

CO-PARENTING RESOURCES

compiled by

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CO-PARENTING RESOURCES: HANDBOOK FOR PARENTS

My daughter came crying to my wife and me last night. It seems that she had a nightmare about some rabbits, and she was very upset and saddened by it.

She dreamed of three rabbits who lived in a small bush by a meadow. Whenever the baby rabbit started to go out and play, the mother rabbit would pull it back into the bushes by its rear legs. The father rabbit didn't like the way the mother made the baby stay around the nest, so he would pull on the baby rabbit's ears to get it away from the mother's mouth grip. The baby rabbit would squeal and cry, and the mother and father rabbit would drop the baby rabbit and start biting each other. The next day, the same thing happened, and it happened in more and more situations and more and more frequently.

After some period of time, the baby rabbit's ears were very, very long from being pulled at, and its rear legs were very long from being pulled at, too. Moreover, the baby rabbit's fur was pulled out in patches, and its body was all bloody and scaled. The baby rabbit cried and cried, because now that its ears were so long, it was supersensitive to noise, and it could not help but hear every sound of every argument between its mother and father, very loud, like crashing cymbals. And, now that its legs were so long, it could only move by awkwardly hopping. And, now that its fur was so bloody and blotchy, it looked very, very ugly. The poor baby rabbit felt awkward, and ugly, and worthless, and unloved. And, the saddest thing of all was that its mother and father did not even notice, because they were too busy biting and yanking on each other. The baby rabbit cried and cried.

You may be one of the many parents who are faced with what may be the greatest test of parenthood-- helping your child/ren deal with the breakup of your marriage/partnering relationship and the reorganization of your family unit from a nuclear to a binuclear household. The dissolution of a marriage is stressful for all concerned: the children, parents, relatives, and friends. If the situation is handled carefully by loving parents, sensitive teachers, and concerned members of the community, many of the ill effects of separated households on children can be erased.

Dr. Judith Wallerstein continues to emphasize that children need (1) a supportive harmonious co-parenting relationship, (2) sensitivity and commitment of each parent to the child, and (3) psychological and moral intactness of each parent. Recent psychological studies have found that the age and developmental stage of children play a big role in the way they react to their parents' divorce. Parents who understand how their children are likely to react at a given age can take many constructive steps to help their children cope.

This collection of information from various sources is intended to provide parents and others with some suggested ways to help children cope during this difficult time in their lives. The opening piece is a letter from a real young woman, expressing her pain of 13 years of unresolved divorce issues; Sarah actually had her dream come true after expressing her needs strongly so parents could hear. She wanted to share this with you in case your child cannot speak loudly enough. This booklet is not intended as a substitute for professional counseling or advice. Any issues beyond the scope of this booklet should be addressed with a professional.

LETTER FROM SARAH

[PRESENTED IN TESTIMONY TO LEGISLATIVE COMMITTEE 1997]

My name is Sarah. I am an 18-year-old senior in high school and my parents have been divorced most of my life. They divorced for the first time when I was an infant and remarried when I was five and divorced again three months later. For a while, I was going to my Dad's every other weekend. My parents never got along with each other. My Mom would always send the doctor bills with me to give to my Dad when I saw him. When I was little, that didn't matter so much to me. But as I became older, it started to matter a lot. I stopped seeing my Dad on weekends because he was on drugs. As I got older and realized I needed a father figure in my life, the drugs didn't matter to me so much. But every time I went to see him, it never failed that I had a doctor bill in my back pocket to give to him, along with a message from my Mom as to when she needed the money for it. It never bothered me. I would take him the bill and give him the message until I realized that the bills and the messages were really the only reasons why I went to see him sometimes. There were even times when I would cry and cry to my Mom because I didn't want to see him. But she made me go anyway because she needed money for the bills or she needed me to tell him something important. I didn't realize how much of an impact it had on my life until just recently. I was going through a lot of problems in my life and got arrested for theft. My Dad came and bailed me out of jail at 4:00 in the morning. It was then that I realized he would always be there for me. It made me realize how much I resented my Mom for making me the middle person for all of their communication. I feel as if it's her fault that I hated going to my Dad's. I finally put my foot down just last year and told her that I refused to give him anymore bills or letters, and if she wanted them given to him then she would have to mail them or give them to him herself. To this day, they still can't talk to each other like human beings. She told me to call him just last week to ask him a question and, when I told her to do it herself that it was her question and not mine, we got in an argument and didn't speak to each other till the next day.

I don't think my Mom nor my Dad realized what this has done to me—the fact they can't get along with each other. It has made me to where I can't stand to be in the same room with them together. They hate each other. I think that if they had had a class to go to, that would have helped them realize not to use me as a middle person and to deal with their problems they have with each other to each other and not through me. Then that would be just great! Not every child comes with an instruction booklet, and not every divorcing parent knows what to do. They need a little help and sense of direction. I wish my parents would have taken a class. I think my life would be a lot different, it would be a lot better. I would love it if my parents would talk to each other. I have a dream that my Mom, Dad, and I are sitting at a table, eating dinner, and actually carrying on a normal, happy conversation.

Sarah

WHAT CHILDREN TELL PROFESSIONALS

1. "I'm afraid my parents will stop loving me so I'll tell my Mom what I think she wants to hear and I'll tell my Dad what I think he wants to hear. That way I'll make them each happy and they will both love me."
2. "My parents hate each other so much. Maybe they'll hate me soon too."
3. "My Daddy left me. Will Mommy leave me too?"
4. "My Mom says Dad is no good; Dad say Mom is no good. Maybe I'm no good."
5. "I wish my Mommy and Daddy would stop fighting."
6. "I don't want to have to choose between my Mom and Dad."

QUESTIONS PARENTS ASK ABOUT CHILDREN AND DIVORCE

I. WHAT SHOULD I TELL MY CHILDREN?

Children want to know what will happen to them and who will care for them. Predictability leads to stability in a child's life. Let the children know when they will see Mom/Dad again. Children fear abandonment and need to be assured that they will see both parents. Explain to the children that the divorce is not their fault. Children tend to blame themselves and need to be reassured that they are not responsible for the divorce.

II. SHOULD WE TELL THE CHILDREN WHY WE ARE DIVORCING?

Children do not need the specific details of the divorce. The best option is to simply say, "We have decided we no longer want to be married to each other." Remember, this is your divorce decision, not your children's. Do not put them in the middle by blaming the other spouse.

III. DO MY CHILDREN NEED COUNSELING?

Counseling may be indicated if your children's behavior changes or becomes inappropriate for an extended period. Divorce is a major stressor for all family members, and family therapy by a licensed family therapist is often helpful for all family members. Peer or divorce recovery groups available through the school or in the community are a good option for children. If children have witnessed physical or emotional abuse between spouses or have been subjected to abuse themselves, counseling is strongly recommended. Behavior changes in children are often related to parents' actions. The parents' effective adjustment to the divorcing experience is the best way to help the children adjust.

IV. WHAT MAKES SOME CHILDREN ADJUST POORLY TO DIVORCE?

Though each child and each family are unique, children often adjust poorly under the following stressors:

- continued fighting between parents, especially with ongoing litigation
- being asked to choose between parents
- losing contact with either parent
- fearing poverty
- fearing abandonment/rejection
- relaying messages between parents to keep the peace
- assuming the role of parent to relieve the distressed parent
- having no firm and consistent parental limits

V. WHAT CAN I DO TO HELP MY CHILD ADJUST TO SPENDING TIME WITH THE OTHER PARENT?

Be firm with your children about the importance of spending time with their other parent. Explain to the children what time they will be picked up and when they will be returned home. For younger children, use a calendar and a clock to show them when they will be with each parent. As your child gets older, be flexible about time so that scheduled time with a parent will not interfere with the child's other activities.

VI. WHAT SHOULD I DO ABOUT DATING?

Children need time to adjust to the change of having their parents in separate homes. They many times express concern that they will be forgotten or unwanted when the parent gives attention to a new friend. Since children frequently have little time with a parent, sharing that time is difficult. Use discretion in introducing your children to persons you have chosen to date. Do not leave discipline or parental authority to a new dating friend.

The Power of Expectations

Daddy expects me to grow up.
If I prove to him that I am grown up
he will love me.

But I will feel frightened
because I am just a little kid
and he will find out that I'm frightened
not grown up
and will not love me.

So I pretend not to be terrified
and he is so proud of my being
what I'm not.

Now he thinks that I am grown up
and I breathe a sigh of relief.

But now that I am who I am not,
he expects me to be ever more who
I am not.

That terrifies me all the more
because I am now expected to be more of
someone I never was.

To complicate matters, he says I should never lie

So I tell him that I am not grown up
he will be proud of my telling him the truth.

But I cannot tell the truth
about not telling the truth
because that is admitting to a lie
Therefore, I must try harder to be who I am not.

--Anonymous

10 Ways to Help:

[from Wallerstein, J. S. (Summer 1990). Through a child's eyes. FAMILY ADVOCATE, 13 (1), 24-27.

Every aspect of a child's life can be made easier by the parents at the time of the divorce crisis. Parents should prepare their children for what lies ahead in as much concrete detail as possible. There is no way to prevent children from being distressed by their parents' divorce; there are, however, important ways to help ease their fears and confusion:

1. Parents should tell their children about the divorce as soon as it has become a firm decision. Think very carefully about how you announce the separation, for what you say or fail to say will be long remembered. Children have the right to understand why the divorce is happening; it is often the major crisis in their lives. If possible, both parents should tell all the children at the same time. Children can genuinely help each other at this time and take courage from the support of their siblings. If there are wide differences in the children's ages, the parents will want to talk to each child separately on a level that the child can truly understand.
2. The parents should express their sadness about the breakup of the family because it will give the children necessary permission to mourn without having to hide their feelings of loss from the adults or from themselves.
3. The parents should present the decision to divorce as a solution that the parents reached together, after they had tried every other way they could think of to solve their differences. In this way, the adults can convey the sense that they are responsible, loving parents who remain committed to the children even though they have reluctantly decided to go their separate ways.
4. Parents should explain honestly that things will change. Life will be temporarily disorganized, routines will be disrupted. One parent will be moving out of the home. The house may be sold, and the family may have to move to a new neighborhood. The mother, if not already doing so, may go back to school or take a part-time or full-time job. In short, the parents must make it clear that the divorce will bring many changes that the whole family will have to face and overcome.
5. The parents should tell children of all major developments, as the family reorganizes. Children feel powerless at divorce and should be invited to make suggestions in matters concerning them. Adults should seriously consider these suggestions. They should be assured that they will have a say, for instance, in setting up the visiting arrangements. Once the schedule is settled, it should be explained to the children in detail. The children should not, however, be made to feel responsible for making major decisions. The goal is to involve them appropriately so that they can feel that they are participating in working out a solution to the family crisis.
6. The parents should advise the children that the divorce will not weaken the bond between parent and child, even if they live apart. They need to be reassured that, though parents may divorce each other, they do not divorce their children. The children should be told realistically that everybody will have to work hard to maintain these important connections.
7. The parents must stress to the children that the divorce is not in any way the fault of the child. They must be assured that the problem existed strictly between the two adults. The children should never be allowed to assume guilt for causing the breakup.
8. The parents must state clearly that the divorce is an irrevocable decision and that the children should not and cannot waste their time and energies in the fruitless schemes and fantasies of bringing their parents back together.
9. The parents will want to make every effort to keep separate their own hurt, anger, and needs from the needs of their children. Children have a right to their own feelings and should not be asked to take sides or be forced to wander a no-man's-land in the divorce war.
10. Above all, both mother and father must give their children permission to love and maintain a relationship with the other parent. This may be the hardest task of all for the adults, but it can be done. With a caring, courageous effort on the part of each parent, the children, even in the midst of their turmoil, can feel supported and loved.

10 WAYS TO BE A BETTER DAD

Published courtesy of National Fatherhood Initiative, One Bank St, Ste 160, Gaithersburg, MD 20878; Phone: 800-790-DAD

1 Respect Your Children's Mother

One of the best things a father can do for his children is to respect their mother. If you are married, keep your marriage strong and vital. If you are not married, it is still important to respect and support the mother of your children. A father and mother who respect each other, and let their children know it, provide a secure environment for them. When children see their parents respecting each other, they are more likely to feel that they are also accepted and respected.

2 Spend Time With Your Children

How a father spends his time tells his children what's important to him. If you always seem too busy for your children, they will feel neglected no matter what you say. Treasuring children often means sacrificing other things, but it is essential to spend time with your children. Kids grow up so quickly. Missed opportunities are forever lost.

3 Earn the Right to Be Heard

All too often the only time a father speaks to his children is when they have done something wrong. That's why so many children cringe when their mother says, "Your father wants to talk with you." Begin talking with your kids when they are very young so that difficult subjects will be easier to handle as they get older. Take time and listen to their ideas and problems.

4 Discipline With Love

All children need guidance and discipline, not as punishment, but to set reasonable limits. Remind your children of the consequences of their actions and provide meaningful rewards for desirable behavior. Fathers who discipline in a calm and fair manner show love for their children.

5 Be a Role Model

Fathers are role models to their kids, whether they realize it or not. A girl who spends time with a loving father grows up knowing she deserves to be treated with respect by boys and what to look for in a husband. Fathers can teach sons what is important in life by demonstrating honesty, humility and responsibility.

6 Be a Teacher

Too many fathers think teaching is something others do. But a father who teaches his children about right and wrong and encourages them to do their best will see his children make good choices. Involved fathers use everyday examples to help their children learn the basic lessons of life.

7 Eat Together as a Family

Sharing a meal together (breakfast, lunch or dinner) can be an important part of healthy family life. In addition to providing some structure in a busy day, it gives kids the chance to talk about what they are doing and want to do. It is also a good time for fathers to listen and give advice. Most importantly, it is a time for families to be together each day.

8 Read to Your Children

In a world where television often dominates the lives of children, it is important that fathers make the effort to read to their children. Children learn best by doing and reading, as well as seeing and hearing. Begin reading to your children when they are very young. When they are older, encourage them to read on their own. Instilling your children with a love for reading is one of the best ways to ensure they will have a lifetime of personal and career growth.

9 Show Affection

Children need the security that comes from knowing they are wanted, accepted and loved by their family. Parents, especially fathers, need to feel both comfortable and willing to hug their children. Showing affection every day is the best way to let your children know that you love them.

10 Realize That a Father's Job Is Never Done

Even after children are grown and ready to leave home, they will still look to their fathers for wisdom and advice. Whether it's continued schooling, a new job or a wedding, fathers continue to play an essential part in the lives of their children as they grow and, perhaps, marry and build their own families.

RESEARCH: IMPACT OF DIVORCE ON CHILDREN

from Johnston, J. R.. (1995). Research update: Children's adjustment in sole custody compared to joint custody families and principles for custody decision making. FAMILY AND CONCILIATION COURTS REVIEW, 33(4), 415-425.

Report summarizes most recent custody studies of children ages 3-16 since 1989. Intent of the review is to establish a framework of general principles for decision making around custody and access issues. Studies are of children's adjustment to physical custody (residential arrangements) rather than legal custody (parental decision-making authority). There are many research methodology weaknesses, making generalization questionable.

Findings:

- ❑ no convincing evidence that joint custody either more detrimental or more beneficial for majority of children
- ❑ in high conflict families, substantial access to both parents with frequent transitions generally associated with poorer children's adjustment
- ❑ children in families with history of repeated physical violence between parents most seriously disturbed

Cautious Implications for Custody Decision Making [pp. 422-424]:

"The **first** principle is that because warm, affectionate, and responsive parent-child relationships, with appropriate parental expectations and control, are the best predictors of good outcomes in children, it is this domain that should carry the most weight in determining a child's residential arrangement after divorce, whether that be joint, sole mother, or sole father custody.

Second, children are better off in the care of parents who are relatively free of psychological disturbance or substance abuse inasmuch as these conditions are shown to compromise the capacity for effective parenting.

Third, children need custody and access arrangements that will minimize the potential for ongoing interparental conflict. They especially need to be protected from exposure to violence.

Fourth, recognizing that highly conflictual parents (as defined above) have a poor prognosis for becoming cooperative, custody arrangements for this special subpopulation should allow parents to disengage from each other and develop parallel and separate parenting relationships with their children, governed by an explicit legal contract (a parenting plan) that determines the access schedule. A clearly specified, regular visitation plan is crucial, and the need for shared decision making and direct communication should be kept to a minimum.

This fourth principle implies, therefore, that joint legal and joint physical custody schedules that require ongoing coordination and decision making with respect to the child's social, academic, and extracurricular activities are generally inappropriate for this special subpopulation of divorcing families. Frequent transitions of the child between parents for visitation purposes are also to be avoided in these cases. Exceptions are infants, toddlers, and young preschoolers, as well as those children with special educational, medical, or therapeutic needs that require carefully coordinated parenting and more frequent access to both parents. In these exceptional cases, a coparenting counselor, or arbitrator, may need to be in place to help these high-conflict parents make necessary and timely decisions together.

Fifth, where there is concern about the capacities of both parents to protect the child from interparental conflict and their own disturbed attitudes and behavior in making the custody/access decisions, it may be appropriate to give more weight to providing the child with continuity in relationships with supportive others (such as grandparents, child care persons, and peers) and stability of place (such as neighborhood and school). In these more troublesome cases, custody and access awards can be made contingent upon either or both parents obtaining appropriate counseling (for parenting skills, domestic violence, substance abuse, etc.). Moreover, the court orders should include provisions for monitoring compliance and reviewing progress. If neither parent can protect the child, and there are no substitute caregivers, children themselves may be given some relief if a court order assures them of direct access on an ongoing basis to their own counselor or advocate, someone who can maintain a positive or equidistant relationship with both parents and help the child directly.

Sixth, if there is an indication of domestic violence, special provisions should be incorporated into the custody and time-sharing plan. If there is a current threat of violence, or if there is ongoing/episodic violence, then (other factors being equal) the nonviolent parent should have sole custody and the violent parent's access to the child should be supervised (until the threat of violence ceases and the abusive parent obtains treatment). If there is a history of domestic violence that is not current or ongoing/episodic, then (other factors being equal) a range of custody options and unsupervised access is appropriate, albeit with a number of precautions. These precautions should include (a) an explicit court order that details the precise visitation arrangements (times, dates, holidays, place of exchange) and can be easily interpreted by police officers and the courts if enforcement is necessary; (b) a requirement that the exchange of the child occurs at a neutral safe place; and (c) assurance that the child is relatively comfortable with the arrangement."

CHILDREN'S NEEDS AND COMMON RESPONSES BY DEVELOPMENTAL STAGES

A simple guide for the role of the parent at each developmental age is the following:

- infants need **caretakers**
- toddlers need **protectors**
- preschoolers need **nurturers**
- elementary children need **encouragers**
- adolescents need **counselors**

At all stages of development, the child needs a well functioning family system: one in which the parents rather than the child make critical decisions, everyone can talk openly and honestly to each other in a cooperative vs. combative manner, and the child feels secure in being loved and cared for by both parents.

Your child will have his/her own unique personality and disposition. The following detailed information on child development will need to be blended with the uniqueness of your particular child.

I. ZERO TO ONE YEAR

Babies this age are in the process of learning trust from the world by having their needs met. They are emotionally connecting to their parents. Your responses during this age will have profound long-term effects on your baby. Stability of care and consistency of caregiver are very important. Routines need to be maintained and exposure to emotional upset minimized. Babies sense parental feelings (grief, anxiety, etc) which could cause sleep disturbances, fussiness, or eating changes. Maintaining the same child care arrangement offers the optimal stability. Babies need holding and cuddling with gentle, tender care and quick responses to their needs. They need a calm and loving environment.

II. ONE TO TWO YEARS

Babies this age have become more mobile and can distinguish Mom and Dad from others. They are curious and enjoy exploring their environment. Toddlers are particularly sensitive to separation. They cannot understand the concept of divorce but do have an awareness of an absent parent. Separation problems are common. Toddlers also need routine and consistency of care. Too much change can be difficult to understand and adjust to. Behaviors can regress as seen in increased crying, sleep disturbances (nightmares), mood changes (tantrums, demands, withdrawal) or changes in toileting. Memories are very short. Frequent short contacts are better for this age and younger than are longer separation periods. Feeling loved, protected, and supported are critical elements for the toddler's continued growth and development.

III. TWO TO THREE YEARS

This is the age of budding independence, testing out the concept of separation, language development, and toilet training. Each of these developmental tasks could be at risk or could regress depending on what is happening in the child's life. Frequent changes, prolonged or intense conflict, loss of contact with a parent during these first three years will negatively impact a child. What a child this age needs is the opportunity to explore and investigate his/her environment with supervision and their safety protected, support for their independence, and freedom to separate at their own pace. They need to be read to and talked with. Calm surroundings and a great deal of patience from their parents are important.

IV. FOUR TO FIVE YEARS

Children four and five years old think in terms of themselves and their immediate needs. They are connected with present "here and now" and believe the world revolves around them. They frequently blame themselves for the divorce. Children in this age group may regress in their behavior. They may have toilet training problems, difficulty sleeping, or need for security blankets or other items. They may withdraw and otherwise detach themselves from the absent parent in order to protect themselves from the pain of loss. What they need is assurance that they are not responsible for the feelings of their parents or the decision to divorce. They need clarity as to who will care for them and that they will be cared for. They need to be protected from parental conflict and anger.

V. FIVE TO SIX YEARS

Five and six year olds deal primarily with "here and now" but wonder about the immediate future. They may regress in behavior in ways similar to the younger child. These children may talk about their feelings and express relief when matters are settled. They have the same needs as the four and five year olds with the additional need of support for their beginning educational experiences.

VI. SIX TO TEN YEARS

Six to ten year old children think ahead as well as remember the past. They want to assume more responsibility for the family and may attempt to reunite parents. Children at these ages are conscious of their intense anger and may show it. They may be demanding and dictatorial and may scold either or both parents as a result of their possible feelings of fear, powerlessness, and uncertainty of their place in the world. School performance may drop. There may be petty stealing or aggression. These children need support from parents and significant others. Typical questions include "Will I still have my friends? My room? My toys?"

VII. TEN TO FIFTEEN YEARS

Children in this age group can be perfectionists and want their parents to be perfect. They must begin to come to terms with the conflicts between the idealized and more realistic parental figures, and this can be very painful. Adolescent children are acutely aware of the pain and problems which are often present in divorce. They do not want to be involved in their parents' arguments. They worry about money and often may label parents as either "all good" or "all bad."

VIII. FIFTEEN TO EIGHTEEN YEARS

Because of their own heightened sexuality, they may feel more stress regarding their awareness of their parents' sexuality. There may be an increase in acting out behavior; this may happen if a parent is no longer there to set limits for them, or if they sense feelings of fear or powerlessness in either parent. Teenagers are very peer focused and choose not to interact much with either parent. They are a mix of independence and dependence and may be difficult to figure out. They also may either keep feelings to themselves in order to keep peace or be very verbal and argumentative because of their discomfort. If there is a change in academic performance, peer groups, or sleeping habits, they may need counseling.

MANIPULATION BY CHILDREN DURING DIVORCE

When communication between parents breaks down, children sometimes find they are able to manipulate their parents. Children will often tell tales about what they ate, what they got to do, how they were treated, or what was said at the home of the other parent. If you believe your child is manipulating, do not over-react or pump the child for information or details. Do not blindly accept the child's account. Check the information out with other adults before taking action.

Children manipulate in order to feel power, to distract attention from their own behavior and anxiety, to keep their parents connected, to please parents, or to get what they want. It is important that the children abide by the rules you have established for your household and understand that the rules may be different in the other parent's home.

CHALLENGES FOR SHARING PARENTING AFTER SEPARATION

1. When one parent refuses or makes contact difficult for the other, children are caught in the middle. Children need to feel free to love and maintain a relationship with both parents.
2. If children have not seen a parent for a while, they may feel abandoned, rejected, or angry. Consider the children's feelings and gradually and consistently reintroduce that parent into the children's lives.
3. If a parent is dating someone, children may see this person as a replacement of the other parent and feel resentment. Remember, your child needs to spend time with you and not be required to accept your relationship with another person before they are ready.
4. There may be competition between parents to provide a better time or material possessions for the children. Do not make your children feel afraid that they are going to miss out on fun at your house by spending time with the other parent.
5. Older children, particularly teenagers, usually do not want to spend long periods of time with either parent. They may resent not being able to be with their peers.
6. If the parents become involved in arguing and fighting, the children may feel compelled to take sides. Children generally take the side of the parent they see as having the most power, and that is usually the parent with whom they live. Children may resist going to see one parent just to keep peace with the other parent.
7. Younger children may be very attached to the parent with whom they live and may be afraid of separation. They may also fear not being returned home when they go with the other parent. These fears are often aggravated by the parent who speaks negatively about the other parent. These children need to be reassured that they will be returned and protected from negative comments.
8. Parents may not agree with rules established in the other parent's household. Remember, the children will adjust to different sets of rules, but will be confused if parents undermine each other's authority.

THE STAGES OF THE DIVORCING FAMILY PROCESS

The process of divorcing is a complex and lengthy experience for all family members. The primary tasks for the divorcing couple are marital decoupling, network coupling, and parental recoupling. Unfortunately, spouses rarely

accomplish these adjustment tasks on a synchronized time table. Children may become confused and bewildered by the incongruence they see in the parents' adjustment behaviors.

The following chart was adapted from ideas by Craig Everett and Sandra Volgy in HEALTHY DIVORCE. Seeing divorce as a stage process rather than an event can be encouraging to parents and children as they struggle through the difficult stages. Each of the stages are accompanied by typical characteristics of adults and children in the family during this stage.

MARITAL DECOUPLING

1. Heightened ambivalence

Adults: fluctuation between doubts, anger, & fantasies with renewed involvement with the marriage

Children: first awareness of problems creates caution & dread; may disengage or cling

2. Distancing

Adults: withdrawal of positive affect [but not anger because of ambivalence] leading to emotional/physical unavailability

Children: ask if divorcing; negative response leads to confusion & fear to ask more

NETWORK COUPLING [extended family, social, career]

3. Preseparation fantasies & actions

Adults: initiator fantasizes getting out; announces plans after long internal struggle; non-initiator often very reactive to announcement

Children: often respond to announcement with alarm about future of family system & resentment toward initiator

4. Physical separation

Adults: most dramatic stage & seldom carefully planned for family system functioning

Children: first concrete experience of impending divorce & may be in shock; reactions vary with age, sex, developmental level, competence, stability, place & role in family, tension level in family, & support resources

5. Pseudoreconciliation

Adults: overwhelming sense of loss, apprehension, & guilt leads to "moving back in"

Children: creation of pulling parents together represents wish fulfillment which encourages denial and delays acceptance of reality, often followed by depression

6. Predivorce fantasies

Adults: conflicts resurface with greater sense of disillusionment & failure; leads to planning & discussing with outsiders the arrangements for divorce

Children: extreme anger & often severe acting out toward both parents

7. Decision to divorce

Adults: prior collusive marital bonds dissolve, allowing rage & vengeance to emerge, often through legal threats

Children: most at risk for long-term emotional damage, especially if made the battle ground by parents

8. Recurring ambivalence

Adults: resurgence of ambivalence, possibly getting back together

Children: reconciliation fantasy rekindled & anxiety intensified, especially if parents discuss ambivalence

9a. Resolving disputes through mediation

Adults: opportunity to gain structure & parenting confidence through self-determination

Children: clarification of impending reality which reduces anxiety & provides reassurance of parenting

9b. Resolving disputes through litigation

Adults: long-term losses of respect & trust necessary for coparenting, as well as financial disaster
Children: long-term battle scars from the covert/overt power struggles of parents

10. Legal divorce finalized

Adults: funeral ritual & opportunity for acceptance stage of grieving process to begin
Children: often not present at funeral & grieving process thus delayed

PARENTAL RECOUPLING

11. Post divorce coparenting

Adults: fumbling in the dark to create a functional divorced parent family system
Children: stress level reflects degree of success in parents to create a functional system

12. Remarriage of one parent

Adults: creates fears of displacement & rekindles latent ambivalence for other former spouse, often leading to litigation supported by grandparents & fueled by abuse accusations
Children: final affront to reconciliation fantasies, leading to tremendous anger toward both parents & coalitions with parent who remains "faithful" to the former family fantasy

13. Blended family formation

Adults: restructuring of roles for remarried parent & depressive pressure for non-remarried parent to "keep up"
Children: stepparent is safe outlet for confusion about roles; if remarried parent relocates, triggers panic of abandonment

14. Remarriage of second parent

Adults: some restructuring stress, but certain power balance established
Children: final period of divorce acceptance & functioning in potentially more equally balanced blended system

15. Dual-family functioning

Adults: establishment of a 3-generational binuclear family system
Children: reestablishment of a sense of stability & perhaps normality

ADVICE FOR RELATING WITH FORMER SPOUSES

The best thing divorcing parents can do for their children is to complete the emotional and legal process of divorce as quickly and effectively as possible so that they can devote more energy and time to parenting. There probably is no way to speed up the two-four year clock, but the following guides for interaction adapted from Mel Krantzler's CREATIVE DIVORCE should help avoid unnecessary delays.

1. Stick to business.

This means keeping contact few, brief, polite, and for the business of parenting. Ask if the business can be conducted more effectively by phone or letter rather than a face-to-face meeting. Keep extraneous chit-chat comments and questions to a minimum in order to avoid emotional reactions from interfering with the business contact. If face-to-face meetings are necessary, arrange to meet in neutral public settings if emotionalism is likely to occur. This type of stilted atmosphere may be uncomfortable, but necessary in order to transform the former intimate spousal relationship into a productive parenting partnership.

2. Be alert to double signals.

Making the transition from married to divorced is not a smooth path. Ambivalent feelings are likely to occur. Be aware that your dressing up for meetings with the former spouse can be a confused mixture of messages: "I'm doing very well without you"/"I want to seduce you." Avoid having sex with the former spouse. The outcome is likely to be confusion and delayed adjustment for both.

3. Avoid judgment words.

Try to avoid using words such as "Why", "Should", and "Ought". Even if you are careful with the selection of words, be alert to your underlying intentions to blame the former spouse or to make yourself look guilty and pitiful. The sooner you can stop blaming or feeling guilty, the sooner you can regain a sense of self-worth.

4. Respect your former spouse's independence and don't hesitate to stand up for your own.

Unnecessary phone calls/meetings, excessively long phone calls/meetings, coincidental driving past the former spouse's residence, questioning the children about the former spouse's personal schedule, and offering to help with house repairs are all invasions of privacy and are indications of denying the reality of the divorce. Acting in ways that respect each other's privacy will facilitate a healthy separation process.

5. Examine expressions of disinterested friendship from (or toward) your former spouse.

Especially in the early phases of the divorce adjustment process, taking pride in being close friends and maintaining frequent social contact is likely an elaborate game of self-delusion. This sophisticated behavior is probably a denial of the expression of pain needed to recover from the divorce trauma. Sometimes the power of loneliness can draw one back into socializing with the former spouse. Only when you feel truly secure as an independent person can you be sure that expressions of friendship toward your former spouse are really friendly feelings and not unrecognized hangovers of emotional need from the past marriage. Until then, mourn.

GRANDPARENT RELATIONSHIPS

Too often as a result of the divorce process, the relationship between grandparents and grandchildren is interrupted, depriving children of needed sources of love, support, and family history. Many states, including Texas, have laws protecting and providing for grandparent access to grandchildren. If you are a grandparent of children involved in custody litigation, do not take over parenting responsibility or undermine the strength of their parents. Instead, learn to love your grandchildren in the following positive ways:

- Provide a place of warmth that is "safe" where children can get away from the pressures of family strife.
- Keep a neutral and respectful silence on the subject of the parents' divorce.
- Give the children permission to love & accept new additions to the family, such as step-parents & even new step-grandparents.
- Keep in touch with the children by sending cards on special occasions, telephoning, & attending school programs.
- Let the parents & the grandchildren know in the beginning that you are not going to take sides in the divorce.
- State your willingness to be a good listener, but do not become involved in the conflict.
- Learn to share your grandchildren & separate your own needs from the true needs of your grandchildren.

SCHOOL GUIDELINES

The total well-being of the child is the primary concern of the school, as well as of the parents. Your behavior as a parent affects the child's adjustment in the school environment. Positive parental involvement with the school system can be a very supportive experience for the child.

The Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment) does protect the rights of both parents to have access to the school records of their child, regardless of who has custody. School districts must establish policies which:

1. Allow all parents access to see each educational record of the child kept in the school files and to receive an explanation of the records,
2. Describe procedures for parents to see records,
3. Annually inform parents that they have the right of access and tell them where they can read the entire policy (typically this information is with registration materials),
4. Require written permission of a parent before releasing any identifiable information about the child to a third party other than certain school personnel, and
5. Inform parents that they have the right to follow written school policies for seeking correction in the records that he or she believe to be inaccurate or misleading.

In divorce cases of sole custody, both parents have all the rights of the Act unless a state law or court order provides to the contrary. However, a non-custodial parent cannot violate a specified visitation court order by actually visiting with the child on school grounds or by physically removing the child from school grounds. In joint custody judgments, both parents will always have equal rights and privileges regarding the child's educational process.

Beyond the rights granted to parents under federal law, state law and individual school district policies will establish guidelines for other ways that both parents can be involved in the school-related aspects of the child's life. These guidelines may include the opportunity for either parent to:

1. Silently observe in the classroom or playground, after registering with the school office;
2. Attend parent-invited school functions;
3. Schedule teacher conferences to review the child's progress; and
4. Request administrative conferences to explain materials in the school record.

All parents are asked to abide by individual school policies which are designed to promote the health and well-being of the child. Check with your child's school office to learn what local guidelines have been established.

RESOURCES FOR MAKING GOOD DIVORCE DECISIONS

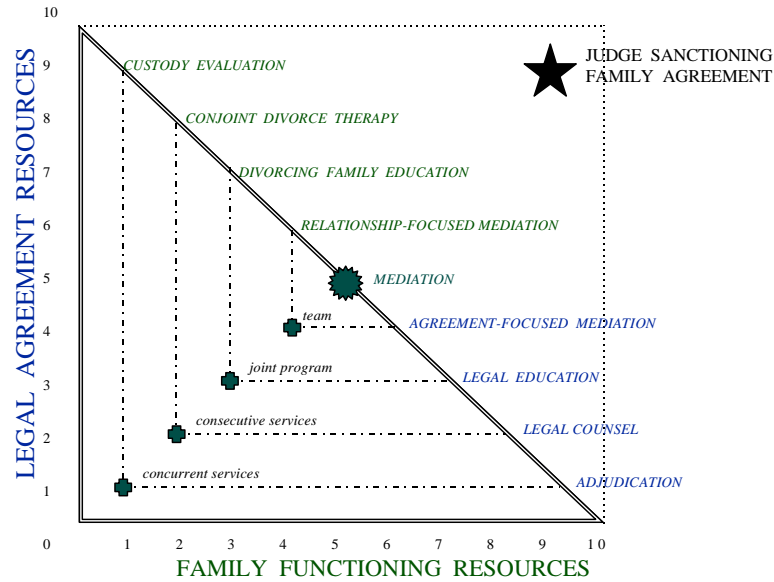
The task of parenting is never easy; the challenge of parenting after divorce is greatly multiplied. Society is just beginning to recognize the tremendous importance of success and provide a variety of supports for those facing the challenge of parenting after divorce. Your community may offer parenting education or family therapy resources through public agencies, schools, churches, hospitals, or private family therapists. The goal is to fully utilize all your internal resources, but don't hesitate to use outside support resources to get through the process quickly and effectively. Getting stuck in the process is not helpful for anyone. It can be very emotionally and financially costly. After all, you may never have been through this before, so becoming better informed is necessary.

The next section of these Guidelines contain information to help you get through the difficult decisions of getting separated in a way that best protects the welfare of your children. Included are the following tools:

- ❑ *Overview charts of services available, 1 based on your family functioning and legal functioning resources in place and the 2nd based on who has the most power to determine the outcome of the service*
- ❑ *The Conflict Management Grid to help adjust your attitude in preparation for coparenting decision-making*
- ❑ *The Awareness Wheel to help guide you through difficult coparenting discussions*
- ❑ *A Parenting Plan Guide to help think through all the possible issues needing decisions*
- ❑ *The Family Mediation Consumer Guide to explain the different styles of mediation available to help you make decisions*
- ❑ *Suggestions on using litigation as a last resort*
- ❑ *A description of divorce therapy and how it can be useful at various stages of the process*
- ❑ *A Recommended Reading list for you and your child; check out these and other resources at our public library or bookstore*
- ❑ *Family Support Resources directory*
- ❑ *Co-Parenting Guide from Office of the Attorney General*

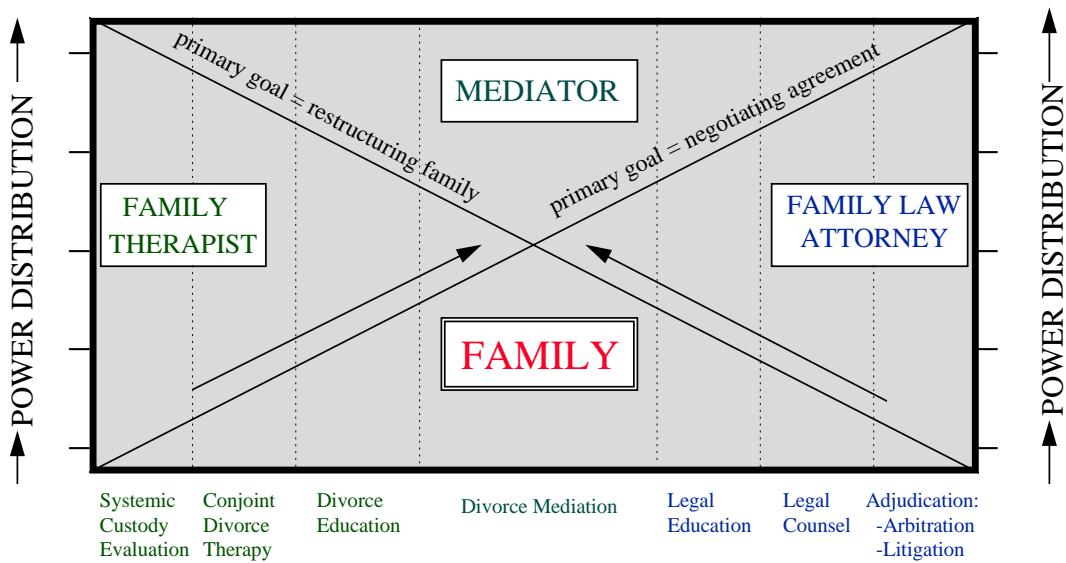
SERVICE NEEDS OF DIVORCING FAMILIES

model developed by Lynelle C. Yingling, PhD



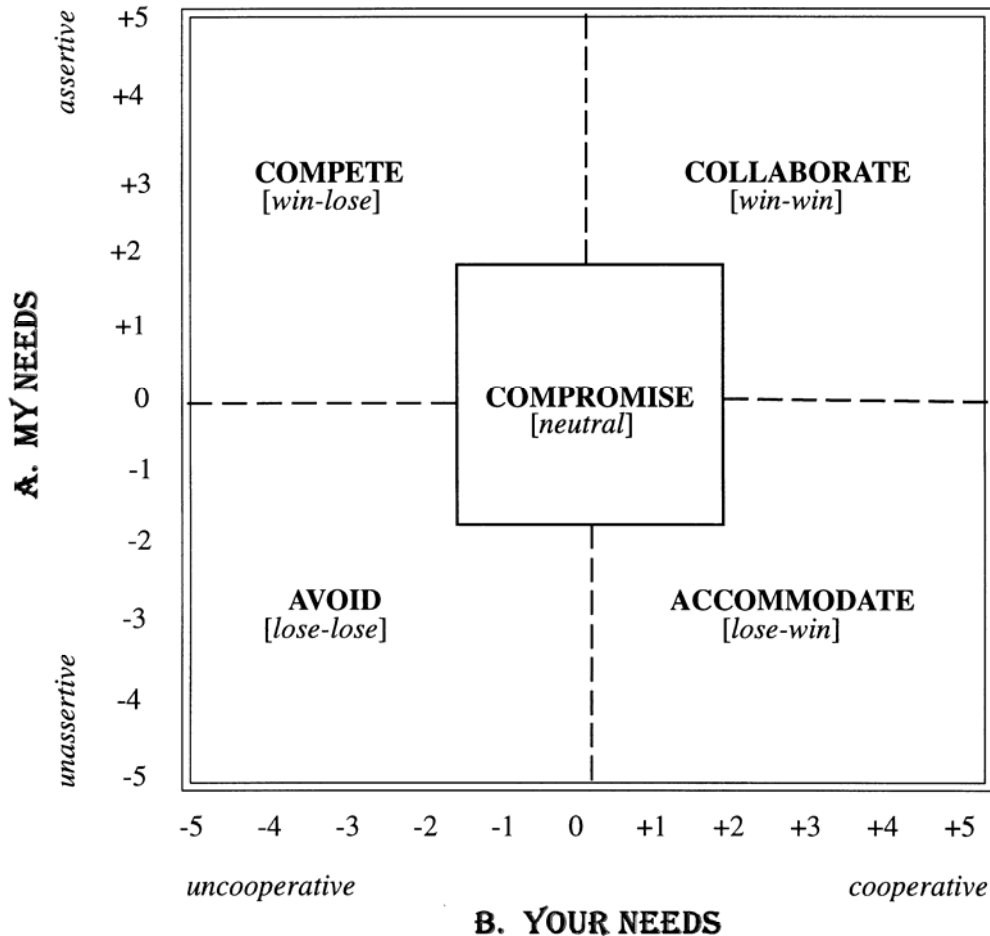
EMPOWERMENT OF PARTICIPANTS IN DIVORCING PROCESS: CONTINUUM OF INTERVENTIONS

model developed by Lynelle C. Yingling, PhD



RELATIONSHIP NEEDS CONFLICT MANAGEMENT MODEL

developed by
Lynelle C. Yingling, PhD
J&L Human Systems Development
 570 E. Quail Run Rd., Rockwall, TX 75087
 ph: 972/771-9985; fax: 972/772-3669



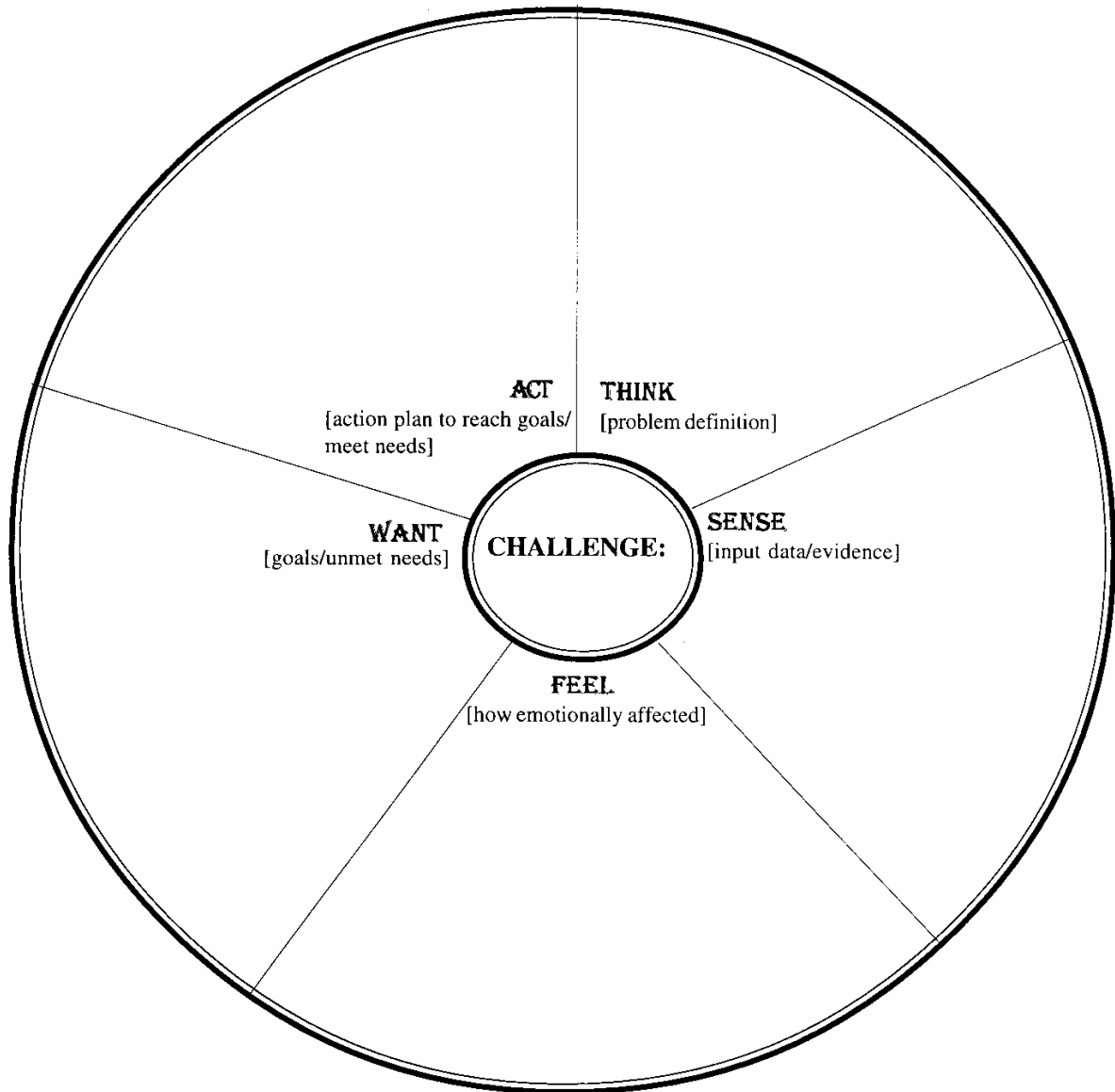
DIRECTIONS:

- On the axes above, each party plot "A." how assertively you are willing to pursue your own needs [vertical axis] with "B." how cooperatively you are willing to pursue the other party's needs [horizontal axis] in this conflict.
- Predicted outcomes:
 - If both parties have a plotted score in the Collaborate mode, the conflict is likely to be managed.
 - If both parties have a plotted score in the Compete, Avoid, or Accommodate modes, change in perspective must precede final conflict management.
 - If both parties have a plotted score in the Compromise mode, temporary stability without long-term management of relationship needs is likely.

AWARENESS WHEEL FOR CONFLICT MANAGEMENT

exercise developed by Lynelle C. Yingling, PhD; 972-771-9985, www.SystemsMediation.com

*adapted from S. Miller, E. Nunnally, & D. Wackman, TALKING & LISTENING TOGETHER, Interpersonal Communication Programs, Inc.
7201 South Broadway, Littleton, Colorado 80122; 303-794-1764 or 800-328-5099; fax 303-798-3392; e-mail: icp@comskills.com*



SUGGESTED STEPS FOR USE:

1. Mutually define a conflict problem to solve: _____
2. Enhance self awareness by each separately completing the "think," "sense," & "feel" dimensions in writing.
3. Disclose step #2 with each other to increase & affirm understanding of the other without arguing.
 - a. Speaker uses "I" statements to disclose without blaming while listener listens
 - b. Listener summarizes what heard without challenging until speaker confirms listener heard what speaker wanted listener to hear
 - c. If message sent is not same as message heard, repeat a & b until message heard confirmed
4. Separately complete "want" and "act" dimensions.
5. Share goals and action plan proposals with each other.
6. Brainstorm additional action proposals.
7. Evaluate each proposal to find one which best meets needs of all.
8. Celebrate a successful conflict management experience!

PARENTING PLAN SUMMARY WORKSHEET

Developed by Dr. Lynelle C. Yingling, LMFT

*Because the basic legal guideline regarding parenting plan orders is the **child's best interest** and since parents know the child better than judges, parents have the responsibility to think through what important needs of their child should be kept in mind when planning a healthy divorced family environment.*

Thinking through the following questions will help prepare for making parenting plan decisions:

1. What do you need to do to provide a healthy family environment for your child?
2. Is there any reason you could not share parenting as joint managing conservators? (managing conservatorship is restricted from a parent perpetrating family violence within the 2 years prior to the divorce petition filing)
2. How can the primary residence for the child best be established (geographic area or parent right)?
3. How will the child maximize quality time with each of the parents during
 - weekdays and weekends
 - summer
 - significant religious and secular holidays
 - birthdays
 - other special events?
4. How will illness or parental emergencies or the child's desires affect these scheduled times?
5. How will the child be transported between parental homes and who pays transportation costs?
6. What will be the policy for telephone/e-mail contact with the "absent" parent?
7. How will parents notify each other of vacation addresses and phone numbers, as well as any other relevant contact information?
8. How will the plan minimize the disruption to the child's school, daily routine, and friends?
9. What kinds of conflicts do you think could arise regarding managing your child's behavior given that you are in two households, and what guidelines can help you resolve those conflicts?
10. How will you maintain effective co-parenting communication?
11. How will major parenting decisions be made concerning the child's
 - education, i.e., school selection, extra-curricular activities, how both parents get access to information, and parental participation in activities;
 - routine and emergency health care, i.e., selection of medical, dental, and emotional health care professionals and services, as well as who takes off work for routine medical care; and
 - religious training?
12. How will the remaining legal parental rights be designated:
 - manage estate [both parents set up or parent/parent's family who sets up]
 - right to services and earnings
 - receive support payments for child
 - consent to marriage, military, and medical treatments
 - represent child in legal decisions
11. How will the support needs of the child be taken care of (food, clothing, shelter, education, medical care, etc.)?
12. At what times in the future will the plan need to be reviewed and possibly modified, such as a child entering elementary/junior high/high school, a parent moving, a parent remarrying or cohabiting, or a parent dying?
13. What approach will you use if disagreements about the parenting plan arise in the future, such as using parenting coordination, collaborative law, mediation, or arbitration before going to trial?
15. What other parenting arrangements unique to your situation need to be specified?

Shared Family Information to Facilitate Co-Parenting
[to be completed by each parent & shared with the other parent]

Mother's name _____ Date of birth _____
address _____
phone: home _____ work _____ cell _____
e-mail: _____

Father's name _____ Date of birth _____
address _____
phone: home _____ work _____ cell _____
e-mail: _____

Child's name _____ Date of birth _____
school _____ principal _____
extra curricular activities _____
church _____
doctor _____ phone _____
dentist _____ phone _____
therapist _____ phone _____

Child's name _____ Date of birth _____
school _____ principal _____
extra curricular activities _____
church _____
doctor _____ phone _____
dentist _____ phone _____
therapist _____ phone _____

Child's name _____ Date of birth _____
school _____ principal _____
extra curricular activities _____
church _____
doctor _____ phone _____
dentist _____ phone _____
therapist _____ phone _____

Child's name _____ Date of birth _____
school _____ principal _____
extra curricular activities _____
church _____
doctor _____ phone _____
dentist _____ phone _____
therapist _____ phone _____

Extended family support systems:

1. name _____ relationship _____
address _____ phone _____
2. name _____ relationship _____
address _____ phone _____
3. name _____ relationship _____
address _____ phone _____

Legal Status of Case:

Court filed in _____ Judge _____
Court cause no. _____ Hearing date _____
Pending legal issues _____
Father's attorney _____ Phone _____
e-mail: _____ address: _____
Mother's attorney _____ Phone _____
e-mail: _____ address: _____

Child/ren's Needs for a Healthy Adjustment to Living in Separate Parental Households

[what our children will be grateful we provided when they are grown]:

Agreements:

1. Legal conservatorship of each child

2. Child Support

- a. daily living support =
- b. medical insurance coverage =
- c. uninsured medical costs =
- d. educational fund savings =

3. Parenting Time Schedule

- a. Weekdays & weekends:

- b. Holidays & birthdays:

- c. summer vacations:

ALLOCATION OF PARENTAL RIGHTS AND DUTIES

The following are rights and duties that a parent in a divorce retains at all times regardless of whether the child is in the parent's care at the time that the right is exercised/duty is performed.

1.	Right to receive information from the other parent concerning the health, education and welfare of the child
2.	Right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the child
3.	Right of access to medical, dental, psychological, educational, government agency, and law enforcement records of the child
4.	Right to consult with a physician, dentist, or psychotherapist of the child
5.	Right to consult with school officials concerning the child's welfare and educational status, including school activities
6.	Right to attend school and extracurricular activities
7.	Right to be designated on the child's records as a person to be notified in case of an emergency
8.	Right to consent for the child to medical, dental, and surgical treatment or mental health evaluation during an emergency involving immediate danger to the health and safety of the child
9.	Right to manage the child's estate to the extent the estate has been created by the parent or the parent's family
10.	Duty to inform the other parent in a timely manner of significant information concerning the health, education, and welfare of the child.
11.	The duty to inform the other parent if the parent resides with for at least 30 days, marries, or intends to marry a person who the parent knows is registered as a sex offender under chapter 62 of the Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. This information should be tendered in the form of a notice made as soon as practicable, but not later than the fortieth day after the date the parent of the children begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. The notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged.

The following are rights and duties that a parent in a divorce retains during the parenting times that the child is in the parent's care:

1.	Duty of care, control, protection, and reasonable discipline of the child
2.	Duty to support the child, including providing the child with clothing, food, shelter, and medical and dental care not involving an invasive procedure
3.	Right to consent for the child to medical or dental care not involving an invasive procedure
4.	Right to direct the moral and religious training of the child

The following are additional rights and duties that a parent in a divorce retains either exclusively, independently, or jointly with the other parent. An "exclusive" right or duty ("solely") is one that a parent has the sole right to exercise or duty to perform which may require notice to the other parent. An "independent" right is one that both parents have and can exercise independent of each other at any time. A "joint" ("subject to agreement") right cannot be exercised without the consent of the other parent. This chart will be explained more fully and completed during the collaborative process. These issues may need to be addressed separately for each child.

RIGHTS AND DUTIES	EXCLUSIVE MOTHER	EXCLUSIVE MOTHER After notice to Father	EXCLUSIVE MOTHER After Consultation w Father	EXCLUSIVE FATHER	EXCLUSIVE FATHER After notice to Mother	EXCLUSIVE FATHER After consultation w Mother	INDEPENDENT	INDEPENDENT After notice to other parent	INDEPENDENT After consultation w other parent	JOINT (SUBJECT TO AGREEMENT)
1. Duty to make periodic child support payments										
2. Right to receive and give receipt for periodic payments for the support of the child and hold or disburse these funds for the benefit of the child										
3. Right to designate the primary residence of the child either <input type="checkbox"/> without regard to geographic location OR <input type="checkbox"/> which must be maintained within an established geographic area: _____										
4. Right to consent for the child to medical, dental, and surgical treatment involving an invasive procedure										
5. Right to consent for the child to inpatient psychiatric and psychological evaluation										
6. Right to consent for the child to inpatient psychiatric and psychological treatment										
7. Right to consent for the child to outpatient psychiatric and psychological evaluation										
8. Right to consent for the child to outpatient psychiatric and psychological treatment										
9. Right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child										
10. Right to consent to marriage										
11. Right to consent to enlistment in armed services of U.S.										
12. Right to make decisions concerning the child's education. Any special provisions: <input type="checkbox"/> _____										
13. Right to make decisions regarding the services and earnings of child [unless the child is in foster care]										
14. Except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, the right to act as an agent of the child in relation to the child's estate if the child's action is required by a state, the U.S. or a foreign government										
15. Right to manage the child's estate to the extent the estate has been created by community or joint property of the parents.										

FAMILY MEDIATION CONSUMER GUIDE

written by
Lynelle Yingling, PhD
Larry Hance, JD

What is family mediation we hear about these days?

The process of mediation is an ancient practice of using a neutral outside person to facilitate communication between two conflicting parties to resolve their conflict. Often, the goal is to achieve a written agreement about the conflict. Any time two or more people have a relationship of any kind, the possibility of conflict—and the possible need for a mediator—exists.

If the relationship is a one-time encounter, resolving the conflict in a way that improves the ongoing relationship is not important—only settling the immediate dispute. However when the conflict is over parenting issues, communicating directly with each other about this and future conflicts becomes very important to the welfare of the children.

Family mediation can include facilitation of any family-related conflict. Family therapy with a Licensed Marriage and Family Therapist is useful in resolving many family conflicts, especially those between adolescent children and parents and between spouses/ex-spouses/step-parents. Family conflicts can also become quite intense when involving family-owned businesses or estate settlement following a family death. Divorce conflicts have the added stress of being controlled by the law and the court.

What will family mediation actually be like?

Regardless of prior professional training, the mediator may use different styles of facilitation. Some mediators use a relationship-focused style and others use an agreement-focused style. Sometimes the mediation process may include a combination of both, either with one mediator using different styles or with two separate mediators coordinating the different styles to address different issues. The chart below outlines the differences in these two styles. One can recognize the differences in these two styles by viewing the videotape “Family Mediation: Stylistic Range” which is available in some libraries or can be purchased from *J&L Human Systems Development*, 972-771-9985; fax 972-772-3669. This video demonstrates how one family might experience each of the styles using two separate mediators.

Who attends the mediation sessions is one major difference. The **agreement-focused style** includes the two disputing parties and their attorneys. There are reasons for having the attorneys present: the mediation is generally completed in one long session, thus having no time to consult with attorneys for legal advice outside the session; the goal is to end the mediation session with a legally binding agreement, therefore needing attorneys to review the agreement on the spot. The goal is to reach an agreement quickly so as to finalize the legal settlement without further delay. Mediators using this style generally separate the parties into separate rooms and go back and forth between the rooms with messages from the other party. This style of communication is intended to reduce the explosiveness of the conflict so that legal decisions can be made. This style of facilitation is similar to the way attorneys are trained to interact and is often used by attorneys trained in mediation.

On the other hand, the **relationship-focused style** generally does not include attorneys in the session because the sessions are shorter [2-3 hours each vs. a half day or whole day] and consultation with attorneys is possible between sessions. The goal of this style of mediation is to reach an agreement through face-to-face communication between the parents so they can form the agreement themselves in language they fully understand. Their attorneys then draft the language in “legaleze.” Working with conflictual parties in the same room is comfortable for family therapists trained in mediation, and therefore most often used to encourage parents to communicate effectively by initially using a mediator to monitor and guide the process.

How do I decide which style of mediation is best for us?

Asking yourselves the following questions might be helpful in deciding:

- Can we communicate directly with each other when someone else is present to moderate the conflict?
- Has our case been in the court process more than 90 days with no end in sight?
- Are we as parents the decision-makers or are the kids taking over playing one against the other?
- Are we able to understand the needs of the kids and focus on the kids without a facilitator present to keep us on track?
- Are our attorneys likely to be collaborative or antagonistic while we participate in mediation?
- Does the state law expect us to share Joint Managing Conservatorship whether we choose to or not?

- Would any safety risk to our child/ren be addressed more accurately if together or separate?
- Is there a history of domestic violence in the marriage which would intimidate one party if talking together?
- Are our property issues relatively straightforward or more complex, such as owning our own business?

How do I find a mediator right for my situation?

If your conflict is about divorce issues, the disputed issues may need to match the mediator’s background and style. If the dispute is over parenting issues (conservatorship, access, parenting decision-making), a mediator trained in family therapy and family law may be most appropriate. If the dispute is over property distribution, a mediator trained in legal and tax implications of property distribution will be especially helpful.

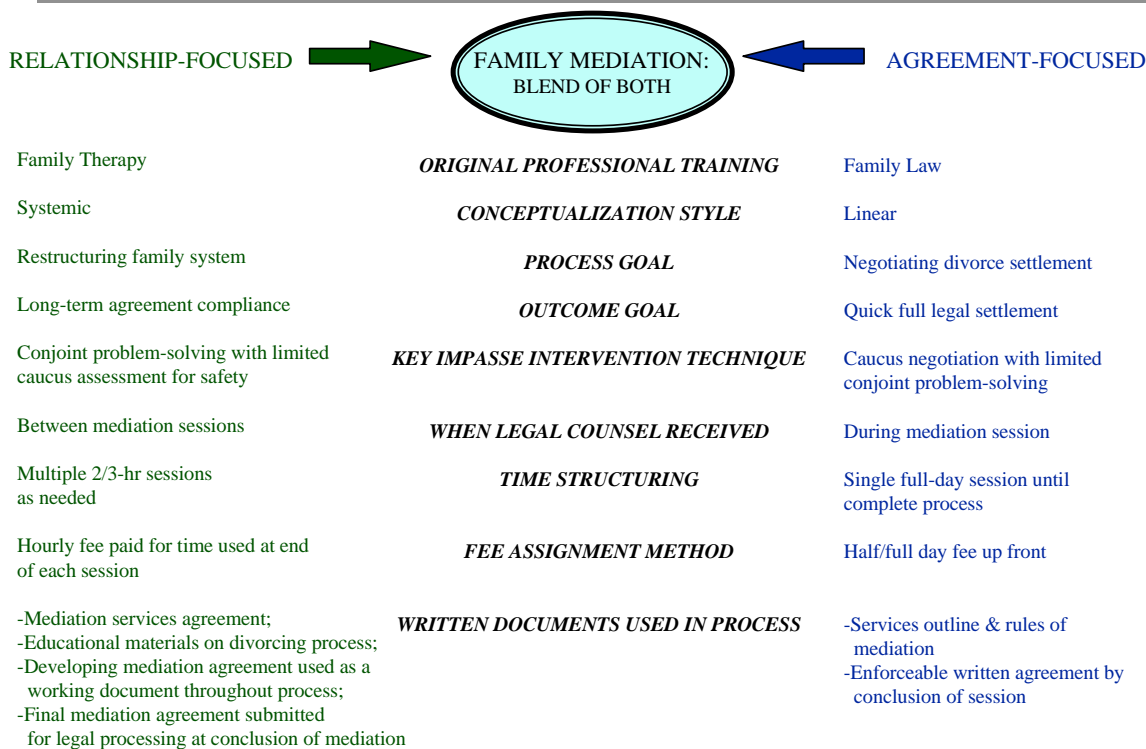
Suggestions for locating a mediator:

- √ Get a referral from a satisfied customer
- √ Ask your minister, attorney, or therapist for a referral list
- √ See if the local court has a list of approved family mediators who meet state requirements
- √ Check credentials: meets state standards for family mediators; is a member of a professional mediation organization; if also a family therapist, attorney, or CPA, holds a valid current license which regulates ethics
- √ Ask the mediator before the appointment what style they use, what their fees are, and how long the process will take; reluctance to answer these questions is questionable

In looking at the service needs of divorcing families chart on page 10, you may decide that your family functioning resources are rather low. You might benefit from other services which focus on improving family functioning, such as divorcing family education or therapy. If your family functioning resources are strong, but your ability to get through the legal system is weak, legal education and legal counsel are essential. A wide variety of services are available to meet many needs.

Getting through a healthy divorcing process is not easy. Your library will likely have a number of helpful books/videos on parenting after divorce, family mediation, and the legal divorce process. Check it out!

STYLES OF FAMILY MEDIATION COMPARISON
model developed by Lynelle Yingling, PhD, & Larry Hance, JD



Everyone always has the right to a trial. In some cases, that may be the only way to get through the legal process. Using a judge or a jury to decide the future of your child's life is risky. Judges and jurists don't know, and therefore cannot love, your child. So they make decisions based on legal facts and intuition and personal bias vs. knowledge and love. Research continues to show that excessive parental conflict is very damaging to children, and a prolonged trial is the ultimate parental conflict. Scars rarely heal. Using the Collaborative Law model to resolve legal requirements will leave the parents and children feeling better about themselves and the legal process [see www.collablawtexas.org].

If a trial is necessary, consider protecting your child from being a part of it. Even if your child wants to testify or sign an affidavit for who will be the managing conservator, rarely is that a good choice. Children can express their views to judges in chambers without being forced into the bind of testifying or filing against one of their parents—their own flesh and blood.

Witnesses become an important part of trials. Using evaluations based on the total family functioning by a family therapist vs. a “hired gun” for one side will benefit the child more in the long run. Having a guardian ad litem appointed to represent the best interest of your child is extremely helpful in such circumstances.

DIVORCE THERAPY CAN HELP

Divorce is a process that involves several stages: pre-divorce decision-making, planning the legal and physical divorce process, and carrying out the court order in your family life. Divorce therapy, provided by family therapists who have specialized training in understanding the divorcing family reorganization process, is a resource to help parents through the different stages. Divorcing parent education programs and divorcing support groups, along with family or individual therapy, are available at any of the stages. The following services are very specialized and focused:

- **Pre-divorce stage**
 - Family Therapy will help parents slow down the divorcing process to really look at the situation before proceeding. A specially trained family therapist can help the family assess what the parenting strengths and weaknesses are. Then an informed decision can be made about whether to divorce or work on reconciling the marriage. If the decision is to divorce, then the timing can be carefully planned to protect children from unnecessary trauma. Resources to help the family achieve the decided goal can be identified. Without this step, divorce mediation may be premature or inappropriate and thus fail.
- **Divorce process stage**
 - Relationship-Focused Mediation will help parents work through the necessary decisions for processing the legal divorce. A thorough and understandable parenting plan will be defined in a way that truly meets the family needs and can easily be converted by an attorney into a legal petition for the final court order.
 - Collaborative Family Therapy includes family assessment, parenting education, and mediation services for distressed or highly conflicted families with emotional barriers to planning or implementing an effective separated or divorced coparenting plan.
- **Post-divorce stage**
 - Collaborative Family Therapy will be especially helpful for families who continue in high conflict after the divorce. The focus is on understanding the needs of the child/ren by providing children a safe way to express their needs either directly to parents or through the therapist's voice. Parents may then decide that a modification to the court order may be necessary to help the divorced family work. Or perhaps a modification in family functioning can be identified which will make compliance with the court order possible. This resource may be court ordered as part of a Collaborative Law agreement or as a model of Parenting Coordination.

RECOMMENDED READING

Parents:

- Ahrons, C. (1994). *THE GOOD DIVORCE: KEEPING YOUR FAMILY TOGETHER WHEN YOU MARRIAGE COMES APART*. New York: HarperCollins Publishers.
- Ahrons, C. (2004). *WE'RE STILL FAMILY: WHAT GROWN CHILDREN HAVE TO SAY ABOUT THEIR PARENTS' DIVORCE*. New York: HarperCollins Publishers.
- Ahrons, C., & Rodgers, R. (1987). *DIVORCED FAMILIES*. New York: W. W. Norton.
- Baker, S.P. (2003). *HEART OF DIVORCE: ADVICE FROM A JUDGE*. Livingston, TX 77351: Pale Horse Publishing. www.PaleHorsePublishing.com
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FAMILY SUPPORT RESOURCES

Marital/Family Therapy:

- www.AAMFT.org

Parenting Education Programs:

- www.TexasAFCC.org
- 972-699-0420 – Dallas Association for Parent Education
- 214-351-3490 – Dallas Our Kids Divorce Education for parents & children [through Child & Family Guidance Center]
- 972-644-2098 – Families First Seminar for parents [through EXCAP Center]
- 214-887-0069 – Families First Seminar for children [through My Guardian Angel]
- 972-519-8720 – For Kids' Sake [through Practical Parent Education]
- 214-520-8110 – Parenting After Divorce [through Family Connection]

Custody Evaluations:

- 214-653-7674 – Dallas County Family Court Services

Family Mediation:

- 800-426-5678 – Child Find of America for abducted children conflicts
- 214-653-7674 – Dallas County Family Court Services
- 214-754-0022 – Dispute Mediation Service of Dallas
- www.TXMediator.org

Legal Education:

- 214-553-5935 – Association for Children for Enforcement of Support
- 214-653-6027 – Dallas County Law Library
- 214-741-4800 – Fathers for Equal Rights
- 214-824-2960 – Grandparents United for Children's Rights
- 214-768-2562 – SMU Law School Civil Legal Clinic
- 214-821-9595 – Women's Resource Center of the YWCA

Legal Representation:

- 214-220-7444 – Dallas Bar Association Lawyer Referral Service
- 214-748-1234 – Legal Services of North Texas
- 214-768-2562 – SMU Law School Civil Legal Clinic
- www.CollabLawTexas.org

Domestic Violence Services:

- 214-741-6515 – Family Gateway
- 214-941-1991 – Family Place
- 214-520-6646 – Genesis Women's Shelter
- 214-321-0156 – Nexus Recovery Center
- 800-554-2323 – Parents Anonymous
- 214-688-4494 – Salvation Army
- 214-951-7902 – Texas Department of Protective & Regulatory Services

Alcohol Treatment Support Resources:

- 214-363-0461 – AL-ANON Family Groups Information Center

Psychiatric Treatment:

- 214-743-1200 – Metrocare
- 214-590-5536 – Parkland Hospital Psychiatry Clinic

Co-Parenting Guide

Office of the Attorney General - Texas

Developed by **Carla McQueen**, Research Specialist

Parents splitting up is difficult for everyone in the family, especially the kids. This guide will provide you with some helpful information about things to do and things to avoid doing to help your kids (and yourself!) through the process.

If you already have an order for access and visitation and need help understanding it, you should:

- Get a copy of the order from the court it was issued in, and
- Call the Office of the Attorney General's Access and Visitation Hotline at 1-866-292-4636 (**Mondays – Fridays, 1 to 5pm**) to speak to a lawyer who can help you understand your order.

What is Co-Parenting and Why Do It?

"Co-parenting" (sometimes called shared parenting) is when both parents work together as a team to raise their children even after the marriage or romantic relationship is over. This is not a skill that most people get taught, so you may have to do some learning along the way to find out the best way to co-parent in your family. This guide will give you some helpful tips to start learning to co-parent.

- *Many parents have found it helps to take co-parenting or shared parenting classes, both to learn new skills and to hear from other parents who are going through a similar situation.*

The main reason to work at co-parenting is that it **helps kids** deal with all the changes that happen when their parents split up. Even though you may not want to talk to the other parent now that the romantic relationship is over, you still have a very important relationship, and it's the most important one of them all – a parenting relationship.

- *All kids need the love and support of both their mother and father, and parents can still provide these things after splitting up if they can learn to work together and put anger and conflict aside.*

Communicating With the Other Parent

When talking to the other parent after a breakup, you may feel the urge to scream, shout, and do other things to tell them about the pain and hurt you are feeling. Do everything you can to avoid

doing this when your kids can hear you. If talking face to face is hard (especially right after the break up) – you might want to use email or even written notes or letters to avoid bringing up old emotional fights.

Here are some good reasons to NOT argue with the other parent:

- Your kids are part mom and part dad, so hearing hurtful things about either parent, especially hearing them *from* a parent, can hurt your kids' self esteem. Remember that your kids love *both* of their parents and don't want to hear bad things about either of them.
- Even though the romantic relationship is over, you can focus on the parenting relationship and what matters most now is – YOUR KIDS!!
- Arguing about the old relationship only makes it harder to work together as parents for your kids.

There are lots of **good** reasons to keep talking with the other parent after the split.

- Your kids **need** both dad and mom actively in their lives.
- Your kids will do better and be happier when they have the love and support of both parents, even if it's from two different houses.
- Your kids need to see that you can talk with respect to the other parent (remember – that's their mom or dad you're talking to and they love that parent!).
- You can double check what your kids are telling you. Sometimes kids in this situation will say things that may not be true about what goes on in the other

parent's home - like, they get to use curse words at dad's house, or that mom thinks that school is a waste of time. Communicating often with the other parent will help you determine whether or not these things are true.

- You will both feel more involved in your kids' lives. Staying in communication means you know what your kids are up to, even when they're with the other parent.
- Regular communication can help you keep little misunderstandings from becoming big conflicts.

Talking to the other parent can be stressful and you don't want to end up fighting and not getting anything accomplished. Here are some tips about how to make the most out of communication with the other parent so you can get things done in a faster, less stressful way:

- Think of parenting as a job (maybe even one with a co-worker you don't like). If you talk with the other parent like it's business, you can get right to the point and not waste time and emotional energy on arguments and stress.
- Respect, or at least try to tolerate, the other parent's parenting decisions – remember, you both want what's best for your kids.
- Set up a regular time to talk or communicate about your kids with the other parent. This may not be fun or convenient, but it's important.
- Remember to make important decisions about your kids together.

Talking to Your Kids

Talking about a family separation is hard. When you break the news to your kids, try to do it with the whole family there (both parents, all the kids, and anyone else who is considered immediate family). This is a decision that will affect the whole family, so make sure to include everyone. If everyone can't be there, make sure they get the news as soon as possible. Here are some tips for what to say when you break the news:

- Be honest with your kids about what's happening in the family. This **doesn't** mean you have to go into details about your relationships as a couple. Make sure to think about what your kids can

understand at their age and explain it at their level.

- Stress how much you both still love your kids and that you will always be there for them.
- Make sure your kids know they did not cause the split. They will need to hear this over and over again.
- Counseling may help your kids (or yourself) deal with issues. Keep in mind that your kids might like to talk to someone other than their parents about these things.

Here are some things that you should NOT tell your kids:

- Don't say bad things about the other parent to your kids or to others when your kids can hear.
- Don't tell your kids that you are not receiving child support if you are supposed to be. This will only increase their feelings of abandonment.
- Don't tell your kids about your troubles, pain, and anger. Although your kids may be willing to listen and help you, it will not help them. Get help from other adults and professionals, and let your kids be kids.

When Your Kids Visit the Other Parent...

It may take some time for both you and your kids to get used to them going back and forth from one house to the other. It's normal for everyone to feel frustrated, unsure, and anxious. With both parents working together it will be easier for everyone.

Here are some things you can do to help the back and forth between homes work better for both your kids and you.

- Make sure your kids know the schedule and when they will be going from one house to the other.
- Re-assure them that it's good for them to spend time with both of their parents.
- Your kids need to know that it's okay to love and see both parents, and they need to hear it from both of you!
- Work together with the other parent to come up with a visitation schedule that will allow the kids to spend as much time with each parent as possible.

Here are some things you should NOT do:

- Don't change the visitation schedule, such as not taking the kids to the other parent on time, without working it out with the other parent first.
- Don't panic, get angry, or feel insulted if your kids cry and ask for the other parent during your time with them. Just ask them if they would like to call the other parent. Sometimes, kids (especially young kids) just need to make sure the other parent is still there.
- Don't send your new boyfriend or girlfriend or spouse to pick the kids up or leave them in charge of the kids for long periods of time – this is especially important early on in the new relationship.
- Don't use your kids as messengers between parents (to send bills, notes, or anything else). **It's very hard on kids to be put in the middle of their parents.**
- Don't push your kids for information about their visits with the other parent; this will lessen their enjoyment of the visit and puts them in the middle of your adult relationship. It's fine to ask how the visit went, just don't try to get them to give all the details.
- Don't make assumptions or jump to conclusions. If your kids seem moody after visiting the other parent, don't assume the visit was bad. If your kids tell you about problems or things that concern you regarding the other parent, speak with the other parent before jumping to conclusions.

Consistency

All kids need consistency, and this becomes even more important for your kids after a family separation, when it seems that everything is out of order. You and the other parent should:

- Set up "kid rules" and "parent rules" to be followed at both houses. The kid rules will include things such as curfew and chores, while the parent rules will include things like what clothes go back and forth and which parent washes the kids' clothes. Parent rules can also include things like respect the other parent and no fighting in front of the kids.

- Support your kids' needs for a "home base" if they want one. Some kids need a "home base," even if they spend equal time at both houses.
- Work your kids' schedules into the visitation schedule so they can continue to do all the activities they enjoy.
- Try your best to keep your kids in the same school and around their friends.
- Make every effort to stick to the agreed-upon visitation schedule.

Also remember that as your kids grow and situations change (moving into a new house, for example), you will need to re-visit the rules and make decisions, together, about how they should change.

IMPORTANT: If you have been ordered to pay child support, paying it sends a strong message to your kids that you are committed to taking care of them. Not only does the law require it, but your kids need your financial support in addition to your emotional support!

How a Parents' Split Affects Kids at Different Ages

Kids experience their parents' split in different ways based on many different factors.

Normal feelings that kids may have during the process include:

- Fear of abandonment
- Sadness
- Anger
- Guilt
- Loneliness

These feelings may be acted out by:

- Angry outbursts
- A drop in school performance
- Siding with one parent
- Pushing their parents to get back together

While these feelings and actions can be normal, if your kids display extreme or unusual behavior for a long period of time, seek help from professionals. Every child is different, and you know your kids best, so keep a close eye on them during and after the split to see whether or not they are adjusting to the changes.

One way to help prepare for some of the things that can come up with your kids is to develop a written parenting plan. Some courts will order parents to adopt a legal parenting plan. Even if the court doesn't require it, parents can adopt an informal, written plan that is an agreement you and the other parent make about how to handle raising your kids. By having some of these things thought out and written down you can avoid some of the conflicts that are likely to come up.

Zero to One Year

Babies at this age are beginning to form attachments, so it is important to minimize changes and disruptions in their lives and show them love and affection. It's also important that they spend time with both parents so they can form attachments with both. Signs of distress are excessive crying, problems with feeding or sleeping, and withdrawal.

One to Three Years

Babies and toddlers at this age are becoming more mobile and gaining communication skills. They are also able to recognize close adults, so they are sensitive to separation. These kids need consistency in routine and patience from their parents to safely explore their environment. Signs of distress are nightmares, mood changes, and changes in toileting.

Three to Five Years

Kids at this age believe they are the center of the universe, and so they feel responsible for the family split. Parents need to be positive during exchanges, keep a consistent schedule, and tell the kids that the divorce is not their fault. Signs of distress include toileting and sleep problems.

Five to Ten Years

Kids at this age are entering school and forming relationships outside the family. They may try to reunite parents and may feel and act out intense anger. Parents should develop a schedule that allows for school and extracurricular activities and support their kids' interests and friendships. Signs of distress at this age include expressions of anger, drop in school performance, sleep problems, and physical complaints.

Ten to Twelve Years

These pre-teens tend to see things in black and white terms, and so may align themselves with one parent. Parents should encourage these kids to love both parents and support their kids' school and other activities. Signs of distress in

pre-teens may include loss of interest in friends, becoming a perfectionist, depression, and isolation.

Early Adolescence (Thirteen to Fifteen Years)

Teens at this age will often prefer to spend more time with friends than family, so allow for room in the parenting plan for this. These teens need firm but fair guidelines and positive role models. They may also want to be included in creating the parenting plan. Signs of distress in this age group may include excessive anger or isolation, difficulty with school or peers, alcohol and drug use, and sexual acting out.

Late Adolescence (Sixteen to Eighteen Years)

Teens in this age group are learning to be independent to prepare for the separation from their parents, but they still need support and rules. These teens may also want to be included in creating the parenting plan. Watch for signs of distress, including reduction in school performance, difficulty with peers, alcohol and drug use, and sexual acting out.

Conflict in Splitting Up

Conflict between parents going through a relationship split is bound to occur, but it doesn't have to hurt your kids if you take steps to prevent it. Try to keep all arguments away from your kids, and don't make negative comments about the other parent to your kids. If you treat communication between yourself and the other parent as a job, then conflict and arguments should be less likely to occur. The other parent may not approach parenting like you, that doesn't make their approach wrong – just different. Tolerance of these differences will go a long way toward reducing some of the conflicts and help your child see that you and the other parent can still be respectful of each other.

If you have a serious concern about your child's safety when they are with the other parent, seek help to get your kids into a safe environment. Visitation with the other parent can still occur under supervision if necessary. If you have a serious concern and need help, contact the **Texas Department of Family and Protective Services (toll-free) at 800-252-5400.**

If the other parent is not letting you see your kids at the dates and times that you are supposed to see them, make sure you write down each time

this happens in a journal or on a calendar. It may be a good idea to bring an unbiased witness (a neighbor rather than a significant other, for example) to the pickup. This evidence (the journal/calendar and the witness) can be used in court to help you gain access to your kids.

Parenting Plan: Basic Elements

A Parenting Plan can be a formal legal document or an informal plan agreed to by both parents that describes how the kids will spend time with each parent. If you already have a parenting plan, remember that you can change anything about the plan as long as both parents agree to it. If you don't have a parenting plan, you and the other parent should discuss these basic issues. The basic elements of a parenting plan:

- Determine when the kids will spend time with each parent on a normal basis.
 - List out important vacation and holiday times (including school breaks and birthdays) and decide how to split that time.
 - Determine how you will communicate to decide on temporary and permanent changes to the parenting plan.
 - Determine who will make day-to-day decisions, and how you will discuss and make important decisions together.
 - Arrange for the financial and medical support of the kids (like how you will split costs of things like school supplies, hobbies, and extracurricular activities).
 - Determine how the exchange of the kids will take place.
 - Decide what the boundaries can be for moving to a different residence.
 - Decide how you will resolve a future conflict to avoid taking it to court (counseling, mediation, etc).
-

Sample Parenting Plan

This is an informal parenting plan that parents can use to help make decisions and reduce conflict when separating or splitting up. It is not designed to take the place of a legal order. This plan can be used to help deal with day-to-day issues. It lists common issues that may come up so that parents can decide, and keep a

record of, how much of a role each parent will play in the decision-making process for each issue.

The decisions you make using this parent plan may be slightly different than your legal order – which is fine, as long as you both agree to the changes. If you cannot come to an agreement on issues, then you must follow the court-ordered plan. Some people find it helpful to work with a mediator or shared parenting coordinator to work out their parenting plans.

For each issue listed, decide which parent will handle the decision-making. This can be any arrangement that works for you, the other parent, and your kids. Here are just a few suggestions:

- Only one parent makes the decision for that issue
- Both parents make the decision together
- The parent who has the kids at the time makes the decision

The bottom line is to focus on what will work best for your kids.

Listed below are some issues that may come up for couples with kids of all ages. In the space provided, write out how you and the other parent will make decisions about that issue.

- **It may work better for each parent to do this by themselves, then share the written plan and talk about how to come to an agreement if there are differences.**

Which house is identified as “home base”

How you will handle picking up and dropping off the kids

Extracurricular activities and payment for these activities

Religion and church attendance

How to handle medical and mental health treatment for the kids

How to handle representing the kids in legal action and making other legal decisions concerning the kids

Internet access and restrictions

Health care choices, including insurance plans, doctors, and medical procedures

Education choices, such as choice of school, tutoring, summer camp, or classes for the gifted

College savings

Pets

Privacy (such as a private phone line)

Consent to marriage and to enlistment in the U.S. armed forces

Other

- Here are some issues that may come up with older kids and teenagers. In the space provided, write out how you and the other parent will make decisions about that issue.

Kids traveling out of the country, and who holds on to their passports

Kids getting jobs

Driving and car insurance

Cell phone purchase and use

Curfew

Tattoos and body piercing

Firearms

Smoking and drug testing

Other _____

Understand that these agreements may need to change over time to better meet the needs of your kids as they grow up or as your situation changes. You will need to stay in regular communication with the other parent to keep making the best decisions possible for your kids.

Unless the courts have ordered something different, both parents have the right to:

- Receive information concerning the health, education, and welfare of the kids
- Talk with the other parent before making a decision concerning the health, education, and welfare of the kids
- Access to medical, dental, psychological, and educational records of the kids
- Consult with the kids' doctors
- Consult with the school concerning the kids' welfare and educational status
- Attend school activities
- Be listed as the person to notify in case of emergency on the kids' records
- Consent to medical treatment during an emergency involving an immediate danger to the health and safety of the kids
- Be offered the chance to take care of the kids during the other parent's time if the other parent has something that keep them from the kids

There are some extra things that parents going through a split should keep in mind.

- Alcohol consumption – you might find it's a good idea to put a limit on the amount of alcohol you consume during your time with your kids, especially if alcohol has been a problem before.
- New romantic partners – take care to introduce your new boyfriend or girlfriend to your kids slowly, so they don't feel as though their other parent is being replaced.
- Travel – when planning trips for business or pleasure, with or without your kids, keep your kids' schedules and your parenting plan schedule in mind.

Resources for Parents and Kids Going Through a Family Split

The following list of websites and phone numbers are just some of the places that parents and kids can get help – many of them will list other books and publications that parents and kids may find helpful.

In addition, there may be community or faith-based organizations in your area that provide co-parenting classes or support groups.

www.txaccess.org - Texas Access and Visitation Website (**hotline: 1-866-292-4636**) A partial list of community resources is available from this website or the hotline.

www.acresolution.org - Association for Conflict Resolution

www.txmediator.org - Texas Association of Mediators

www.texasafcc.org - Association of Family and Conciliation Courts (Texas Chapter)

www.aamft.org - American Association for Marriage and Family Therapy

www.collablawtexas.org - The Collaborative Law Institute of Texas

www.texasbar.com - Texas State Bar Association

To report abuse:

Texas Department of Family and Protective Services - 800-252-5400