

**“The Morelli Family Heritage Foundation”  
Presents the Divorce Information Package**

**Divorce—Child Custody—Parenting  
Child Care---Financing & Social Security**

**Divorce and You**

**Divorce and Child Custody**

**Divorce and Parenting**

**Divorce and Child Care**

**Divorce, Finances and Social Security**

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# **Divorce and Parenting**

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# **Divorce & You’re Parenting**

**Creating and Understanding a Parenting Plan**

**30 Things to Include in You’re Parenting Plan**

**Filing a Parenting Plan**

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**What to do When Your Ex Denies Visitation Rights**

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## Creating and Understanding Parenting Plans

A divorcing family must design a thoughtful parenting plan to insure a focused family environment. A well designed plan lessens disagreements, decreases conflict, and helps the entire family understand and accept the future.

**A good parenting plan gives children a measure of routine and predictability.** A written plan, spelling out explicit visitation protocols, can go miles toward making life easier for everyone involved. A parenting plan decreases conflict between ex-spouses, and it increases the chances that the children will grow up in a stable environment. It also encourages the parents to work together amicably. Most divorced parents come to realize that consistency makes for predictability.

The parenting plan, which is normally incorporated with the marital settlement agreement, has the force of a court order.

### Parenting Plans

A well thought out and designed parenting plan makes it possible for children of divorce to spend good time -- and have good memories -- of the time spent with both parents. And divorce makes it more important than ever that a child spend time with both parents. A good plan gives the parents an opportunity to participate in the children's education, finances, and any health care they may need.

### Negotiating Parenting Arrangements

**Divorcing parents must negotiate with each other** in order to create a sound environment for their children. Parents must understand the needs of the children, and must take into consideration that what they are doing is in the best interests of the children. In a divorce, children endure an enormous amount of change, so is important that the parents work together and not against each other. It is also important to try to keep court involvement at a minimum when dealing with certain parenting issues.

### Normally a parenting plan stipulates the following:

- Custody: often physical to the mother and shared legal to both parents
- Visitation: the days and hours when the noncustodial parent visits the children and overnight visits and the protocols for picking up and returning the children
- Holidays and vacations and birthdays and special days
- Schooling, with sufficient details so that the noncustodial parent can participate
- Child Support, with sufficient detail about the terms and conditions of payment
- Recreation, which may mean limits on television or computer use

- Dating, which establishes the protocols for the introduction of new partners into the lives of the children
- Medical care, with sufficient detail so that both parents know even routine medical and dental care events
- Dispute Resolution, which means the protocols for enlisting third-party mediation when the parents cannot resolve the problems themselves
- Revisions and Updates, which establishes the rules and consensus about revising the plan

### The basics of a good parenting plan are listed below:

- A good parenting plan is specific enough to be useful, but general enough to be flexible
- When implementing a parenting plan it is important that the parents stick to the schedule, no matter how difficult it may be for either parent. This will give the child some sense of trust
- Younger children need greater predictability. Parents must be aware that they need to work together in order to create a harmonious environment
- Parents must consider the age of the children when designing the plan
- A parent must be aware of the other parent's schedule and work out a realistic plan that can be followed by both of them
- This keeps conflicts to a minimum

### Parenting Custody and Arrangements

Parents are obligated to provide for the children's education, medical care and safety. If the custody is joint, as the result of the divorce, then the parents must make arrangements for the new living accommodations for the children. Both parents are obligated to replicate conditions the children find in an intact family environment.

The most common custody in the courts is either sole or shared custody. In a sole custody arrangement, only one parent physically cares for the children, while the other parent is granted visitation. In a shared custody arrangement, both parents are able to spend significant time with the children.

The terms and conditions of medical insurance coverage and extraordinary out-of-pocket medical expenses for the children are normally described in the marital separation agreement, but the parenting plan may reference medical care, providing that each parent keep the other informed about the child's routine visits to the doctor.

Some parenting plans also establish protocols for grandparent visitation. The plans may include agreements about third-party care of the children. They may establish limits on television watching, computer use, bedtimes, rules for homework.

Some plans now specifically include email as a designated communication link between children and the noncustodial parent, and designate a set time of the day for the noncustodial parent to call the child on the telephone.

The introduction of new partners into the lives of small children can be very difficult for a youngster, so a parenting plan may deal with dating and establish dating accords, including sleep over protocols for new partners.

## Common Questions and Answers

Q. Why is a parenting plan important for divorced parents?

A. Because custody and visitation are very often two flash points between divorced couples, a good parenting plan goes a long way toward eliminating issues that can become inflammatory.

Q. How does a parenting plan help divorced spouses?

A. Divorced parenting is more difficult because the spouses are now seldom together to reinforce one another. A parenting plan, though obviously not as good as two parents physically present, reinforces the agreement that both parents create. For example, the plan may allow for only so much television watching per day. Because this is stipulated in the plan, television watching is no longer "on the table," that is, no longer open to negotiation.

Q. What can parents write in the plan?

A. Within reason, spouses can write anything into the plan. No one right plan exists; anything that works is fine. A parenting plan deals with the nuts and bolts of custody arrangements and the specifics of visitation by the noncustodial parent, such as schooling, special days and dates and contact by noncustodial parent. The plan is often built around a core schedule of hours and days when the noncustodial parent takes charge of the children. The plan is a trellis that supports divorced parenting.

Q. What should divorcing parents remember in writing a plan?

A. No judge knows the children as well as his or her parents. If the parents cannot negotiate a plan themselves, the courts will do it for them, but courts would much prefer that the parents do it. Most of the time the parents are left with the responsibility of making arrangements.

## 30 Things to Include in Your Parenting Plan

Planning to raise your child with your ex? Developing a written parenting plan will help to clarify your roles and expectations so you can avoid petty arguments and focus on what's best for your children. The following tips will help you plan ahead so that nothing essential gets left out of your family's written parenting plan.

**What is a Parenting Plan?** A parenting plan is a formal, written document that outlines the commitments and agreements you've made with your ex regarding how you intend to raise your children. While a parenting plan is not necessarily considered a legal document, some states require parents to file a parenting plan with the court as part of the child custody agreement. However, even if your state does not require divorcing parents to create a formal parenting plan, it is strongly recommended that you work with your ex to reach your own informal agreement regarding your roles and responsibilities. The benefit is that it forces you to consider many different scenarios and decide up front how you're going to handle them. In general, if there's anything you feel strongly about, put it in your parenting plan and ask your ex to agree to it.

**Must-Haves for Any Parenting Plan** It is essential that you outline your agreed-upon living arrangements, as well as your commitments regarding visitations, holidays, and vacations. Here's a list of the must-haves you'll want to include:

1. A basic residential schedule
2. A regular visitation schedule
3. A projected schedule for parenting time over the holidays
4. A projected schedule for parenting time on birthdays
5. Visitation transportation arrangements, including backup plans
6. Car seat requirements, especially if you reside in different states with varying child seat laws
7. Neutral drop-off or custody exchange arrangements (if necessary)
8. Anticipated changes to your family's residential custody and visitation schedule (as your children age)

9. Alternatives schedules for school vacations How changes to the schedule should be proposed and negotiated in an effort to minimize last-minute schedule changes
10. Regular and **backup child care** arrangements
11. Whether the other parent must be considered first when a babysitter is needed (also known as the 'right to first refusal')
12. How relocation requests will be handled, including how much notice must be given and how relocation disputes will be addressed
13. Plans and/or schedules for maintaining ongoing relationships with extended family members
14. Rules or agreed-up guidelines for introducing the children to either parent's 'friends' or dating partners.
15. Guidelines and/or rules pertaining to third-party visitation
16. Sleeping arrangements for the children, including whether they must have their own bedrooms in each parent's residence
17. Instructions and/or guidelines for administering medication
18. Dietary requirements, including allergies
19. Preferred discipline methods
20. Guidelines for parent-child communication between visits/parenting time
21. Parent-to-parent communication guidelines
22. Decisions about piercings and body art
23. Vaccinations
24. Internet use (including social media sites)
25. Cell phone access
26. Curfews
27. Guidelines regarding movies and entertainment (for example, R-rated movies)
28. Expectations regarding participation in school/sporting events
29. Expectations regarding participation in church/synagogue/mosque and/or civic activities
30. I don't know I missed one along the way somewhere.

# FILING A PARENTING PLAN

## What You Need to Know About Filing a Parenting Plan With the Court

In some states, parents must prepare and file a [parenting plan](#), while other states do not require parents to create a formal parenting agreement.

### Reasons why you should file a parenting plan include:

- To demonstrate to the judge that you have carefully thought about how you plan to raise your children together
- To decrease the judge's workload
- To clarify the residential schedule, which can also make it easier for a judge to make a ruling about child support
- In the event that either parent doesn't follow the parenting plan, the judge can later refer to the original plan as evidence of the initial agreement

### Things to Do Before Filing a Parenting Plan

- Speak with a qualified attorney in your state
- Speak with the child's other parent
- Speak with other parents who have been through the process
- Gather the necessary documentation, such as child-related expenses, the child's school schedule, and extracurricular activities
- Map the distance between the parents' homes
- Access the [child custody laws](#) in your state; you might stumble upon free resources

### Where to File a Parenting Plan

Parents should file a parenting plan in one of the following places:

- In the county court where the child lives, or
- In the county where the non-custodial parent lives

**Barriers to Having the Parenting Plan Honored in Court** Although a court will generally respect the decisions reached by the parents as to the upbringing of their child, a court will not support the following parenting plans:

- Where a parent who has been accused of domestic violence against the other parent or the child is granted primary custody of the child
- There is evidence of coercion, where one of the parents is forced into agreeing to the plan
- Agreements that do not serve the [best interests of the child](#)

# Co-Parenting Tips for Divorced Parents

## **Making Joint Custody Work After a Divorce:**

Co-parenting after a split is rarely easy, especially if you have a contentious relationship with your ex-partner. You may be concerned about your ex's parenting abilities, stressed about child support or other financial issues, feel worn down by conflict, or think you'll never be able to overcome all the resentments in your relationship. But co-parenting amicably with your ex can give your children the stability, security, and close relationships with both parents they need. For the sake of your kids' well-being, it is possible for you to overcome co-parenting challenges and develop a cordial working relationship with your ex. With these tips, you can remain calm, stay consistent, and resolve conflicts to make joint custody work and enable your kids to thrive.

## **Why is co-parenting after divorce important for children?**

Unless your family has faced serious issues such as domestic violence or substance abuse, co-parenting—having both parents play an active role in their children's daily lives—is the best way to ensure all your kids' needs are met and they are able to retain close relationships with both parents. Research suggests that the quality of the relationship between co-parents can also have a strong influence on the mental and emotional well-being of children, and the incidence of anxiety and depression. Of course, putting aside relationship issues, especially after an acrimonious split, to co-parent agreeably can be easier said than done.

Joint custody arrangements can be exhausting, infuriating, and fraught with stress. It can be extremely difficult to get past the painful history you may have with your ex and overcome built-up resentments. Making shared decisions, interacting with each another at drop-offs, or just speaking to a person you'd rather forget all about can seem like impossible tasks. Despite the many challenges, though, it is possible to develop an amicable working relationship with your ex for the sake of your children.

The key to successful co-parenting is to separate the personal relationship with your ex from the co-parenting relationship. It may be helpful to start thinking of your relationship with your ex as a completely new one—one that is entirely about the well-being of your children, and not about either of you. Your marriage may be over, but your family is not; doing what is best for your kids is your most important priority. The first step to being a mature, responsible co-parent is to always put your children's needs ahead of your own.

## **Co-parenting is the best option for your children**

Through your parenting partnership, your kids should recognize that they are more important than the conflict that ended your marriage—and understand that your love for them will prevail despite changing circumstances. Kids whose divorced parents have a cooperative relationship:

- **Feel secure.** When confident of the love of both parents, kids adjust more quickly and easily to divorce and new living situations, and have better self-esteem.
- **Benefit from consistency.** Co-parenting fosters similar rules, discipline, and rewards between households, so children know what to expect, and what's expected of them.
- **Better understand problem solving.** Children who see their parents continuing to work together are more likely to learn how to effectively and peacefully solve problems themselves.
- **Have a healthy example to follow.** By cooperating with the other parent, you are establishing a life pattern your children can carry into the future to build and maintain stronger relationships.
- **Are mentally and emotionally healthier.** Children exposed to conflict between co-parents are more likely to develop issues such as depression, anxiety, or ADHD.

## Co-parenting for divorced parents:

### Tip 1: Set hurt and anger aside

Successful co-parenting means that your own emotions—any anger, resentment, or hurt—must take a back seat to the needs of your children. Admittedly, setting aside such strong feelings may be the hardest part of learning to work cooperatively with your ex, but it's also perhaps the most vital. Co-parenting is not about your feelings, or those of your ex-spouse, but rather about your child's happiness, stability, and future well-being.

#### Separating feelings from behavior

It's okay to be hurt and angry, but your feelings don't have to dictate your behavior. Instead, let what's best for your kids—you working cooperatively with the other parent—motivate your actions.

**Get your feelings out somewhere else.** Never vent to your child. Friends, therapists, or even a loving pet can all make good listeners when you need to get negative feelings off your chest. Exercise can also be a healthy outlet for letting off steam.

**Stay kid-focused.** If you feel angry or resentful, try to remember why you need to act with purpose and grace: your child's best interests are at stake. If your anger feels overwhelming, looking at a photograph of your child may help you calm down.

## **Don't put your children in the middle**

You may never completely lose all of your resentment or bitterness about your break up, but what you can do is compartmentalize those feelings and remind yourself that they are your issues, not your child's. Resolve to keep your issues with your ex away from your children.

**Never use kids as messengers.** When you use your children to convey messages to your co-parent, it puts them in the center of your conflict. The goal is to keep your child out of your relationship issues, so call or email your ex directly.

**Keep your issues to yourself.** Never say negative things about your ex to your children, or make them feel like they have to choose. Your child has a right to a relationship with their other parent that is free of your influence.

## **Tip 2: Improve communication with your co-parent:**

Peaceful, consistent, and purposeful communication with your ex is essential to the success of co-parenting—even though it may seem absolutely impossible. **It all begins with your mindset. Think about communication with your ex as having the highest purpose: your child's well-being.** Before contact with your ex, ask yourself how your talk will affect your child, and resolve to conduct yourself with dignity. Make your child the focal point of every discussion you have with your ex-partner.

Remember that it isn't always necessary to meet your ex in person—speaking over the phone or exchanging texts or emails is fine for the majority of conversations. The goal is to establish conflict-free communication, so see which type of contact works best for you. However you choose to communicate, the following methods can help you initiate and maintain effective communication:

**Set a business-like tone.** Approach the relationship with your ex as a business partnership where your "business" is your children's well-being. Speak or write to your ex as you would a colleague—with cordiality, respect, and neutrality. Relax and talk slowly.

**Make requests.** Instead of making statements, which can be misinterpreted as demands, try framing as much as you can as requests. Requests can begin "Would you be willing to...?" or "Can we try...?"

**Listen.** Communicating with maturity starts with listening. Even if you end up disagreeing with the other parent, you should at least be able to convey to your ex that

you've understood their point of view. And listening does not signify approval, so you won't lose anything by allowing your ex to voice his or her opinions.

**Show restraint.** Keep in mind that communicating with one another is going to be necessary for the length of your children's entire childhood—if not longer. You can train yourself to not overreact to your ex, and over time you can become numb to the buttons they try to push.

**Commit to meeting/talking consistently.** Though it may be extremely difficult in the early stages, frequent communication with your ex will convey the message to your children that you and your co-parent are a united front.

**Keep conversations kid-focused.** Never let a discussion with your ex-partner digress into a conversation about your needs or their needs; it should always be about your child's needs only.

If you're truly ready to rebuild trust after a break up, be sincere about your efforts. Remember your children's best interests as you move forward to improve your relationship.

- **Ask your ex's opinion.** This simple technique can jump-start positive communications between you. Take an issue that you don't feel strongly about, and ask for your ex's input, showing that you value their input.
- **Apologize.** When you're sorry about something, apologize sincerely—even if the incident happened a long time ago. Apologizing can be very powerful in moving your relationship away from being adversaries.
- **Chill out.** If a special outing with your ex is going to cut into your time with your child by an hour, graciously let it be. Remember that it's all about what is best for your child. Plus, when you show flexibility, your ex is more likely to be flexible with you.

### **Tip 3: Co-parent as a team:**

Parenting is full of decisions you'll have to make with your ex, whether you like each other or not. Cooperating and communicating without blow-ups or bickering makes decision-making far easier on everybody. If you shoot for consistency, geniality, and teamwork with your co-parent, the details of child-rearing decisions tend to fall into place.

## **Aim for co-parenting consistency**

It's healthy for children to be exposed to different perspectives and to learn to be flexible, but they also need to know they're living under the same basic set of expectations at each home. Aiming for consistency between your home and your ex's avoids confusion for your children.

**Rules.** Rules don't have to be exactly the same between two households, but if you and your ex-spouse establish generally consistent guidelines, your kids won't have to bounce back and forth between two radically different disciplinary environments. Important lifestyle rules like homework issues, curfews, and off-limit activities should be followed in both households.

**Discipline.** Try to follow similar systems of consequences for broken rules, even if the infraction didn't happen under your roof. So, if your kids have lost TV privileges while at your ex's house, follow through with the restriction. The same can be done for rewarding good behavior.

**Schedule.** Where you can, aim for some consistency in your children's schedules. Making meals, homework, and bedtimes similar can go a long way toward your child's adjustment to having two homes.

## **Making important decisions as co-parents**

Major decisions need to be made by both you and your ex. Being open, honest, and straightforward about important issues is crucial to both your relationship with your ex and your children's well-being.

**Medical needs.** Whether you decide to designate one parent to communicate primarily with health care professionals or attend medical appointments together, keep one another in the loop.

**Education.** Be sure to let the school know about changes in your child's living situation. Speak with your ex ahead of time about class schedules, extra-curricular activities, and parent-teacher conferences, and be polite to each other at school or sports events.

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**Financial issues.** The cost of maintaining two separate households can strain your attempts to be effective co-parents. Set a realistic budget and keep accurate records for shared expenses. Be gracious if your ex provides opportunities for your children that you cannot provide.

### **Resolving disagreements**

As you co-parent, you and your ex are bound to disagree over certain issues. Keep the following in mind as you try to reach a consensus.

**Respect can go a long way.** Simple manners should be the foundation for co-parenting. Being considerate and respectful includes letting your ex know about school events, being flexible about your schedule when possible, and taking their opinion seriously.

**Keep talking.** If you disagree about something important, you will need to continue communicating. Never discuss your differences of opinions with or in front of your child. If you still can't agree, you may need to talk to a third party, like a therapist or mediator.

**Don't sweat the small stuff.** If you disagree about important issues like a medical surgery or choice of school for your child, by all means keep the discussion going. But if you want your child in bed by 7:30 and your ex says 8:00, let it go and save your energy for the bigger issues.

**Compromise.** Yes, you will need to come around to your ex spouse's point of view as often as he or she comes around to yours. It may not always be your first choice, but compromise allows you both to "win" and makes both of you more likely to be flexible in the future.

### **Tip 4: Make transitions and visitation easier**

The actual move from one household to another, whether it happens every few days or just on weekends, can be a very hard time for children. Every reunion with one parent is also a separation with the other, each "hello" also a "goodbye." While transitions are unavoidable, there are many things you can do to help make them easier on your children.

**When your child leaves.** As kids prepare to leave your house for your ex's, try to stay positive and deliver them on time.

**Help children anticipate change.** Remind kids they'll be leaving for the other parent's house a day or two before the visit.

**Pack in advance.** Depending on their age, help children pack their bags well before they leave so that they don't forget anything they'll miss. Encourage packing familiar reminders like a special stuffed toy or photograph.

**Always drop off—never pick up the child.** It's a good idea to avoid "taking" your child from the other parent so that you don't risk interrupting or curtailing a special moment. Drop off your child at the other parent's house instead.

**When your child returns.** The beginning of your child's return to your home can be awkward or even rocky. To help your child adjust:

**Keep things low-key.** When children first enter your home, try to have some down time together—read a book or do some other quiet activity.

**Double up.** To make packing simpler and make kids feel more comfortable when they are at the other parent's house, have kids keep certain basics—toothbrush, hairbrush, pajamas—at both houses.

**Allow the child space.** Children often need a little time to adjust to the transition. If they seem to need some space, do something else nearby. In time, things will get back to normal.

**Establish a special routine.** Play a game or serve the same special meal each time your child returns. Kids thrive on routine—if they know exactly what to expect when they return to you it can help the transition.

## **Dealing with visitation refusal**

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It's common that kids in joint custody sometimes refuse to leave one parent to be with the other.

- **Find the cause.** The problem may be one that is easy to resolve, like paying more attention to your child, making a change in discipline style, or having more toys or other entertainment. Or it may be that an emotional reason is at hand, such as conflict or misunderstanding. Talk to your child about their refusal.
- **Go with the flow.** Whether you have detected the reason for the refusal or not, try to give your child the space and time that they obviously need. It may have nothing to do with you at all. And take heart: most cases of visitation refusal are temporary.

## Help for Parents Being Denied Visitation

### What to Do When Your Ex Denies Your Child Visitation Rights

Being denied visitation is a painful experience, whether you're being shut out by the courts or your ex. Before you can decide what to do next, you need to understand first why you're being denied visitation and what your options are from here on out. Here are some of the most common reasons why child [visitation](#) may be denied to a parent, and what you can do if this happens to you:

#### Why You May Be Denied Visitation by the Court

Generally speaking, it's rare for the courts to completely deny child visitation.

One exception would be if the courts believe [visitation safety](#) is an issue, or could pose a physical or emotional threat to your children's wellbeing. In some cases, the judge may require [parenting classes](#), [anger management](#) work, or drug or alcohol treatment before [regular visitation](#) continues. In the event that the court issues this type of requirement, it's best to comply as soon as possible to demonstrate your commitment to resuming regular time with your kids.

#### Alternatives to Denying Visitation

The courts will often require [supervised visitation](#) instead of denying child visitation altogether. In cases where supervised visitation is required, the parent may or may not have a say in who provides the supervision and where the visits will take place. If the judge issues an order requiring supervised visits, be sure to get all the details on where visits will take place, who is eligible to fill the supervisor role, and the length of each visit.

You'll also want to know if the order is temporary or hinges on the completion of other court-ordered requirements, such as proof of participation in specific classes or the completion of a court-approved alcohol treatment.

## Visitation and Child Support

Many parents worry that falling behind on child support could be grounds for losing [child custody](#) or visitation.

However, the courts generally view custody and child support as two entirely different matters. Consequences for [not paying child support](#) on time and in full include:

- Having your drivers' license suspended
- Not being able to get a passport
- Wage garnishment
- And even imprisonment

However, loss of visitation privileges is not a standard consequence for falling behind on child support.

## Reasons Why Your Ex May Deny Visitation

When your ex blocks visitation, he or she may have reasons that go far beyond the concerns that cause U.S. courts to deny child visitation. For example, custodial parents have been known to deny visits for:

- Outstanding/unpaid child support
- Transportation issues
- Convenience
- Concern over the other parent's relationship choices
- When the child doesn't want to participate
  
- Out of fear or anger
- Safety concerns
- And many other reasons

Of course, not all of these reasons will hold up in court. Yet the courts may frown upon parents repeatedly turning to the court to settle minor disputes—so it's in your best interest to try and settle the issue with your ex first, before taking further action. Let's explore your options.

## What to Do When Your Ex Denies Visitation

Document your concerns. Keep a log of what's happening each time you are denied visitation. Even if the issue gets resolved before your next court date, it's important to keep up-to-date [documentation to support your child custody or visitation case](#).

Speak with your ex. Find out why he or she is denying visitation and what you can do about it. It's best to schedule an appointment where the two of you can speak freely without being overheard by your kids.

Address anything fixable. If your ex's concerns are specific and 'fixable,' do what you can to remedy the issue. For example, If your ex is concerned that your kids don't have their own bedrooms or that they're sleeping on air mattresses, talk through any plans you have to move into a larger place or what you're doing to make 'camping' on the floor temporarily fun and safe.

Clarify boundaries with new partners. If your ex is upset that you're dating someone new who is also spending time with the kids, talk through any expectations to decide what's reasonable and what's not. While you may not want to slow down the relationship, developing a clear, incremental plan for how much time your children will spend with your new partner—and where—can help to ease displaced anxieties and [rebuild trust with your ex](#).

Consider legal action. If you don't have an official child custody and visitation order on file with the courts, then it may be time to formally file for visitation rights. If you've been granted visitation already by the court, and your ex is overtly denying your visitation rights, then it's time to escalate matters and call the police.

Call the police. In most situations, the police will not take sides. Instead, they will take notes, which the courts will have the opportunity to review. It's important to understand this before you make the call, so that you're not frustrated and angry when police officers arrive and tell you that there's not much they can do beyond filing a report. (The last thing you need is a report that claims you were irate and enraged—no matter how valid

those feelings may be.) A word of caution: be prepared to show the officers a copy of your court order. Without it, they may not even file a report.

File a motion. If being denied visitation is becoming a pattern, you should also file a motion with the court. Here you have two options: file a motion of contempt, which is basically saying that your ex is in contempt of court for violating the order that was issued previously. Or, you can file a motion asking the court to modify the order, enforce the order, or issue sanctions against your ex in order to prevent this trend from continuing. Even if the judge does not rule in your favor, your concerns will be formally documented. In general, though, it's best to consult with an experienced, qualified child custody lawyer before taking this step.

### **Parental Alienation Syndrome**

We can't discuss the issue of one parent denying visitation to another without addressing Parental Alienation Syndrome (PAS). This is a pattern of not only denying contact, but also negatively influencing the child's perception of the parent. Imagine having your worst flaws—and then some—drilled into your kids' minds, to the point where they believe it and accept the loss of contact as being for their own good.

That's Parental Alienation Syndrome, and while there are virtually no dependable statistics stating how many parents fall prey to PAS, I believe it's more widespread than we can imagine. This is why it's so important not to badmouth your ex to your children or without court-ordered visitation. If you believe you are a victim of PAS, you need to hire a lawyer—preferably one with experience handling PAS cases.

### **What to Do When the Court Denies Visitation**

What can you do then? Is there anything you can do to regain time with your children? Yes. The first thing you need to do is comply with the order—every part of it. If the court says you need to take parenting classes, take them and file a certificate of completion with the court to demonstrate your compliance. You'll also want to get a lawyer, if you don't have one already. And remember that while this setback is disheartening, it's not the last word.

## Winning Joint Custody

### Find Out What It Means to Win Joint Custody

Separated parents may find themselves in a custody battle striving to win [joint custody](#). In a joint custody arrangement, parents share custody of their child, as opposed to sole custody, where one parent has full custody. However, there are two different kinds of joint custody: joint legal custody and joint physical custody. Parents may also request a combination of both joint physical and joint legal custody.

Parents should consider each option carefully as they prepare for child custody proceedings.

#### Win Joint Legal Custody

[Joint legal custody](#) allows both parents to make legal decisions for a child such as choosing schools and doctors. Parents interested in a joint legal custody arrangement should first consider the level of communication between themselves and the child's other parent. Because legal decisions will be made jointly, parents who win joint legal custody need to discuss important issues affecting their child's well-being on a regular basis.

#### Win Joint Physical Custody

Joint physical custody refers to where the children reside on a daily basis. In a joint custody arrangement, the children reside with both parents. Parents who are interested in winning joint physical custody should be clear about what kind of joint physical custody arrangement is requested. Some examples of joint physical custody arrangements are:

- Alternate weekends
- Days during the week
- Summer vacations

A family court will expect the arrangement to work for both parents as well as the child, considering such things as sporting activities and after-school programs.

## Considerations in Winning Joint Custody

For parents who want to win joint custody, consider the following:

- **Communication** - If possible, attempt to talk custody arrangements through with the co-parent. It's best to have good communication as it will provide for a better transition for the child.
  - **Best interests of the child** - A parent should be prepared to determine how a joint custody arrangement will serve the child's best interests.
  - **Dress appropriately for court hearings** - A dark suit is preferable for a court hearing, but consider the season and determine what's appropriate.
  - **Obtain the services of an attorney** - An attorney is a parent's best resource in winning joint custody. Some parents may qualify for a court-appointed attorney based on state guidelines.
  - **Ask questions** - If something is unclear during the court hearing, a parent should ask questions. A parent's attorney is the best person to answer any initial questions.

For more information about how to win joint custody, speak with a qualified attorney in your state or refer to other references about strategies to help win child custody.