

Avoid Future Arguments with Your Ex By Using A Parenting Plan

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Divorce can mark the end of a conflict or the beginning of many more. The difference frequently comes down to the parenting plan—whether one exists and, if so, what it does and doesn't cover.

A parenting plan is an agreement between individuals over child custody. Parents undergoing a divorce or separation may decide to use one for numerous reasons: to spell out the terms of a complex custody arrangement, to avoid future litigation, or simply because state law requires them to submit a plan.

As with any legal document, the way a parenting plan is written matters. A well-drafted plan eliminates uncertainty over custody matters and safeguards the best interests of the parents—as well as their children—in the event of a dispute. An ambiguous plan, on the other hand, can create friction and stress. And when no plan is in place at all, the parents are setting themselves up for countless future arguments, big and small.

Let's start with the big ones. Without a parenting plan, parties involved in a divorce may clash over child custody and visitation rights, as well as various related personal and financial issues:

- Will one person be the primary caregiver, or will each parent spend time with the child or children? When, where, and for how long?
- How will the parents split monetary responsibilities, such as tuition and medical costs?
- Who gets to decide the cultural, linguistic, and religious environment(s) in which the child or children are raised?
- What if a new spouse enters the picture? Will that person gain parenting rights?
- What if a parent moves out of state, or out of the country?

As important as those questions are, they shouldn't entirely eclipse other, smaller matters. Seemingly trivial details can spark major disagreements:

- Who will be transporting the child or children from one parent's residence to the other?
- What happens if a parent can't visit or take custody of their child or children for a given period? Should they be allowed to schedule additional time or is it forfeited?
- Should one parent be allowed to significantly alter a child's appearance, e.g. with a new haircut or piercing, without the other parent's knowledge?
- How much control does a parent have over which activities the child or children can engage in while under the other parent's

care?

- What if a parent becomes seriously ill, or can't take care of the child or children for another reason?
- If an unexpected conflict arises, how will the parents resolve the dispute? What's the best way to avoid a court battle?

When determining child custody and visitation, these are only a few of the many questions you need to consider. The sooner you discuss your plans with an attorney, the better your chances.

If you have any questions on this topic, please contact Sandra Brooks at sbrooks@offitkurman.com or 240.507.1716.