

## **New York City Family Court Mediation Program**

### **PARENTING ISSUES**

**The goal of this mediation program is to help you and the other parent develop a Parenting Plan that will work for you and your family now and in the future.**

**Many of the issues on this list are included in a court ordered Parenting Plan. The judge or referee may ask you about them if you submit an agreement to the Court.**

**Other issues are listed to help you prepare yourself for situations that come up frequently and can cause problems.**

**If you think about these issues while you are talking to each other and creating your plan, you can avoid many conflicts in the future.**

#### **I Parenting Time/ Visitation**

##### **A. Where will our child regularly spend his/her time?**

On weekdays? On weekends? On three-day holidays?  
On non-holidays if the child is off from school?  
After school or while a parent works?

##### **B. How will we share special times?**

###### **1. School vacations**

December break      Winter vacation      Spring vacation

###### **2. Summer vacation**

How long with each parent? How far in advance should we pick dates?  
Should the other parent have visits during the vacation?  
May the child leave the state? May the child leave the country?

###### **3. Celebrating birthdays**

Child's? Parent's? Siblings/step-siblings? Other relatives?

###### **4. Holidays**

Are some days more important to one of us?  
Do we work on some holidays?  
Will we alternate holidays or divide the time?  
Will we take turns with each holiday on alternate years?

**C. Going between one parent and the other**

- Who will bring or pick up the child?
- Who will return or pick up the child at the end of the visit?
- Where will this transfer take place?
- Is there anyone who should or should not be present?
- What kind of transportation will be used?
- Who will pay for long-distance transportation?

**D. Issues with parenting time:**

**1. How will we handle it when someone is late to pick up the child?**

- Phone call if someone is delayed?
- Wait a certain period before canceling?
- Extend the visit or end on schedule? Cancel the next visit?

**2. How will we handle it if someone cancels a visit?**

- What are acceptable reasons for canceling?
- What about notice? How far in advance? Written?
- Do we want to allow make-up time for missed visits?
- Do we want to be flexible or won't that work for us?

**3. How will we handle conflicts with the Parenting Schedule?**

- How should we schedule child's activities?
- Conflicts with child's scheduled activities?
- Conflicts with special events? Make-up visits?
- How much notice should we give the other parent?

What if the (young) child doesn't want to go?

How should we handle conflicts with (older) child's wishes or plans?

**II Decision Making/Custody**

**A. Day to day decisions are usually made by the parent caring for the child at the time:** Emergency decisions Childcare School work Discipline

**B. Legal Custody: What arrangement will work for us when major decisions have to be made?** Education- Religious upbringing - Medical decisions - Other activities

**1. Sole Custody: one parent has authority for making major decisions**

(see Definition Sheet)

Would we consult with the other parent on major issues?

Would we notify the other parent about major issues?

**2. Split Legal Custody: we will each have final authority in certain areas**

Who would make decisions about: Education? Religious upbringing?  
Medical decisions? Extra-curricular activities?

How will we communicate?

Who would have final authority in all other areas?

**3. Joint legal custody: we would have to reach agreement about all major issues**

What would we do if we disagree?

How do we resolve our conflicts now?

How would we make a decision?

How would we communicate with each other?

What happens to the child if we can't agree?

**C. Physical Custody:** What will be our child's primary residence, where s/he lives most of the time?

**III Child's Relationships with Other People**

**A. Do we want relatives to have separate visits or to visit with the parent?**

Grandparents? Siblings?

Is there anyone who should be excluded from visits?

**B. How will we handle relationships with new partners?**

When and how should they be introduced? Overnights?

What should they be called?

Should our child have time alone with each parent?

**IV Communication Between Parents**

**A. How will we communicate?** Phone? Email? Letter? Meetings? Text?

Send notebook back and forth with child?

**B. When and how often will we communicate?**

For routine matters? Make a schedule or as we need to?

For emergencies? How can we be reached?

For last-minute changes?

**C. How shall we share school and medical information?**

One parent gets information and shares it with the other?

Each parent gets information directly from school or doctor?

How will this be arranged with the doctors and schools?

**C. How will we notify each other in case of**

Emergency for either child or parent?

Change of phone or address?

Change in schedule? Do we want this in writing?

Choice of vacation dates? When? In writing?  
Taking child out of state or country? Get verbal consent? In writing?  
Provide contact information when traveling?

**V Communication with Children**

**A. How will the child be in contact with the parent who is not there?**

Phone? Email? Letter?

**B. How often?**

Scheduled days and times? When? Whenever they want?

**VI Changes to Parenting Schedule**

**A. How will we handle temporary changes?**

How much notice do we need?

How will we resolve disagreements? Return to mediation?

Do we want the changed agreement in writing?

**C. How will we handle long term changes**

**1. Changes in employment or school schedules**

**2. What if one of us wants to move? (Called relocation in court)**

Is this something one of us is planning for the near future?

How would it change the Parenting Plan? What would the new plan be?

When would we discuss it with the other parent?

Do we want limits on how far away the child can move?

How would we pay for long distance visiting expenses?

**D. How will we handle conflicts?**

About our agreement? About new issues that come up?

About a court order if we get one?

Do we want to return to mediation?

**VII Important Practical Details to Know**

**A. If we had them, what were the previous orders about the child?**

How are they the same or different from what we want now?

Why are we making these changes?

**B. Decisions about parenting and custody may have an effect on child support obligations**

**C. We can speak to an attorney before, during, or after mediation or before signing any agreement. Our attorney may come with us to mediation if we want.**

**VIII Final Details about Timing**

**A. When does this agreement start?**

Which day or weekend? Which holiday?

What will we do if alternate weekends get out of order?

**B. When a holiday falls on a scheduled visit, which takes priority?**

The regular visit? The holiday?

**D. Do we want to be flexible about changes in schedule?**

If it is convenient for both of us?

Not yet?