

MEETING YOUR CHILDREN'S NEEDS: PLANNING GUIDELINES FOR SEPARATING PARENTS

Separation and divorce are likely to be upsetting to all family members. Children tend to be greatly affected by changes in their status and their lifestyle. Issues of "divided loyalty" arise in broken families and can cause great emotional upset. Unfortunately children often feel a need to "take sides" with one parent against the other. Taking sides is psychologically destructive to all family members. It leads to attitudes and activities that perpetuate and worsen, rather than resolve problems.

To act in the best interests of the children involved in a divorce, it is often helpful for parents to try to mediate or negotiate their differences before seeking remedies through the courts. If parents feel comfortable speaking with each other, this process should start with a mother-father conference. Each parent should have the right to call in a mutually trusted and designated "third party mediator" if and when an impasse is reached. This "third party" should be selected by both parents; either parent has the right to call for the selection of a new "third party" if he or she judges that the mediator has lost objectivity.

Family issues to be dealt with in mediation or custody planning include:

1. *Custody and Residence*. Plans for legal custody and residence should be based on the personal, social, physical, and educational needs of the children. Possibilities include:

- Sole custody with mother
- Sole custody with father
- Joint custody
- Residence with mother
- Residence with father
- Shared residence
- Splitting residence of different children
- Other possibilities

Each of these approaches may have advantages and limitations. Having a shared residence or splitting the residence of different children may, for example, cause confusion and have other undesirable side effects. It is important to clarify exactly what each option will mean for both parent and child. There are many misconceptions about how certain arrangements may work. For example, joint custody does not necessarily mean equally divided time with children but it may mean flexible sharing of responsibilities. Parents may agree on joint custody but still have a child live primarily in the home of one parent.

2. *Visitation and Communication with the Nonresidential Parent* are important for children and should be arranged to give children ample time with both parents. Parents should consider free and open phone access, mail, and other communications in ways that do not interfere with the residential parent's appropriate child rearing needs.

3 *Information sharing about the children* and their needs is desirable. This is important because it permits both parents to remain aware of and participate in all aspects of their children's lives. There usually should, therefore, be free and open sharing of medical and other health related information; school records; and family, social, and recreational activities of each child. Ideally, parents should discuss children's current needs just before each visit. There may be an activity the child would like to attend. Transfer of clothing and a child's preferred toys should be planned. For small children especially, it may be important to take toys, such as a stuffed animal, when visiting.

4. *Effective management of conflict between parents* is important. This should be done without involving the children in "taking sides." Parents should avoid "name calling" or blaming in front of the children. Descriptive and nonjudgmental terms should be used to discuss frustrations and misunderstandings.

5. *Time with each parent* is important. Visitation times should take into consideration both the needs of the parents and the best interests of the children. The age, maturity, and physical health of the children should be taken into account. Consideration should be given to such possibilities as:

- Sharing significant holidays, especially those that permit more parent-child time because they fall on school vacations. These include Christmas-New Year's Day; Easter or Passover; and Thanksgiving Day, as well as each child's birthday.
- Alternating holidays. These may include Labor Day, Halloween, Memorial Day, Independence Day, and others as children or parents desire.
- Exclusive days. Father's Day and the father's birthday with the father; Mother's Day and the mother's birthday with the mother; special predesignated family celebrations; and so on.
- Summer vacations. This time usually should be shared, taking into account work schedules, and interests.

6. *Change of one parent's residence beyond easy commuting time* may create difficulties. Usually children's needs can best be met when parents live reasonably close to each other. Consider what types of arrangements should be made in the event that either parent leaves the community for career advancement, health reasons, personal preference, career or other needs of a new spouse, and so on. How will the "best interests" of children be assessed? What will be done to meet the rights and privileges of a geographically distant parent?

7. *Grandparent visits* should be considered. Children often value their contacts with grandparents or aunts, uncles, and other relatives. What arrangements should be made for continuation of these extended family contacts?

8 *Payment of medical/health costs* (including selection of health care providers, procedures, etc.) should be discussed in advance.

9. *Schooling* (selection, programs, etc.) should be discussed by both parents, taking into account children's needs and interests.

10. *Temporary inability to care for children* should be considered. Does the "nonresidential" parent have first preference in caring for the children during such periods? What constitutes "temporary" inability to care for the children?

11. *A flexible approach to planning* is usually best. Negotiations and mediation ideally should result in plans for equitable sharing of time and influence. These approaches are not meant to yield a rigid plan, but one that can best serve the needs of all involved parties. Changes should be possible, but they should be carefully placed in writing in time for all parties to modify their plans.

This handout was prepared by Mark H. Lewin. Reproduced from: *Innovations in Clinical Practice: A Source Book* (Vol. 8) pp. 449-451, by L. VandeCreek and T.L.Jackson (Eds.), Sarasota, FL: Professional Resource Press. Copyright © 1999 by the Professional Resource Exchange, Inc., P.O. Box 15560, Sarasota, FL 34277-1560.

A SUMMARY OF OUR PLANS

Child's Name: _____
Custody: _____
Residence: _____

Visits with nonresidential parent:

Weekday from (day and times specified) _____

Weekends (specify times) _____

Holidays:

With Which Parent

Winter (Christmas and New Year's Day) _____
Spring (school vacation) _____
Memorial Day _____
Independence Day _____

