

# Parenting Plan Guidelines

Sponsored by the Family Court Judges of the Eighth Judicial Circuit and the Family Law Advisory Group

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# INTRODUCTION

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*You have been sharing the parenting responsibilities for your children since they were born. You have worked out your roles with respect to schedules, school, meals, laundry, homework housekeeping chores, discipline, participation in extra-curricular activities and sports.*

Separation and divorce call for a unique shifting of your roles--into separate houses.

**YOU STILL SHARE THE PARENTING RESPONSIBILITY.**

**You both remain EQUALLY important to your children.**

## THE PRINCIPLES OF SHARED PARENTAL RESPONSIBILITY

- 1. Shared responsibility:** The State of Florida, as of October 1, 2008 has a family law statute that no longer uses “custody” or “primary residential parent” as opposed to the “secondary” parent. These terms have contributed to the adversarial nature of the divorce process. *Both* parents are equally valuable to every child and *the child has a right* to open access to both parents; it is, in fact, in their best interests under the law to have access to *both* their parents. The policy of the State of Florida with respect to Family Law Statutes has long been to support a shared responsibility for the parenting of children after divorce. All the research supports the accepted idea that children fare so much better in the world when they have contact with both their parents following separation or divorce.

As a result the new statute now **REQUIRES** you to file a parenting time plan, no longer called a VISITATION schedule when you file for divorce with minor children. The concept of “visiting” with one’s child is repulsive to many parents, and rightly so. The new statute attempts to eliminate winners and losers with respect to parenting time with children. It requires you to map out where your children will be, and which parent will make decisions on which issues (health care, school-related issues) and how the parents plan to communicate with each other about these issues.

- 2. Mutual respect:** You are getting a divorce; you are not expected to like or love each other at this point. You **ARE**, however, expected to be *child-focused* and this demands that you behave with mutual respect and courtesy toward each other, **ESPECIALLY** in the presence of your children. More importantly, you must now set aside your differences in order to make the transition to two houses a smoother one for your children. The

conflict, when obvious to your children, is the one thing that we know harms them in the short term, and in the long term.

- 3. Shared love and concern:** The children of divorce need to be assured that their family of a mother and father remains intact. The family is not dissolved; it just occupies two houses now. **The children need the assurance that they are still loved; they are not getting divorced—only their parents do not want to continue a MARITAL relationship.**
- 4. Children first:** In the middle of your divorce process, it will be difficult to be child-focused when all your energy and stress is captured in surviving the breakup of your family! Nonetheless, the children have not created this situation and deserve to be valued above all else. Accept that they love both of you and want/need time with both of you; accept that you **MUST** shelter them from your conflicts with your spouse.

This means :

*Psychologically and verbally grant them permission to love the Other Parent.*

*Avoid any negative statements about the Other Parent. Be careful to avoid even hostile phone conversations in front of them.*

*Recognize that the long-term consequences of involving them in your struggles are a higher likelihood that they will eventually live with depression and/or increased anxiety, turn to substance abuse and/or early involvement in sexual activity/pregnancy as adolescents.*



- 5. Respect boundaries:** Where your spouse now lives and with whom is no longer your business; how your spouse now parents the children under their roof is not your business unless there is abuse or neglect occurring. Establish a means of communication that respects the time and need to know of the Other Parent. Work **TOGETHER** to establish routines and discipline that mirrors what you created together as parents before the separation/divorce. Parenting from as close to the “same page” as before creates more stability for your children in transitioning from Mom’s house to Dad’s house and back. Seek the help of a mental health professional when the conflict appears more important than the children!

**6. Respect differences:** Your differences may have been the cause of your breakup. Respecting those differences with an eye towards managing them as parents—only as parents—is crucial. Moving authentically into a non-marital role—a co-parent—is your primary job during this phase of your divorce process. Divorce IS a process, not a date certain when the documents are all filed and signed. It may consume several years of your life in adjusting to all the differences that a *Mom's House-Dad's House* brings. It is *highly recommended* that you buy this book—by Isolini Ricci! A bibliography of really helpful books is listed below.

This is new territory; you are not expected to feel any more equipped than you were when you first had your children! Read. Attend groups at your church, in your community, that encourage co-parenting: shared parenting—not court battles and hostility related to a win-lose mentality about a divorce with children. You CAN get the tools and the coping skills to make a less conflicted divorce or separation happen. It is absolutely in both *your* best interests and *your children's*.

The sections to follow are devoted to providing you with all the information that we could pull together to assist you with knowing what is expected of a child at a particular age with respect to their response to divorce. These are all based on the knowledge-base of evidence produced in studies produced in respected social science journals. We begin first with the all-important infants and toddlers and attempt to provide pertinent information about what their needs are and what is recommended for their age group when setting up shared parenting times.

Then we move into the small child and the school aged child through adolescence. We provide you with sources of our information and school board web sites from which to obtain school calendars for your planning ease.

Finally, we attempt to graphically represent various common shared parenting time schedules.

We sincerely hope that this information on this website is helpful for you in crafting your parenting plan. If you have a response that you would like to inform us about, please email the Administrator of the Family Courts, Ms. ARLENE HUSZAR, [ahuszar@jud8.org](mailto:ahuszar@jud8.org).

# Divorce Research information

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*These options address the different developmental and divorce research findings and issues reflected in the evidence-based literature about children. In determining the appropriateness of these options, you as parents should consider carefully your family's particular background, circumstances, needs and preferences.*

***The concept of location-engendered stability (one home, one bed) has been incorrectly over-emphasized for infants and toddlers without due consideration for the greater significance to the child of the emotional, social, and cognitive contributions of both parent-child relationships. Living in one location ensures only one type of stability—to that place.***

***Stability is also created by predictability.***

***When a child can predict the comings and goings of both parents, regular mealtimes, regular sleeping schedules, consistent and appropriate care and affection and acceptance, they will fare well!***

## INFANTS AND TODDLERS

### OVERNIGHTS FOR THE VERY YOUNG

**Divorce** challenges long-held beliefs about overnights presenting too much stress for a small child. This is based on out-dated beliefs. Judges and professionals in family law no longer proceed under the sole practice of creating one home with Mom and limiting overnights with Dad, or the reverse.

Evenings and overnights are especially important psychologically not only for infants and toddlers but for young children as well. They provide opportunities for crucial social interactions and nurturing activities, including bathing, soothing hurts and anxieties, bedtime rituals, comforting in the middle of the night, and the reassurance and security of snuggling in the morning after awakening...that one or two-hour visits cannot provide. We know of no available evidence that the relationship or attachment to one parent suffers when a child spends an overnight with the Other Parent. Brief visits remind the child that the visiting parent

exists but do not provide the broad array of parenting activities that anchor the relationships in their minds. It is also believed by some experts that overnights should only take place with infants and toddlers going to a securely bonded attached parent. If the Other Parent has not been time-involved with the younger child, initial parenting time must be spent creating a more secure attachment to that parent first. Parenting time may therefore need to build from several hours on one day to an actual overnight stay after several weeks/month devoted to relationship/attachment building.

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There exists several decades of research on custody and access issues involved in what is in the best interests of children based on their age, their stage of development, the issues of separation from attachment figures in their lives, and the roles of each parent in promoting their children's development.

**A great deal of emphasis has been placed on the very young child and disruption in parent-child relationships in this critical formative stage.**

In the first year of a child's life, attachment to parents and other important caregivers is the most critical achievement undertaken by the infant. The ties that form, called attachment, form essential roles in later social and emotional functioning.

The infant learns security from a secure attachment to parents. The infant forms the beginnings of self-confidence and the development of trust in other human beings. In the past twenty years, the social science field finally got around to focusing on other attachments by infants than just the mother-child. The meaning and importance of father-child attachments, as well as other important attachments even to non-family caregivers has been studied extensively. Children are much better off with multiple secure attachments in their infancy.

## **BIRTH TO 2 MONTHS**

The baby uses an infinite array of signals to communicate his or her needs and desires: motions, smiling, crying, grabbing, fussing. The baby begins to make associations between the person who responds and the relief of their distress, usually from hunger or pain/discomfort. Adults create additional social interactions with their cooing, talking, smiling and animated facial expressions.

A baby can recognize its parents by smell or voice within the first weeks of life. They will also accept care from any caregiver without any distress or anxiety during this phase. If a couple is either separated or divorced when an infant is born, the father needs to be in contact with the newborn daily, and at different times each day, doing all the major caretaking tasks.

## TWO TO SEVEN MONTHS

Babies begin to recognize certain caregivers and show a preference for them. They will coo and soothe more readily with these familiar figures. They will turn toward them, and show more pleasure when interacting with them. This is an attachment-in-the-making and it indicates that this caregiver has responded promptly and appropriately to the infant's cues. They seem to have mastered the concept of reciprocity: I cry, you respond; I am hungry, you feed me. They are developing, as well, a sense of their own effectiveness—"I can make things happen."

They generally do not protest when separated from their parents during this phase, but they will become anxious if separated from them for too long.

### ATTACHMENT: SEVEN MONTHS TO TWO YEARS OF AGE

The child will actively indicate a desire/need to be near to preferred caregivers. The behaviors that show that they have "attached" are: following and clinging to parents, especially when tired or ill, demonstrating preferences for a particular caregiver as a secure basis for exploring their environment.

Somewhere around the middle of their first year, babies will begin to cry or fuss when separated from their attachment figures. This marks the development of the concept that parents continue to exist when they are not there, an ability referred to as object constancy (Piaget). This concept continues to develop and mature over the next year. As it matures, the child will become more able to tolerate being separated from humans that matter, although separation may still be stressful.

***At this stage it is important that they see and interact with both parents every day or every other day.***

Clearly, a child copes more effectively when placed with the other parent attachment figure when separated from the other. It is important to minimize the time of separation for an infant. Extended separations unduly stress developing attachment relationships. When attached to both parents, the child needs a length of time with each parent that minimizes the length away from the Other.

Considerable research evidence now exists that documents that most babies form meaningful attachments to both of their parents at roughly the same age: birth to seven (7) months.

This is true even though a father may spend much less time with the child than the mother.

Most children will come to prefer the parent who does the primary caretaking, but this does not negate the Other Parent's importance. The preference for the primary caretaker diminishes with age, and has often disappeared by age two (2) years.

The evidence is also in the research literature that a child needs regular interaction with both of their parents to *foster and maintain* their attachments. In addition, it is important for the interactions for both parents to occur in various contexts (feeding, playing, diapering, soothing, putting to bed, bathing) to ensure that the relationships are consolidated and strengthened. In the absence of such opportunities for interaction across a broad array of daily activities, infant-parent relationships fail to develop and may instead weaken. It is extremely difficult to recreate relationships between infants or young children and their parents when these relationships have been disrupted. It is better to avoid the disruption in the first place.

You may notice that your 15 to 24 month old is resistant to transitions between mother's house and father's house, or the reverse...even when he/she has had a good attachment with both. This is due to the fact that during this period they have become very mobile, increasing their explorations of their world. They have become more vocal and developed linguistic and cognitive abilities to understand. These achievements increase their anxiety about separation from important caregivers. Hence they protest! Loudly! And once the transition has been accomplished, they settle down and function well.

Announce a separation ahead of time in a calm, matter-of-fact way. Reassure them that "you will come back and Mommy will be here." By age two, the majority of children will no longer experience severe separation anxiety. Children with very insecure attachments or parents with their own separation problems may support the child in continuing to be upset by transitions from one parent to another or from parent to day-care or babysitter.

## **TWO YEARS TO THREE YEARS**

It is during this year of development that children develop the ability to begin to plan jointly with you; they can compromise and take your needs into account—a little. They can now understand that you will come and go and they begin to be able to predict your return. Their sense of time is still in its "primitive" development so they still do not comprehend much beyond today or tomorrow. This has implications for their being able to tolerate separation from important adults in their lives.

***The child can now manage 2 consecutive overnights with each parent without stress. Longer stretches like 5 to 7 days should be avoided just yet.***

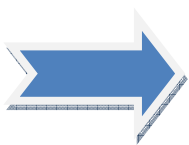
They have formed significant relationships with multiple adults, each one having unique meaning and importance to them. They tend to accept any important adult for comfort and

soothing when distressed or anxious in the absence of the more preferred person. They do have a hierarchy of caregivers, and will seek that caregiver they associate with suiting their needs and moods of the moment. There is no evidence that having multiple important adults diminishes the strength of the attachment to their parents.

It should be stated here that infant-parent attachments often become insecure in response to the parents' separation or divorce at least for a period of time. Infants who feel or sense a reduction in the discord between their parents can become more securely attached over time. A secure attachment tends to produce the following outcomes for children over time:

- More independence
- Social competence and higher self-esteem
- Inquisitiveness
- Cooperation and empathy with peers
- More persistence and flexibility in problem-solving

**\*There is research evidence to demonstrate that children who are deprived of meaningful relationships with one of their parents are at greater risk psychosocially, even when they are able to maintain relationships with the other of their parents.** Hence, the Florida Family Statue goal: your children have a right to open and smooth access to *both* of you as they grow and mature.



**Separation or divorce does not mean that children must sacrifice their psychosocial potential just because they must navigate between two parents who no longer live together.**

It is particularly critical that the disruption of relationships be avoided during the first two years of life when children have limited cognitive and communicative resources to help them to cope with loss. Both marital conflict and an abrupt departure of one parent from their daily life may foster insecurity in their attachments and should be avoided.

## **THREE TO FOUR YEARS OF AGE**

### **DEVELOPMENTAL TASKS:**

Your four year old is expanding its identity as a boy or girl. They are learning to better control their temper. Your child is also better understanding how to get along with other children. Their understanding of right and wrong is expanding.

**You may consider the following options as recommended by the research evidence:**

**OPTION A:** Alternate three days with parent A, four days with parent B - switching to four days with parent A and three days with parent B on the alternate week. (3/4 – 4/3 schedule)

**OPTION B:** Split the week in half 3 ½ days with parent A and 3 ½ days with parent B.

## **FIVE YEARS OLD**

### **DEVELOPMENTAL TASKS**

Your five year old has a much better sense of what it is to be a boy or girl than they did at age four. Your child's relationship with the same sex parent is very important. Your child should not feel they have driven the same sex parent from the opposite sex parent's life. Your child is now faced with the demands of formal school. Your child is developing work habits. Your child is learning how to cooperate - in relationships with friends, teacher, and family

Your five year old might wish to participate in extracurricular activities now - such as team sports, art lessons, or gymnastics. Parents should jointly decide on the activities. Your child will learn how to cooperate with you and their teacher by watching you and your partner successfully arrange for these activities.

Five year olds often enjoy having other children spend the night. Children should be encouraged to spend the night in both homes, especially during holiday times.

### **OPTIONS TO CONSIDER:**

If your child is facing two developmental crises simultaneously - that of starting school and of coping with your divorce (you have just begun divorce process) - consider keeping the child in the family home for Monday through Thursday night, then Friday through Sunday night in the new home as a *temporary* time-sharing plan. Weekend days can be shared

with each parent. For example, Parent A might always have your child on a Saturday while parent B might have Sunday with your child. Some outings can include all family members - especially if your child has started team sports and you have maintained a stable positive relationship.

**\*\*IMPORTANT\*\***: A fairly robust finding in the divorce and parenting literature is that children do best being raised by authoritative parents, those combining warmth and control both at home and at school. These parents set firm and clear limits, while being responsive and empathic, *rather than* authoritarian, which means punitive, indulgent, or neglectful.

Children in non-authoritative environments are more likely to be impulsive, aggressive and irresponsible. Therefore time-sharing plans that emphasize these elements serve the needs of children through their growing years (Whiteside, 1998, Warshak, 2003).

### **Six Years Old**

#### **DEVELOPMENTAL TASKS**

Your six year old needs to feel *free* from family worries in order to cope with school demands, to learn basic academics, to develop good feelings about their ability to work and to learn, to play cooperatively with friends. Your child feels good about themselves by achieving success in school and extracurricular activities, and through friendships. They are developing their ability to think logically, and are beginning to understand the concept of fairness.

1. Parents should jointly decide what chores are appropriate for their six year old. Two copies of chore reminder charts should be made so that there is one at each home. This will reinforce the development of good work habits in your six year old.
2. Parents should communicate with each other very closely regarding homework assignments. Consider giving your child a homework assignment book, to go in your child's book bag, which is carried between school and your child's two homes. The parent who receives notices from the school has the responsibility to directly communicate information on the notice to the other parent.
3. Young children often feel responsible for the divorce. They need lots of love from both parents, as well as reassurance it is not their fault.

**Children this age and older are capable of enjoying/tolerating many time-sharing options:**

Consider OPTION A: Parent A has the children every Monday and Tuesday. Parent B has the children every Wednesday and Thursday. Friday through Sunday is alternated between parent A and parent B from week to week.

OPTION B: Parent A has the children from noon on Sunday through Wednesday morning. Parent B has the children Wednesday afternoon through noon on Sunday.

OPTION C: For parents who consistently work different shifts-have one parent take on daytime responsibility and the other accept nighttime responsibility.

OPTION D: One week at parent A's house, the next week at parent B's house.

OPTION E: Week 1: children stay with parent A from Monday through Friday. Saturday and Sunday are spent with parent B. Week two the children spend with parent A Monday through Sunday. Week three the children spend Monday through Friday with parent B, Saturday and Sunday with parent A. Week four the children spend Monday through Sunday with parent B.

OPTION F: Friday after school through Monday morning, every other week, spent with parent A. The children can also spend one or two overnights during the week with parent A. the rest of the time is spend with parent B.

OPTION G: Alternate three days with one parent, four days with the other parent-switching to four days with parent A and three days with parent B on the alternate week.

## **7 Years Old**

### **DEVELOPMENTAL TASKS**

The 7 year old has spent one or two years in school. His self-concept is based on mastery and competence, especially around school and community activities and performance. The school holds a teacher(s) and peers who are new attachments. This is the age of industry for them, they want to please their parents with their efforts, and worry about comparisons with other children. They will be more experienced with activities now, such as athletics, teams, and classes (art, dance, gymnastics, cheerleading).

### **AGE RELATED NEEDS**

They will have some sense of right and wrong. They will still wish for reunification (90% of 7 year olds) and may still attempt to reunite you ESPECIALLY if you are initiating divorce at this age. They still fear losing both parents and may still blame themselves for the divorce. They will often have sadness in them.

A typical 7 year old can move between two homes with minimal stress. They may 'test' upon return for an hour or two and may be homesick on longer stays.

Most children this age need a “home base.” One home where they can work on basic academics, gain information, do homework consistently and have their friends easily available. They need routines and schedules.

Research therefore suggests:

Co-Parenting-School year weekdays with one parent. The other parent has 2 or 3 weekends + one week-night time. Summertime can reverse this arrangement.

Co-Parent-4/3-3/4 or 3/ 2-3/ 2 each can be tried if parents live close by and are similarly attached and experienced.

One primary HOME. The other parent has alternate weekends, alternate holidays, and one week night.

**8 Years Old**

**DEVELOPMENTAL TASKS**

The 8 year old is “branching out” from the parents. Their time is spent more now with being industrious in school, hobbies, with friendships, and community activities. They are sensitive to being left out with playmates, and emotions are more even. They can talk directly, have some empathy, and can allow that the parents aren’t going to reunify.

The eight year old undergoing divorce feels more sadness, is more able to express his feelings, and worries more about being left, having enough to eat and a place to live than younger children. They can feel something is wrong with them.

It is more common for children of this age and older to stare off in school, thinking about the loss or reunification, and to have academic risk.

**AGE RELATED NEEDS**

While they need both parents for gender role identification, the strong need is for a “home base,” one home where during the week they can form stable peer and community activities, do homework consistently, and feel secure as they work out feelings.

By this age, children often are more able to interact with a same-sex parent around hobbies, interests, and feelings than younger children who depend on basic care.

## **OPTIONS:**

EFFECTIVE Co-Parenting-If both parents can share direct caretaking. One parent could have weekdays during the school year and one weekend a month. Reverse it for the summer or 50% of time each.

OPTION 2: 3/4 and 4/3 or 3/ 2 days each.

## **9 Years Old**

### **DEVELOPMENTAL TASKS**

The 9 year old is part child, part independent thinker. Many are over the reunification fantasy, but want the security of a home-base, stable patterns of caretaking, regular contact with each parent, including individual time. They like to have some help in grooming, dressing, remembering, etc. Security lies for them in continuing to master skills to please the parents.

The 9 year old is not a deep thinker yet. They like to spend individual time with the same sex parent, the divorce may make them confused and feeling vulnerable. They continue to worry about abandonment or having a place to eat and stay. The 9 year old is prone to believe what is told to them. They may continue to stare off in school, or to be more aggressive, wondering vaguely if they are to blame. They want some assurances from the parents at this age, and may ask about the divorce. The 9 year old is moving towards external morality, he/she may draw the conscience outside of them in their brain or heart, denoting where rules reside. They may test the rules, to feel secure they are in place.

### **NEEDS**

Doing and mastering continue to be major ways to feel secure and worthwhile.

### **TIME-SHARING**

OPTION 1: Co-Parenting-One parent has weekdays (home base) during the school year and one weekend a month. Reverse in the summer with alternate holidays.

OTHER: Several schedules have been tried. 3/ 2-3/ 2 days each, 3/4-4/3 days, every other week. This set up really requires that the co-parents work well together and live relatively close to each other.

AND: Primary parent-75-80% of time one parent provides care. The other parent spends time on alternate weekends, alternate holidays, and up to 6 weeks in the summertime.

## **10 Years Old**

### **DEVELOPMENTAL TASKS**

The ten year old has a clearer idea about the divorce than a 7 year old. They are not prone to fantasize about reunification. They have some empathy about each parent, and hurt and anger is diffuse, poorly organized, not clear in thought. They may still build an alliance with one parent, especially if they witness fighting.

The parents are more important to a 10 year old than the peer group. They want to tell their input about the divorce and want both parents to see their activities. The 10 year old is still mastering skills for esteem and approval, and want each parent to have a direct relationship with coaches and teachers. They want to have some knowledge about the divorce, and be told they still belong, that there is stability in the home base, and regular contact with both parents.

### **NEEDS**

There is often a sense of shame over the divorce in some 10 year olds. They may lie and cover the fact up. They still have a foot in childhood but can take care of many of their needs for food, clothing, hygiene and homework. More sadness than anger is heard about divorce from most 10 year olds. They may find a role as dad's buddy or mom's helper at this age.

### **TIME-SHARING:**

1. Co-Parent-Home Base – one parent has weekdays during the school year. Parents may arrange weekends as they wish taking into consideration the child's outside activities/commitment. Summer time could be reversed giving Other Parent optimal contact during the week.
2. Other option: Several schedules have been tried, 3 2-3 2 days each, 3/4 - 4/3 days, alternate weeks.
3. Home-base parent has up to 75-80% of the time. Other parent has alternate weekends, alternate holidays, and summer visiting time.

## **11 YEARS OLD**

### **DEVELOPMENTAL TASKS**

The 11 year old can care for their own needs for food, clothing, hygiene and use the phone briefly. They are still caught up in mastering tasks to please the parents, and are getting good at academics, athletics, peer relationships, and other artistic pursuits. The 11 year old is still

tied to the parent's views, but venturing out with peers, paying notice of exact details in clothing, grooming, etc. Their need for belonging, security, and esteem still rest with the family, as well as friends and school or athletic pursuits.

### **NEEDS**

The 11 year old is an idealist. Conscience is more developed now, responding to the emotions of others, they draw it as a human-like form outside of themselves. They can discuss fully and want explanations, making moral judgments. Feelings can be fragile, they may feel unloved if pushed away by peers, or feel a sense of rage and betrayal about divorce. A sense of "It's all your fault," can be projected onto the parent they feel abandoned them. Their rage can take the form of an alliance with one parent, as well as conflicts with "best friend breakups." These allegiances can shift with many feelings of hurt and sadness emerging.

Time-sharing plans recommended as for ten-year-old.

### **12 Years Old**

#### **DEVELOPMENTAL TASKS**

The preadolescent 12 year old is a changing person. Changes in growth and hormone production may be occurring. The ability to think abstractly may lead to more judgments, opinions, and arguments. Moodiness, tiredness, sloven behavior may occur. More mobility, longer phone calls, and independent thoughts are issues. 12 year olds give up0 on academic achievement and extra-curricular activities, and turn to their peer group and the opposite sex. A close friend may be more of a confidant now than either parent.

The common needs for security, belonging, and self-esteem often get more satisfied with friends, and a deaf ear goes to the family. Tiredness may occur

### **NEEDS**

A 12 year old can have a stronger sense of "it's all your fault," allying with one parent, condemning both, or remaining neutral. The economic issue of how to buy clothes, go places, have money will be a major issue for them. For the family it will be to have more done around the house to help each single parent. The 12 year old will often have more to say about the divorce, and make moral judgments, and may know much more about the issues between the parents than the parents realize. They can be bought easily, and may want to stay with one parent to soothe them from the divorce.

Time-sharing as recommended for 10 and 11-year-olds.

## GENERAL CONSIDERATIONS FOR THE OLDER CHILD

Children's opinions should be considered about sharing arrangements when they reach this age. The caveat is that often these young people regard the invitation to participate in the process of formulating parenting plans as a burden rather than a blessing. The atmosphere of marital conflict leaves many children feeling uncomfortable about expressing any feelings that may be seen as favoring one parent over the other. When young people reach this age and are faced with the dilemma of expressing an opinion that may be perceived as diminishing their love for one parent they may prefer to remain silent rather than to risk harm to that relationship (Garrison, 1991, Warshak, 2003).

Children this age are vulnerable to becoming resentful of their parents when they perceive disparities between the quality of their life and that of peers from married families (Garon, et al 2000).

Despite the relative cognitive maturity of adolescents, their judgments are decidedly vulnerable to outside influences. At times they may evidence excessive deference to others' views. Other times they make choices primarily to oppose other's desires. Both of these dynamics can result in the formation of a pathological alignment with one parent against the other. Preferences of adolescents are often unstable.

Mature parents graciously support this aged child in terms of meeting their academic responsibilities and participating in age-appropriate social events. *Parenting plans that promote the early middle school student's participation in extracurricular interests and development of their unique talents, even when involvement means relinquishing that parent's time with them, paradoxically strengthens rather than diminishes the parent-child relationship.*

Shared time and involvement in everyday activities, not just leisure time activities, are also conducive to children and especially adolescents, talking with their parents in a more relaxed manner about their activities, who their friends are and how they are doing in school. More overnight contact with the nonresident parent does not come at the expense of the relationship between the resident parent and the child (Cashmore, et al, 2008).

Boys at this age are particularly vulnerable to conduct problems with reduced father involvement (Kelly, J. B. 2007). However, when mothers and fathers actively participate in this young man's life, providing authoritative parenting and monitoring their behavior, these boys were similar in behavioral adjustment to those in married families.

Recent findings from research indicate that it is not the frequency or quantity of contact that is important but the quality of the contact involving children and their nonresident parents who are usually fathers as a significant factor in children's post-separation adjustment and well-being (Cashmore, et al, 2008). Overnight contact allows parents to engage with young people

this age in more routine activities, as well as to have unstructured time to build the relationship.

Several characteristics of parental relationships have consistently been associated with the likelihood or frequency of contact between nonresident parents and their children. Where there is cooperation and mutual support between parents after divorce, children enjoy positive outcomes (Whiteside, 1998). The greater the cooperation between parents the more contact there is and the more involved fathers are with their children. Trust and a positive view of nonresident fathers as parents were associated with the frequency of contact. Children were less likely to stay overnight with their nonresident fathers if their mothers expressed misgivings about the environment of the father's homes than if she did not (Cashmore, et al, 2008).

There is ample evidence that children want more contact with their nonresident parents. Facilitating this would make children happier in their situation and with both parents (Cashmore, et al, 2008).

*The estimated number of overnight stays per year was significantly correlated with the reports of the quality of the middle school student's relationship with their nonresident parents. The child who stayed overnight with their nonresident parent were more likely than those who had day-only contact to say they were close to both parents. The more overnight stays the closer their relationships. The more the young person reported that their nonresident parents were aware of their activities, and involved the more overnight stays occurred.*

Quality of the relationship with the nonresident parents was highly correlated with the number of overnight stays. Children and adolescents who stayed overnight more often than the standard contact arrangement of one night every other weekend, reported more involvement by and a closer relationship with their nonresident parents than those who did so less often or not at all. (Cashmore, et al, 2008).

## **NEWBORNS**

### **Birth to one year**

The absent parent should spend a minimum of 90 minutes to 2 hours in the home of the infant each day if possible. At minimum, contact should be every other day. By age 7-8 months the infant will have attached to the Other Parent provided that contact has been frequent and at differing times of the day and evening in order for that parent to provide care doing all the major tasks for the care of the infant. Once this has been accomplished, the infant can be expected to feel safe and comfortable with the Other Parent and may experience successful overnight stays. It is suggested that this be preceded by an all-day stay with this parent, followed by an overnight and moving perhaps to two overnights.

## **TODDLERS**

### **One year to three years**

No more than two overnights in consecutive order. By the time they are three to four years old, they can tolerate three to four nights away from the other parent—usually. Each child is different, and if they indicate difficulty both parents must work together to establish the schedule that fits the child's needs before their own desires.

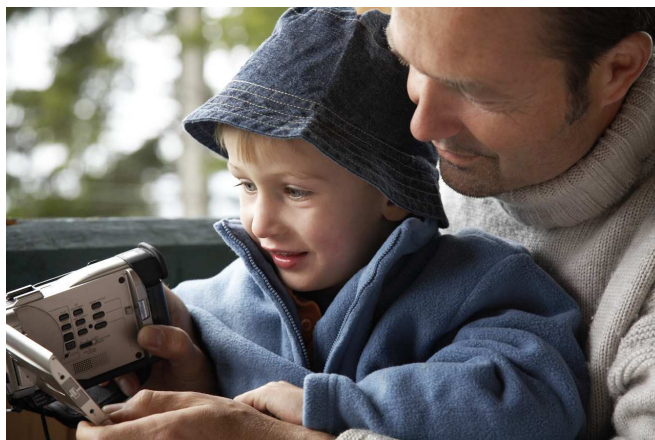
## SCHOOL AGE CHILDREN

### The alternate weekend schedule

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					Parent A	Parent A
Parent B	Parent B	Parent B	Parent B	Parent B	Parent B	Parent B
Parent B	Parent B	Parent B	Parent B	Parent B	Parent A	Parent A

This option creates 12 days of separation from one parent...Parent A. Divorce research evidences that this may be too long for some children and may lead to a diminished role for Parent A. Additionally, this design provides very little backup/relief to Parent B from child-related responsibilities .

This option may be the best fit, however, given the history of involvement, the time available to this parent, the current parenting resources, or as a transitional approach to time-sharing.



## Every Other Weekend plus a Midweek Visit

**Example: Friday 6 pm to Sunday 6 pm with every Wednesday 5pm to 8 pm.**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		Dinner A		Parent A	Parent A	
		Dinner A				
		Dinner A		Parent A	Parent A	
		Dinner A				

This option limits separation time from Parent A to 7 days. Putting the mid-week time in could allow for more conflict in the transition back to Parent B. Some Parent A’s describe this evening only time as too rushed with less time to adequately supervise homework and to actually settle in.

This option may be one of the few workable alternatives, however, with Parent A’s having difficult work schedules, especially those with very early starts to their work day.

## Every Other EXTENDED Weekend

**Friday 6 pm to Monday drop off at school. OR Thursday to Monday at school.**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			Parent A Optional	Parent A	Parent A	Parent A
			Parent A Optional	Parent A	Parent A	Parent A

This option with a more expansive weekend reduces the opportunity for parental conflict and with fewer transitions minimizes stress for the children. The drop-off at school may be too difficult for a parent who must drive some distance to make that happen; thus, a drop-off on Sunday night by 6 pm may have to be arranged.

6-8 / 28 overnights with a ten-day separation period for Parent A.



## Every Other EXTENDED Weekend Plus Midweek Overnight

**Friday 6 pm to Monday 8 pm, with Wednesday 5 pm to Thursday AM delivery to school. 10 Overnights/28 days**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Parent A	Parent A	Parent A	Parent B	Parent A	Parent B	Parent B
Parent B	Parent A	Parent A	Parent B	Parent A	Parent A	Parent A
Parent A	Parent A	Parent A	Parent B	Parent A	Parent B	Parent B
Parent B	Parent A	Parent A	Parent B	Parent A	Parent A	Parent A

*10 overnights* in this plan. It mirrors the prior option and it allows for a longer weekend. Parent A has more involvement time in schoolwork and perhaps more activities responsibility. School or daycare pick-ups and drop-offs limit the possible risks/opportunities for face-to-face hostilities.



## Every Other Extended Weekend with Split Weekends

**This has also been referred to as the 2-2-5-5 design. Friday 6pm to Monday 8 am, alternating; plus with Parent A every Monday after school to Wednesday 8 am; with Parent B, every Wednesday after school to Friday 8 am.**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Parent B	Parent A	Parent A	Parent B	Parent B	Parent A	Parent A
Parent A	Parent A	Parent A	Parent B	Parent B	Parent B	Parent B
Parent B	Parent A	Parent A	Parent B	Parent B	Parent A	Parent A
Parent A	Parent A	Parent A	Parent B	Parent B	Parent B	Parent B

\*This option is easily tolerated by children age 5 or older. All transitions can take place at school or daycare. The consistent mid-week establishes a routine that allows both parents to experience mid-week and weekend time—allowing for full involvement in work and play with their children and permitting a parenting relief for the other parent on a regular basis. This option and the others to follow require that clothing and materials that make the children’s lives work well should be at both homes. Separation limited to five days.

**\*It is important to note that the plans that call for several transitions, as in the one just prior to this one, may not be advisable for children with a difficult temperament, or with learning disabilities. They may not tolerate too much change too often.**

### Other 50-50 options :

The divorce research literature advises that these options are more successful with co-parents who are not in high conflict, who live in the same school district, and preferably with older school-aged children.

- **\*Sunday, Monday, Tuesday with Parent A (get to school on Wednesday morning)**

**Wednesday, Thursday Friday with Parent B**

**Alternate Saturdays: begin as early as convenient to parents; drop-off to occur at least one hour before regular bedtime.**

This option limits separation to three (3) days, but imposes more transitions. It may be most appropriate for PRESCHOOL CHILDREN and is sometimes workable to use until they reach 5/6 years old.

- **\*Alternate weeks design--beginning with Sunday and ending with Saturday.**

Since this plan allows for seven nights separation, it may be advisable to schedule a mid-week dinner hour with children; separation may also be covered by consistent involvement with children in after-school practices/games/meets, etc. This option might prove quite difficult for children younger than 6 or 7. The lengthier time frame does allow for a “settling in” to a routine. It can complicate, however, tracking of long-term assignments for school, activity commitments and after-school arrangements.

Some adolescents may actually prefer to have *two* weeks blocked together since this designs fewer interruptions during the week.

NOTE: Changing houses on FRIDAY after school often works better than the Monday after school option—allowing for a “winding down” at the time of transition rather than requiring “gearing up” at that time.

## **Optional wording to consider in your Plan**

You may encounter situations that you are searching for the wording that will reflect how you want to conduct your plan around them. That is the intent of these suggestions.

**SUMMER SCHEDULE** (if this is to be different from the regular shared-parenting time schedule.) It is usually advisable to set a date for summer vacation plans to be shared with each co-parent; for example,

*“Each parent agrees to notify the Other of vacation plans on or before April 15<sup>th</sup> of each year. Further the parents agree that the Mother will have first choice of her weeks in even-numbered years, and the Father in odd-numbered years.”*

## HOLIDAY SCHEDULE Addressing the scheduling glitches that may occur

Optional wording/agreement:

*“The holiday schedule specified below is understood to OVER-RIDE the regular shared parenting schedule . When a holiday falls on a weekend, the parent who is ON-DUTY will be ON-DUTY for the entire weekend unless specifically noted otherwise. If this results in one parent being ON-DUTY for three weekends in a row, we agree that the Other Parent will have the children for the weekend following the holiday weekend. We understand that this will result in one parent having the child/ren for two weekends in a row.”*

### THREE-DAY or FOUR-DAY HOLIDAY weekends:

Option: “We agree that our children will remain with the parent they are normally scheduled to be with for that weekend through MONDAY at 6 pm:

### FLEXIBILITY IN TIME-SHARING

\* It may be advisable to include language such as “The parents agree to switch weekends to accommodate the situation of the proper parent not having the children for their holiday weekend. You may ALSO entertain the idea that only the actual DAY itself will be set aside, rather than switching the entire weekend.

OR “Although our child/ren need living arrangements that are predictable, if something unexpected or unavoidable comes up, we agree to grant to each other as much flexibility as possible. If we are not able to agree on a change to the schedule, the regular schedule will be followed as usual.”

If A “FLEXIBILITY CHANGE” results in the need for child care, the scheduled ON-DUTY parent will make the child care arrangements and pay for the cost of that child care.

CHRISTMAS You may wish to consider how you will stipulate the division of time for this holiday. You may designate the entire WINTER BREAK to be split between you, first half to Mother, second half to Father.

You may feel it necessary to designate the actual holiday separately as it will fall during either half dependent on the year.

### TRANSPORTATION--CHILD/REN AND BELONGINGS

We agree to arrive in a punctual manner (no more than 10 minutes early or late) to drop off or pick up our child/ren.

Because remembering is difficult for children, we will deliver our child/ren's clothing, school supplies and belongings at the time we deliver our child/ren. We will return our child/ren's clothing in a clean condition to the parent who purchased the clothing.

When our child/ren are scheduled to return to father,  
Father will pick them up at \_\_\_\_\_ ( )  
Mother will drop them off at \_\_\_\_\_ ( )

When our children are scheduled to return to mother,  
Mother will pick them up at \_\_\_\_\_ ( )  
Father will drop them off at \_\_\_\_\_ ( )

### COMMUNICATION

1. To keep our child/ren safe from being put in the middle of our relationship, and any conflict that may arise between us, we will NOT
  - Ask them about the Other Parent
  - Ask them to carry messages to the Other Parent
  - Make unkind or negative statements about the Other Parent to or around our child/ren..or allow anyone else to do so.
  - We will keep our conversations short and calm when exchanging our child/ren so they won't feel afraid or anxious.
2. We agree that our child/ren may have unlimited telephone access to each of us between the hours of \_\_\_\_\_ and \_\_\_\_\_.
3. During long separations from our child/ren, we will maintain frequent contact with them by telephone, letter, post cards, video or audio tapes, etc. We will encourage and help our children to stay in touch with the Other Parent by telephone, letters, etc. Before leaving, we will give each other the address and phone number where our child/ren can be reached if they will be away for more than 48 hours.

### SAFETY:

( ) We agree not to operate a vehicle while under the influence of alcohol or non-prescription drugs when our child/ren are in the vehicle, or to use these substances ( ) at all ( ) carelessly when ON-DUTY as parent.

( ) We will not leave our underaged child/ren unattended at any time.

( ) Only \_\_\_\_\_ are to be present when our child/ren are exchanged.

( ) We agree that no one is allowed to use or allow anyone else to use physical discipline with our child/ren.

( ) Only the biological parent (no step-parents) may use physical discipline with our child/ren.

( ) All contact between our child/ren and \_\_\_\_\_ will be supervised by \_\_\_\_\_.

( ) Neither parent will allow our child/ren to be in the presence of

\_\_\_\_\_.

\_\_\_\_\_.

### EDUCATION

We will instruct our child/ren's schools to list EACH of us and our respective addresses and phone numbers in the contact records for our child/ren.

We will each take responsibility for contacting our child/ren's schools to find out about their needs, progress, and special events including parent-teacher conferences. We will also share information about these items with each other.

We will encourage and support our child/ren's efforts for further education such as college or technical training. Major decisions about education will be made by

\_\_\_\_\_.

### EXTENDED FAMILY

We recognize that our children will benefit from maintaining ties with grandparents, relatives and people important to them and we will help our children to continue to be with these people from time to time.

### FINANCIAL SUPPORT

We understand that the Florida Child Support Guidelines require each of us to contribute to the support of our child/ren based on our respective incomes and that child support is set in accordance with these guidelines.

Child support will be paid until our child reaches the age of 18 or

\_\_\_\_\_.

We agree to claim our child/ren for tax purposes as follows:

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## CHILD CARE

If occasional (non-work-related) child care is needed (defined as \_\_\_\_ hours or longer) by the ON DUTY parent, we ( ) will ( ) are not required to offer the other parent the chance to provide this care before seeking someone else to care for our child/ren. The ON DUTY parent will make and pay for any needed occasional child care arrangements.

Because basic child support does not cover work-related child care costs, Father will pay \_\_\_\_\_% and mother will pay \_\_\_\_\_% of the cost of work-related child care. These costs will be paid directly to the child care provider in advance. The work-related child care provider will be selected by \_\_\_\_\_.

## HEALTH CARE

We each have a right to our child/ren's medical information and records, and we will communicate with each other on major health care for our children. Major decisions about health care (such as a need for surgery) will be made by \_\_\_\_\_.

The ON DUTY parent will make sure that our child/ren take prescription medications. In emergencies, each parent will consent to emergency medical treatment for their child/ren, as needed, and we will notify the Other Parent as soon as it is possible to do so.

Health care insurance for our child/ren will be provided by

- ( ) Father
- ( ) Mother
- ( ) the parent that can obtain suitable coverage through an employer at the lower cost.

In addition to child support, we will share costs for our child/ren's health care that are not covered or paid in full by insurance (including the cost for health insurance premiums and deductibles, medical, dental, orthodontic, and vision care).

These out-of-pocket costs will be pro-rated between us in proportion to our incomes. Currently, Father's share is \_\_\_\_\_% and Mother's share is \_\_\_\_\_%.

Our individual share of these payments will be paid directly to the Provider unless already paid . When the Other Parent has already paid the Provider, our share will be ( ) reimbursed to the Other Parent 30 days after receipt of the bill; ( ) 30 days after receipt of proof of amount the insurance company paid, whichever occurs *LAST*.

## DISPUTES

Once this plan has been made an order of the court, we realize we must continue to follow this plan even if the Other Parent fails to do so. When we cannot agree on the meaning of some portion of this agreement, or if a substantive change ( such as a move, or remarriage) causes conflict, we will make a good faith effort to resolve our differences through mediation before returning to the court for relief. We also understand that we may ask for a parenting coordinator if we find that we are unable to smoothly adhere to this agreement.

## MISCELLANEOUS OPTIONS TO BE CONSIDERED:

Our child/ren will be publicly and legally known by the surname

\_\_\_\_\_

Costs associated with participation in extra-curricular activities? Parents should also agree about *which activities* a child will make a commitment to—so that both are on board with transportation, special events, etc. NEVER sign up a child without conferring with the other parent. It spells disappointment for the child when the other parent is not in full support.

Costs associated with education beyond high school?

Children driving or owning a car?

Special family occasions? Most families have rituals around special times like annual family reunions. Make sure that the other parent will continue to support these for your family and you for theirs.

Visits with extended family members like grandparents. Grandparents usually are important to children. Endeavor to maintain all extended family relationships on both sides whenever possible. If a family has divided over your divorce/separation, perhaps counseling will be beneficial to healing these relationships in the best interests of your children.

\*\*Your agreement should be submitted to your attorneys for their review. very important part of your complete dissolution agreement.

## REFERENCES

*We consulted the following while preparing these pages for you:*

Brazelton, T.B., Greenspan, S.I., (2000). *The irreducible needs of children: What every child must have to grow, learn, and flourish*. New York: Harper-Collins.

Cashmore, Judy, Parkinson, Patrick, Taylor, Alan “Overnight Stays and Children’s Relationships with Resident and Nonresident Parents After Divorce” *Journal of Family Issues*, Vol. 29, No. 6, 2008, 707-733.

Garrity, C. & Baris, M. (1994). *Caught in the middle: Protecting the children of high-conflict divorce*. New York: Lexington Books.

Hetherington, M. & Kelly, J. (2002). *For better or for worse: Divorce reconsidered*. New York: W.W. Norton.

Johnston, J. & Roseby, V. (1997). *In the name of the child: A developmental approach to understanding and helping children of conflicted and violent divorce*. New York: The Free Press.

Kelly, J.B. & Lamb, M. (2000). *Using child development research to design parenting plans*. Kelly, Joan B. “Children’s Living Arrangements Following Separation and Divorce: Insights From Empirical and Clinical Research”, *Family Process*, Vol. 46, No. 1, 2007, 35-52.

Lamb, Michael E., Sternberg, Kathleen J., & Thompson, Ross A. “The Effects of Divorce and Custody Arrangements on Children’s Behavior Development, and Adjustment” *Family and Conciliation Courts Review*, Vol. 35, No. 4, 1997, 393-404.

Ricci, I. (1997). *Mom’s House, Dad’s House: Making two homes for your child*. New York: Fireside Publications.

Ricci, I. (2006). *Mom’s House, Dad’s House for KIDS: Feeling at home in one house or two*. New York: Fireside Publications.

Whiteside, Mary F. “Custody for Children Age Five and Younger” *Family and Conciliation Courts Review*, Vol. 36, No.4, 1998, 479-502.

Warshak, Richard A. “Blanket Restrictions Overnight Contact Between Parents and Young Children” *Family and Conciliation Courts Review*, Vol. 38, No. 4, 2000, 422-445.