher conferences? Will you attend jointly, or will you organise your own meeting with teachers?***

If it's awkward to be together with your ex, then choosing separate meetings with teachers or designating one parent to do this may be the best option.

However, if you're amicable enough to attend together, then this may be preferable because if there are any issues that need to be worked out, you will all be together, including the teacher, and it will be easier to work on solutions.

Question #7 asks:

***Who can volunteer at the children's school and attend school events?***

Understandably, parents are busy, but perhaps you will have the privilege to help out at your kids school through volunteering. If this is the case and your ex wishes to be a volunteer also, you should probably discuss how you're going to handle sharing opportunities to serve in this way.

This is especially important if you would feel awkward attending the same field trip as your ex.

As for school events such as presentations, graduations, sports events or arts nights, reasonable efforts should be made for both parents to enjoy these special occasions.

Remember, it's better to clear the air in advance of an event than to have to deal with a challenging circumstance in the moment. If a challenging situation shows up anyway, despite your best effort to mitigate it, have a plan in advance about how you will handle it in a mature and appropriate manner.

It's not easy to deal with difficult situations that have triggered us, but for the sake of modelling responsible behaviour for your children, think about this in advance. Have a default script or a series of steps that you can walk yourself through if a heated moment arises.

Nothing speaks louder than actions and showing your kids how to deal appropriately with challenging circumstances is one of the best gifts a parent can give.

Question #8 asks:

***Are there special arrangements that need to be made for homework to be completed when parenting time falls during the school week?***

This is an important question because sometimes parents are busy with work or extracurriculars or just plain overwhelmed with the magnitude of responsibility that accompanies being a single parent.

Because of this, some kids get behind on homework or begin to lose ground with keeping up their grades. This can be really challenging for a young person's self-esteem, especially when there are already so many difficult things to cope with from going through a divorce.

Hiring a tutor or intentionally scheduling in time for a parent or older sibling to help a child with their studies is a good remedy. Also, regularly checking in with the child and their teacher is a form of accountability that can be employed too.

Question #9 asks:

***Who will be the emergency contact for the school?***

An emergency contact cannot be you or the other parent, because you're already the primary caregivers and will be the first people contacted if there's an emergency.

An emergency contact is a default person who can respond to a situation with your child if you or the other parent are not available.

An emergency contact is someone who is a trusted member of the family or a friend and they are easy to access by phone. They are also able to physically get to where your child is with ease because they live nearby.

Your child should feel safe with this person, especially if they're not feeling well or are in a vulnerable position.

An emergency contact needs to continue trying to get ahold of you or the other parent while they are responding to an emergency in lieu of you.

Ideally, you should have more than one emergency contact.

Question #10 asks:

***How will you make decisions about whether your child should be assessed for education-related needs? Who will pay for costs of tutoring or assessments?***

If your child is struggling academically or emotionally, the school may recommend a full battery of diagnostic testing in order to detect if there's an underlying learning disability or psychological condition that's contributing to the problem.

If you or your ex have good extended health insurance, this should be covered. In the event that it's not, you may qualify for special funding through your school board or you will have to come up with a plan to cover the cost between the parents.

Having a diagnosis for a struggling child means that they will be able to access resources and services that they normally wouldn't qualify for and this can make an enormous difference in your child's school success and success in life in general.

A diagnosis will follow a child into college or university and again, it will make a huge difference in how they can be helped and this is worth its weight in gold.

Question #11 asks:

***Who can take the children out of school and under what circumstances?***

Children may have to leave school for medical appointments, sports or arts events or to go on a vacation.

Parents will have to decide together how this will be handled, unless one parent has all the decision making *power in this department*.

**The next section that we will go over is Extracurriculars.**

Children have so many options available today when it comes to being involved in extracurricular activities. There are several no cost or low cost options and myriad of options for paid activities too.

Extra curricular activities are important to the overall and well-balanced development of children. Not only do they give kids an opportunity to learn new things, but they allow them to be part of a community and to feel empowered with the skills and talents they are developing. Beyond all that, extra curriculums teach kids leadership and self-discipline.

I know that finding time and money can be hard for some families, but please know that this is an investment in your child's future. Kids who participate in extracurriculars tend to be more successful academically and in other areas of their lives and they tend to be more well-rounded. These benefits will continue for the rest of their lives.

Question 1 in this section asks: ***How will you make decisions about extra curricular activities? What types of activities will your children be involved in? Who will pay for these activities? Who will transport your children and attend activities?***

Ideally, you'll make decisions about extracurriculars together. However, if one parent has sole-decision making power, then it will be up to them.

Deciding on a budget is the first thing to do. Following that, you should probably ask your kids what kind of activities they might be interested in.

Many groups and clubs allow a child to try their activity a few times before requiring a monetary commitment, so be sure to ask for a trial.

Also, look into what sorts of subsidies and bursaries might be available if you're lower income. Most communities have a local program or two to help with this in addition to nation-wide programs like Jump Start, if you're Canadian.

Paying for extra-curriculars should be shared either 50/50 or proportionate to income, as discussed earlier. In most cases, as long as the activity is reasonably priced for the family and there's time for the commitment, both parents should try to support it.

How many activities your children will be involved in is up to you, but that choice should also take into consideration what both parents can afford and the time commitment involved.

If one parent wishes for a child to be involved with a very expensive activity or one with a high level of commitment, such as a competitive team of some sort, the other parent may not be able to support it for various acceptable reasons.

If this is the case, the child can still be put into the activity, but the parent who wishes for the child to be involved in the activity should be prepared to support it entirely on their own.

For instance, I've had several scenarios where one parent buys the ski equipment and passes for the kids, but the other parent does not participate in the cost or attending the sport because it's too expensive for them. This is ok. Just try to keep the peace.

An example of a clause you can use in your agreement to define your kids extracurriculars can look like this:

### **Section: Child Support**

1.1 The children's current special or extraordinary expenses are:

- (a) Hockey, approximately \$1000 a year;
- (b) Piano Lessons, Approximately \$700 a year; and
- (c) Summer Camp, approximately \$2000 a year.

1.2 For apportioning of special or extraordinary expenses, John 's income is 70 percent of the parties' combined incomes. Therefore, John will pay to Patricia 70 percent of the children's special or extraordinary expenses in the amount of \$250/month, starting September 1 and on the first day of each month.

1.3 The parties will only contribute to the children 's additional special or extraordinary expenses if the parties consent to the expenses in advance, in writing. Neither party will unreasonably withhold consent. If the parties cannot agree, they will use the section of this Agreement entitled "Dispute Resolution" to resolve this issue.

Question #2 asks: ***How will you schedule activities for the children? Can one parent schedule activities that will take place during the other parent's Parenting Time?***

It may take a little while to get into the groove of coordinating schedules with your ex once you are living apart.

Not to sound like a broken record, but good communication is key here. That means passing ideas back and forth and working together as well as you can to provide the best experience for your children.

Neither parent should just go ahead and book activities during the other parent's Parenting Time. Not only is it considerate to check in with the other parent when booking activities that will overlap with their residency time, it's the appropriate thing to do and you need to do your best to not create inflammatory situations with children's other parent.

Kids can sense when things are difficult between parents, whether you say anything or not, and this can cause a lot of stress and anxiety for them.

No matter how badly you want to get back at your ex or teach them a lesson when you feel frustrated - don't!

It's better for your kids if you chat about your frustrations with a helpful third party first and come up with a negotiation strategy that can help mitigate hostile outcomes.

Question #3 asks: ***How will you make decisions about each parent's participation/involvement/attendance at extracurriculars?***

This is totally up to you and your family and hopefully you can work this out between you and your ex without too much fanfare. As time rolls along, you will settle into a new way of coordinating with your ex.

Do your best to walk the high road and always keep your kids' well-being top priority.

Question #4 asks: ***How will you share information about activity-related events, trips, games, recitals, etc.?***

The vast majority of people simply share information about events with their ex through text, a phone call or email. Sometimes the kids will get multiple paper notices or invitations for an event so they can give each parent one.

If notices will be sent through social media or email, sign up to get them sent directly to you if you can.

Whenever possible, don't make the child the middle person by sending notes and notices back and forth with your ex by using them. This can put them in an awkward position and if a problem flares up, they may feel responsible or guilty, even though it really has nothing to do with them.

In today's age of cell phones, you can easily take a picture of a notice or simply forward an informational email. Do this as often as possible and use the other methods when you can't.

## **Post Secondary**

The final section in this chapter will explore some of the things you should consider regarding Post Secondary Schooling for your children.

For a lot of parents, post secondary education seems so far away that it's barely a thought. But, trust me, it comes quicker than you think and it's important to have a plan, especially when you've gone through a separation.

I'm going to briefly share some things that you might want to consider in this area.

A lot of parents try to put money away for their children's post-secondary education using RESP's or Registered Education Savings Plan.

If you've been thinking of doing this, but haven't yet, there's no time like the present.

Some funding sources to consider when your kids go off to school are:

- Scholarships and Bursaries
- Student loans
- Child's Money saved from summer jobs
- RESP's
- Grandparent contributions

Once your child has used all the resources available to them, you and your ex will have to agree on how to fund the rest of your child's education. Talking a bit about this now can mitigate some challenges down the road.

Parents are obligated to support their kids through college and university, as they are still considered dependents at this stage. Failure to support when you have the ability to do so can end up in some pretty nasty litigation, so it's best to start thinking about this now so hopefully everything can fall into place nicely.

Some parents include clauses about post-secondary education in the Child Support Section of their Agreement. You can find examples of these in The Definitive Sourcebook of Family Law Separation Agreement Clauses.

# Chapter 4 Workbook Questions

## School

1. Who will make the decisions about what school program or school the children attend?  
How will these decisions be made?

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2. How will you access or share information about your child's schooling with the other parent? Who will receive copies of your children's report cards?

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3. How will notification of classroom or school events be shared?

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4. Who will sign permission forms and pay for special school activities?

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5. How will your children get to and from school? Who will be authorised to drop off and pick up your children from school?

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6. Who will attend parent- teacher conferences? Will you attend jointly, or will you organise your own time with teachers?

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7. Who can volunteer at the children's school and attend school events?

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8. Are there special arrangements that need to be made for homework to be completed when parenting time falls during the school week?

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9. Who will be the emergency contact for the school?

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10. How will you make decisions about whether your child should be assessed for education-related needs? Who will pay for costs of tutoring or assessments?

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11. Who can take the children out of school and under what circumstances?

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## **Extra Curriculars**

1. How will you make decisions about extra curricular activities? What types of activities will your children be involved in? Who will pay for these activities? Who will transport your children and attend activities?

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2. How will you schedule activities for the children? Can one parent schedule activities that will take place during the other parent's Parenting Time?

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3. How will you make decisions about each parent's participation/involvement/attendance in your children's extracurriculars ?



4.How will you share information about activity-related events, trips, games, recitals, etc.?

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## Chapter 5 Travel

In Canada, unless a court has ordered differently, a child has the right to travel with a parent whether inside the country or outside of it.

If you go to the Workbook section at the end of this chapter, you'll see that question #1 asks: ***Who may apply for your children's passports? Who will keep your children's passports? If your children have citizenship in more than one country, what passports will they use?***

One of the most important identification documents your child will ever have is their passport and it requires special attention and protection, even in your parenting plan.

It's really important to specify which parent will do what when it comes to renewing passports, because sometimes the officer at the passport office will want to see the agreement you've made about who is responsible for what.

So, designate who will fill out the application form and take it to the renewal office. The other parent will need to sign the document before it's submitted for passport renewal.

Beyond all that, the passports need to be kept safe with the designated parent at all times, except for when they are given to the *other* parent for travel. As soon as the other parent is finished with the passports, they need to be returned to the parent that keeps them stored.

Moving on, question #2 asks: ***How will you and the other parent notify each other about plans to travel with your children? How far in advance? What type of travel information will you share (for example flight information, emergency contact information, location in destination.)?***

When a parent is travelling with a child, it's vitally important that the non travelling parent has information about flights, itinerary and emergency contact numbers. The same is true for

when a parent is travelling on their own *without* the children. The reason for this is that if there was ever an **emergency** and the travellers need to be contacted, the non travelling parent could do so.

As for planning trips, in general, if you can give the other parent one month or more of advance notice for travel, that would be preferable.

If the situation between parents is a little tenuous, be sure to make a written agreement about travel before finalising ticket purchases. Also, be sure to get the non-travelling parent to sign and have witnessed, a Consent to Travel letter in case it is required to leave or re-enter the country with the child.

The following is an example of what the agreements about passports might look like in your Agreement:

Section: Parenting

- 1.1 Patricia will apply for a Canadian passport for the children. John will sign the passport application. Patricia will keep the passports and give them to John when he needs it for travel. John will promptly return the passports when he returns from travel.
- 1.2 If either party plans a vacation with the children, that party will give the other a detailed itinerary at least 30 days before it begins, including the name of any flight carrier and flight times, accommodation, including address and telephone numbers, and details as to how to contact the children during the trip.
- 1.3 If either party plans a vacation without the children, that party will give the other a telephone number where he or she can be reached in case of emergency or if the children wish to contact that parent.
- 1.4 If either party plans a vacation outside Canada with the children, the travelling party will provide the other party with Travel Consent Form authorising the children to travel, for the other party to execute and have notarized.

Question #3 asks: ***If your children require additional medical coverage or immunizations/vaccines for travel, who will be responsible for making these decisions and for paying any related costs?***

The answer to that is: Before booking trips to destinations that require vaccines or specific medical information, talk to the other parent and decide how you will handle this.

Moving on, Questions #4 asks: ***Do you have concerns about your children travelling with the other parent?***

Occasionally, in less than amicable situations, a parent may not wish for their kids to travel with the other parent.

If this is you, you may have to look into what your rights are by consulting a lawyer. Preventing a parent from travelling with their child requires a process and you'll have to find out what that looks like for where you live and for your specific circumstances.

# Chapter 5 Workbook Questions

## **Travel**

1. Who may apply for your children's passports? Who will keep your children's passports? If your children have citizenship in more than one country, what passports will they use?

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2. How will you and the other parent notify each other about plans to travel with your children? How far in advance? What type of travel information will you share (for example flight information, emergency contact information, location in destination.)?

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3. If your children require additional medical coverage or immunizations/vaccines for travel, who will be responsible for making these decisions and for paying any related costs?

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4. Do you have concerns about your children travelling with the other parent?

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5. NOTE: A Consent to Travel document may be required if travelling out-of-country.

## Chapter 6 Daycare

Moving on to the questions in this Workbook section, we find Question # 1: ***What childcare arrangements will be needed for your children (for example full or part-time daycare, after-school care, school breaks) and how will costs be shared? Who will claim the tax deduction?***

Depending on the residency situation for your children, you may need daycare consistently at the same times every week **or** you may need it for one week and then not for the following week etc. Determining exactly what you require is the first step in unravelling your daycare needs.

In some cases you will be expected to pay for daycare even on days or weeks when you are not using it, simply in order to hold a spot, so get clear information about this from prospective providers.

Following that, you need to agree on a daycare provider with your ex that both of you feel is a good fit for your child and situation.

Daycare is a special expense and you and your ex will need to decide who will pay for it and how. The most popular ways of sharing the cost are 50/50 or in proportion to income. Occasionally one party will pay for all of the daycare.

In Canada, daycare costs can be claimed for a tax deduction. It can be a little complicated, so you'll find a link in the resource section at the end of this book for more information and the proper government form that needs to be filled out for this.

Question #2 asks: ***Who will care for the children if your childcare provider is unavailable?***

When the parent who has residency time is unable to care for the child for whatever reason, the opportunity to care for the child is typically offered to the other parent. This is called **Right of First Refusal** and it's often written into an agreement like this:

**Section: Parenting**

1.1 John and Patricia agree that it is in the children's best interests to spend time with the other parent rather than with a third party. Accordingly, if a party who the children are scheduled to be with according to the schedule above cannot care for them, that party will notify the other party and give the other party the opportunity to do so. If the other party cannot care for the children, the party with whom they are scheduled to be with according to the schedule above will be solely and financially responsible for making alternate childcare arrangements.

However, if neither parent can care for the child, then having an alternate on-call such as a grandparent or local friend is a good backup plan to have in place.

# Chapter 6 Workbook Questions

## **Daycare**

1. What childcare arrangements will be needed for your children (for example full or part-time daycare, after-school care, school breaks) and how will costs be shared? Who will claim the tax deduction?

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2. Who will care for the children if your childcare provider is unavailable?

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3. Right of First Refusal. If the residency parent is unable to provide care for the children, the other parent should be the first to be offered before using a third party care-giver.



## Chapter 7 Health Care and Insurance

Health and Dental Care comes under the umbrella of a major decision making area. You and your ex will either agree to make decisions in these areas together or you will designate one of you to have the decision making power.

Question #1 asks: ***How will you make decisions about medical or dental treatment? Will both parents be major decision makers for your childrens' health, or will just one of you be the major decision maker?***

If you are sharing the decision making responsibility then you will make these decisions together. That means you need to have a decision-making process figured out between the two of you.

For instance, when an important decision needs to be made about a child's medical or dental, you'll have to figure out how you will communicate together about the issue, who will liaise with the health professionals, who will coordinate arrangements with the health insurance and how will the child be supported and cared for if there's a recovery period?

Question #2 is about health cards: ***Who will hold the children's health cards and vaccination cards? Will the cards move between homes with the children?***

Since there is only one copy of health and vaccine cards, one parent will have to store these safely at their house. The other parent can have a copy or access the originals when necessary.

Alternatively, you can send these cards back and forth with the child, but there's a greater risk that they could get lost, so you'll have to put measures in place to prevent that from happening.

The parent that accompanies the children most frequently to medical appointments is probably the best choice for holding onto the cards, but it's up to you.

On to Question #3 ***Who will make decisions about vaccinations or other preventative treatments?***

If you and your ex are joint decision makers about health, then you'll need to make choices together about how to treat your child with vaccines or preventative treatments and possibly alternative, natural or complementary medicine.

If you're the sole decision maker in this category, it's still a good idea to share your decisions with the other parent for safety reasons and simply because the other parent has a right to know about their child's health even if they aren't the ones making the major decisions.

Question #4 asks: ***How will you access or share medical information?***

Parents who are joint decision makers should have equal access to their children's medical records. If this is a problem, the first step is to show the medical professional your signed separation document and parenting plan which is legal proof that you have this authority.

If this, for some reason, is still not enough, there is a form that you and your ex can fill out to this end and it should guarantee your access to your kids medical records. This form is called the 'Authorization and Direction' form and can be found in the resource section at the end of this book.

You may wish to include the following clause in the Parenting Section of your Agreement:

### **Section: Parenting**

1.1 John and Patricia may make inquiries and be given information by the children's teachers, school officials, doctors, dentists, health care providers, summer camp counsellors or others involved with the children . The parties intend this clause to provide each of them with access to any information or documentation to which a parent of a child would otherwise have a right of access. If, for whatever reason, this clause itself is not sufficient (although both parties intend it to be sufficient authority for either of them), the parties will cooperate and execute any required authorization or direction necessary to enforce the intent of clause.

Questions #5 asks: ***Who will take care of the children when they are ill?***

Who will take care of the children when they are sick depends largely on who's available in most cases.

Can a parent easily take time off work? Can a grandparent help? Is one parent better at knowing how to treat illnesses due to experience or education? Does your child have a special condition or are they at higher risk if they get sick?

Consider all of these things when deciding on a protocol to deal with ill children.

Question #6 asks: ***Who will make medical decisions in an emergency situation? How will parents notify each other? Who will notify the children's school and others about an emergency?***

Normally, whichever parent is with the child in an emergency situation is the one who will make the decisions about their immediate care. If there's time, they can contact the other parent, but sometimes choices need to be made quickly and then communicated after.

If parents are joint decision makers about their child's medical needs, then as soon as it is possible in an emergency situation, they will begin communicating about the decisions they need to make.

Having a designated spokes-parent to relay information to schools, extended family and extra curricular providers is a good thing to have figured out *before* an emergency takes place.

Question #7 asks: ***How will medication and other health care needs for your children be managed as they travel between homes?***

If your child takes medication regularly or for a specified period of time only, it's important that they don't miss doses, that they're monitored for adverse reactions and that the caregivers are observant of worsening conditions.

Some children have conditions that need to be monitored closely, such as diabetes or that require regular procedures to be administered. If this is the case for your child, you may want to write up a preamble for your Parenting Plan that explains these things and how you and your ex plan on handling it once the kids start travelling back and forth between parents.

There are some examples of what these preambles might look like in The Definitive Sourcebook of Family Law Separation Agreement Clauses. Be sure to check them out if this applies to you.

On a practical note, having a ***communication book*** where parents and care-givers record when medication is given and any behaviours or issues that arise as a result of the condition or medication, can be a very helpful tool and can even be life-saving in extreme circumstances.

It can also be helpful to have such a book when consulting with health care providers, as it will provide a comprehensive reference of the child's daily medical history.

Question 8 asks: ***How will you make arrangements for things like orthodontic treatment, counselling, physiotherapy, speech therapy, diet, glasses, prescription drugs, medical and dental check-ups? How will costs be shared?***

Once again, parents need to access their own schedules and understand their agreed-upon roles in parenting in order to decide who's best suited to make and keep track of appointments.

Having one person designated for this helps to eliminate the confusion that can enter when both parents are trying to coordinate appointments and visits with various health care providers.

This will require that the liasoning parent communicates with the other parent about appointments and information that the care providers have given.

The non-liasoning parent needs to be kept updated and included in the decision-making loop. This may require, on occasion, the organising of meetings with both parents and the health care professionals involved.

As for sharing medical related costs, most people follow suit with whatever they've agreed on for their special expenses.... so 50/50 or proportionate to income.

Question #9 asks: ***Will there be medical insurance for the children? Who will submit claims for insurance? Who will pay any extra costs?***

In most cases, if a parent is paying child support, they are typically expected to provide extended health coverage for the kids also.

However, there are many cases where the other parent is the one with the health insurance and that's just fine.

As well, I've run into many situations where both parents have health insurance. If both health insurances are used, the parent's who's birthday comes first is usually the one that the claims are submitted to first.

However, sometimes even though both parents have insurance, one of the coverages may be very minimal and inadequate, so the parties will decide to go with the one that has better coverage.

If the parent who does not hold the policy for the health insurance pays for a service that requires reimbursement, the parties should have it worked out in advance as to how that person will be reimbursed.

For instance, they may submit the receipt and claim to the parent who holds the policy and then expect to be reimbursed within 7 days. Here's an example of what this might look like in a clause:

### **Section: Medical and Dental Insurance**

- 1.1 John and Patricia will both maintain the children as beneficiaries of their extended health insurance through their employments, and they will sign documentation authorising the other to make claims directly to his or her insurer. A party who is reimbursed for a medical expense paid by the other will immediately forward the reimbursed amount to the other.

Sharing medical expenses that are not covered by the insurance is an extra expense for child support and the parties will need to decide if it's shared 50/50 or through some other formula like proportionate to income.

Finally, if something happens and the coverage that you had for your children is no longer available, you and your ex need to figure out how to get new coverage for your kids.

Many provinces in Canada have programs for families that don't qualify for any other type of insurance programs. These programs may provide drug plans and dental care.

What's more, many people can access group health insurance plans through their auto insurance providers, such as CAA in Canada or through something like an Alumni Insurance Coverage program that is offered to college and university graduates.

There may be other ways to find replacement insurance, so ask friends, family and coworkers if they are aware of any programs that might help or do an old-fashioned key-word search online to find some leads.

# Chapter 7 Workbook Questions

## **Health Care**

1. How will you make decisions about medical or dental treatment? Will both parents be major decision makers for your children's health, or will just one of you be the major decision maker?

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2. Health cards: Who will hold the children's health cards? Will the cards move between homes with the children?

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3. Who will make decisions about vaccinations or other preventative treatments?

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4. How will you access or share medical information?

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5. Who will take care of the children when they are ill?

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6. Who will make medical decisions in an emergency situation? How will parents notify each other? Who will notify the children's school and others about an emergency?

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7. How will medication and other health care needs for your children be managed as they travel between homes?

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8. How will you make arrangements for things like orthodontic treatment, counselling, physiotherapy, speech therapy, diet, glasses, prescription drugs, medical and dental check-ups? How will costs be shared?

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9. Will there be medical insurance for the children? Who will submit claims for insurance? How will extra costs be paid for?

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## Chapter 8 Culture & Religion

The importance of a child's culture and religion (if they have one) cannot be overlooked as you are considering what it will look like for them to live in two separate households with potentially different perspectives. It's imperative that parents at least recognize and honour the important elements of a child's culture, heritage and religion, even if only one parent leads the way in upholding these traditions.

To contradict or speak disparagingly of the other parent's choices in front of the children regarding these issues serves no positive purpose, but it will create a cognitive incongruence, or irreconcilable tension, in the minds of your children. The long-term psychological harm this can cause far outweighs any perceived benefits, as any adult-child who has grown up in such circumstances can testify.

The best approach is to work out your differences during your Agreement-creating process and where necessary, work with a mental health professional or mutually agreed-upon clergy person to help you.

Question #1 asks: ***What language(s) will your children speak in each home?***

This can be very important, especially for younger children. If English or French is not your child's first language, you may need to request some additional resources to help them when they enter school. Falling behind in school because they do not understand the language can cause children a tremendous amount of anxiety and may cause low self-esteem. Some children will even be bullied or left out of activities because of their inability to communicate in the common language at school.

Some families wish to enrol their children in a language school that runs after regular school or on weekends that will help their children to develop skills and acquisition in a language of



their heritage. If this is something that your family will do, be sure to write it in your agreement. It could be considered an extracurricular activity and should be accommodated.

Question # 2 asks: ***How will you make decisions about cultural activities? Who will be responsible for the children participating in these activities? Who will attend cultural or community events with the children? How will the cultural customs of each parent be respected and supported?***

How each family celebrates culture is unique for themselves. If one side of the family leans heavily toward incorporating their culture through including the children in regular events such as language school, dance, sport and special community events, it stands to reason that the parent on that side will facilitate these activities.

Nonetheless, having support from both parents is always best, even if one parent is doing the lion's share to keep their traditions alive with the kids.

Question #3 asks: ***How will you make decisions related to your children's religious upbringing, if applicable? How will each of you support your children's religious or spiritual practices? How will the religion of each parent be respected?***

As always, try to consult directly with the other parent when deciding how to manage your children's involvement in their religious community and how your family's religious belief system will be integrated into daily life.

If this is challenging, or each parent has a different religion or only one parent is interested in practising religion, you may need to enlist the help of a neutral third party such as a family counsellor, who can help you and your ex work amicably and efficiently on figuring out the details of how this will affect your children.

Remember, your kids are the priority here and their needs must come first regardless of how strong your religious convictions are.

Question #4 is for families of Indigenous heritage in North America and perhaps elsewhere, if it applies to your country: ***Is it important to address issues related to Indigenous heritage in the parenting plan? If possible, will you make efforts to expose your children to their Indigenous languages? If your children are living on a reserve, are there restrictions regarding access to the reserve that may affect the ability of you or the other parent to visit, drop-off or pick-up the children? Will you consult with an Elder, community leader, Indigenous governing body or another Indigenous family resource when developing your parenting plan?***

Basically, navigating the many options and approaches to keeping indigenous heritage alive is going to be a unique journey for each family. Ensure that you honour your responsibilities around this.

## **#9. Religion & Culture**

1. Language: What language(s) will your children speak in each home?

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2. *Cultural activities.* How will you make decisions about cultural activities? Who will be responsible for the children participating in these activities? Who will attend cultural or community events with the children? How will the cultural customs of each parent be respected and supported?

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3. *Religious upbringing.* How will you make decisions related to your children's religious upbringing, if applicable? How will each of you support your children's religious or spiritual practices? How will the religion of each parent be respected?

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4. *Indigenous heritage:* Is it important to address issues related to Indigenous heritage in the parenting plan? If possible, will you make efforts to expose your children to their Indigenous languages? If your children are living on a reserve, are there restrictions about access to the reserve that may affect the ability of you or the other parent to visit, drop-off or pick-up the children? Will you consult with an Elder, community leader, Indigenous governing body or another Indigenous family resource when developing your parenting plan?

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## Chapter 9 New Partners

The first question in this chapter asks: ***When and how will you introduce new partners and their children to your children?***

Most divorced people will eventually repartner. When this happens there are a number of things to consider.

First and foremost, the well-being of your child needs to take centre stage. That means, you must consider the emotional and mental impact that having a new partner may have on your children.

Keeping your explanations age appropriate is very important. Younger kids experience and interpret their world differently from older children, who are able to rationalise and think abstractly. Younger children can get confused easily and come up with some really strange interpretations for situations, so it's crucial you keep the communication open.

Be sensitive to how much time your children spend with a new partner and pay attention to any feedback they're giving you.

Introducing a new partner can cause children of any age to have negative feelings. These bad feelings may be about themselves and possibly feeling guilty for not being able to rescue the situation with their parents. Anger and resentment can flare up and possibly even jealousy for a variety of reasons.

In general, children need time to process the reality of their parents divorce and having to process a new relationship too close to the initial breakup may be more than their little minds can keep up with.

It is often extremely incongruent for especially younger children to see a parent with a boyfriend or girlfriend shortly after the separation has been announced because they already can't process the fact that mommy and daddy aren't going to be together anymore, nevermind that now mommy or daddy love someone else.

Most current literature on the topic recommends waiting 6 - 9 months after the initial physical separation of the parents before introducing a new partner.

To begin with, take it slow. Maybe the new partner just drops in for 10 minutes to briefly meet the children and have tea. Perhaps the next time the visit is slightly longer, like 30 minutes or an hour and it's based around an activity like going for a walk or some ice cream.

Always stay engaged with your children's input and reactions after they've had interactions with the new partner and try to notice if there are any concerns or misconceptions that should be addressed.

Question #2 asks: ***How will you manage discussions about living with a new partner?***

You are an adult and as such, you can do what you like in relationships. However, you're also a parent, so giving careful consideration to how major changes, such as having a partner move in will affect the kids, is very important.

If you've come to the point where a new partner is going to move in, you need to talk to your kids about it first. Try to do so with just you and them and not with the new partner present. This will give them the opportunity to be as honest as possible without worrying about hurting the new partner's feelings.

What's more, if you and your ex are on reasonable speaking terms, you should try to keep them in the loop about what's going with your new partner moving in. The kids **will** talk to your ex about the new partner and the best scenario is that both you and your ex are on the same page with how you're going to handle things.

If you and your ex aren't amicable enough to have a reasonable conversation about this, you're going to have to do your best to positively support your kids in all this and if possible, reach out for some help from a counsellor or other neutral supportive person

Question #3: ***How will time be spent with new partners and step siblings or half-siblings?***

If your new partner has kids and these kids will be spending at least some time with your kids, you need to have some sort of a plan.

There are a lot of books and online resources to help assist with this, so check out some of the links in the resource section at the end of this book..

Some families will enlist the short term help of a counsellor or pastor to help them thoughtfully create a new family system. Having the help of a neutral third party can be invaluable to getting off on the right foot with a blended family.

Finally, just know that sometimes it's challenging to bring adults and children from divorced families together in ways that are instantly functional.

It usually takes time for all the people in a new family system to figure out how they jibe, so be patient, talk lots and ask for help.

# Chapter 9 Workbook Questions

## New Partners

1. When and how will you introduce new partners and their children to your children?

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2. How will you manage discussions about living with a new partner with your children?

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3. How will time be spent with new partners and step siblings or half-siblings?

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# Chapter 10 Moving

Sometimes parents need to move to accommodate their job or because their new partner lives in a different city.

If the moving parent doesn't have regular residency with their children, then moving isn't as restricted. It just means that it may be more difficult for them to see the kids as regularly as they once did and that some new arrangements may need to be made with the other parent for Parenting Time.

A parent who has primary residency with the kids, which means that the kids live with them most of the time, may not be allowed to just pick up and move wherever, especially if it means that the other parent's Parenting Time will be reduced as a result.

Question #1 asks: ***How will you deal with proposed moves by you or the other parent with or without the children? How much notice should be given?***

First of all, giving an adequate amount of notice is always appropriate and it will be required if you're the primary residency parent.

An average of 60 days notice is normal. 60 days gives plenty of time to negotiate changes and if one of the parties has already sold a house with intentions to move away, it gives them time to change their mind if necessary.

Beyond all that, 60 days gives enough time for a parent to file with the courts if they feel that it's not okay for the other parent to move so far away.

In some worst case scenarios, people have been ordered to stay in their community even after they've sold the house, if they wish to continue having primary or shared residency with the kids. In some unfortunate cases, where a parent has moved far away without prior agreement from the other parent, judges have been known to grant custody and primary residency to the parent that was left behind.

So, all that to say that it's prudent to do this right; give the other parent plenty of notice if you wish to move and work hard to negotiate a deal that's fair for everyone and especially takes into consideration the children's needs to spend time with both parents.

Question #2 asks: ***How will you deal with parenting arrangements that may be affected by a move?***

Essentially, a move will usually mean having to revamp transportation schedules. Will a child be driven halfway and then handed off to the other parent? Will the child need to fly as an unaccompanied minor or will one parent will need to fly back and forth with the kids?

If the parents are far enough apart, visits may be less frequent, but perhaps longer. Lost time may be made up during holidays and summer.

Question #3 ask: ***How will you each support your children's relationships with the other parent after the move?***

No matter what, the kids need to maintain healthy, positive relationships with both parents as much as the parents can provide that for them.

Encourage your children to share exciting news with the other parent. When a child is having a rough time, you may want to suggest that they talk with the other parent and ask for some advice. Regular video calls or phone calls are a good way to keep up if the distance from the other parent is too far, but getting regular phone calls is always nice for a parent, even if they live closer.



# Chapter 10 Workbook Questions

## Moving

1. How will you deal with proposed moves by you or the other parent with or without the children? How much notice should be given?

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2. How will you deal with parenting arrangements that may be affected by a move?

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3. How will you each support your children's relationships with the other parent after the move?

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# Chapter 11 Amending Your Separation Agreement

Various sections in your Agreement will be 'reviewable' sections. This means that once a year or at whatever frequency you agree to, certain areas of your agreement will need to be evaluated for changes.

Child support is an example of something that frequently changes. As well, schedules can change and even Parenting Time or Residency can change depending on the needs of parents and children.

It's very important to have a protocol for making changes in your agreement.

For straightforward changes that everybody agrees upon, it may be nothing more than making a quick Amending Agreement. You'll find examples of these in *The Definitive Sourcebook of Family Law Separation Agreement Clauses*.

On the other hand, if you and your ex are having a hard time, you will need to resort to a Dispute Resolution Process. Such processes are typically written into your Agreement. Again, you find plenty of examples of these in *The Definitive Sourcebook of Family Law Separation Agreement Clauses*.

An amending Agreement makes a change to the original agreement, so it makes reference to the original agreement and then it says what is being changed or added on.

It's not always necessary to make a written change when something like support goes up or down, but people often choose to. People have their own reasons for whether or not they require that the changes are documented. A significant factor here is how much you trust your ex to abide by the agreed-upon changes. Having a change written, documented and signed makes it legal if there's any concern that a verbal agreement to change something might not be honoured.

# Chapter 11 Workbook Questions

## **Changes to Your Parenting Plan**

1. Will your Parenting Plan include a process for reviewing parenting arrangements?

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2. Will reviews happen at regular intervals (for example: once a year, when one parent makes a request to change something, when your children reach developmental milestones, or whenever your circumstances or those of your children change)?

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3. Will you use a mediation service or other family dispute resolution process to make changes if appropriate?

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# Chapter 12 Post-Secondary

For a lot of parents, post-secondary education seems so far away that it's barely a thought. But, trust me, it comes quicker than you think and it's important to have a plan, especially when you've gone through a separation.

A lot of parents try to put money away for their children's post-secondary education using RESP's or Registered Education Savings Plan here in Canada. Other countries probably have similar savings assets that parents can use to grow investments for their kids.

Sometimes people find themselves in a situation where only one parent wants to contribute to an asset like an RESP. That's ok. If only one parent will be putting money away in your child's RESP, the value of this will count toward their obligatory contribution.

If you are contributing jointly, be sure to keep track of how much money each party puts in.

If you've been thinking of putting money away for your kids, but haven't yet, the sooner the better.

Besides your own savings for your kids' college, consider these other funding sources also:

- Scholarships and Bursaries
- Student loans
- Child's Money saved from summer jobs
- Grandparent contributions

Once your child has used all the resources available to them, you and your ex will have to agree on how to fund the rest of your child's education. Talking a bit about this now can mitigate some challenges down the road.

Parents are obligated to support their kids through college and university, as the children are still considered dependents at this stage. Failure to support when you have the ability to do so can end up in some pretty nasty litigation, so best to start thinking about this now and hopefully everything can fall into place nicely.

## Chapter 13 Calculating Child Support

Child support calculations are unique to the country you live in and possibly even the province or state. I've included some links for child support information in various countries in the resources section.

For Canadians, the best bet is to use a source such as the Justice Canada website or [mysupportcalculator.ca](https://mysupportcalculator.ca).

Additionally, I've made a video in the Parenting Module Playlist on my HackDivorce YouTube channel that will walk you through using the free tool, [mysupportcalculator.ca](https://mysupportcalculator.ca)

## Chapter 13 Conclusion

Working through the material in this book has helped you thoroughly prepare for the writing of your Parenting Plan and the Child Support sections of your Separation Agreement. If you will be working with a lawyer or a mediator, you will be very prepared to ask for what you want. In theory, this should save you some time and money. More than anything, though, you will have the confidence to enter into your negotiations knowledgeable.

I sincerely hope this book has achieved its purpose in empowering you to become functionally knowledgeable about the Parenting agreements you must make for your divorce.

If you have any suggestions, comments or if you've noticed an error, please notify me at [allistonresolutions@gmail.com](mailto:allistonresolutions@gmail.com) Thank you!