

# Parenting after you separate

## A Parenting Through Separation programme factsheet

When you separate, your children should be the most important focus. It's better for everyone involved if you can sort out your children's day-to-day care and contact arrangements without going to court. Children cope more easily with separation when they know the people who care about them are working together.

### Parenting agreements

A parenting agreement sets out decisions that you have agreed on, usually about:

- arrangements for day-to-day care – you might want to share day-to-day care equally, or one of you may have day-to-day care most, or all, of the time
- arrangements for contact – if you have the children most of the time, the agreement records how the other parent is going to spend time with them, including birthdays, other special days, Christmas and holidays
- other parenting issues – this includes decisions such as what school the children go to, after school activities, their religion, medical treatment or their name.

*Making a parenting plan* is an easy-to-use guide that may help you work through and record these decisions. **To get a copy**, ask your nearest Family Court.

If you are able to agree on care arrangements and you're both happy with what you have agreed, then you don't have to do anything else (unless you want the court to formalise your agreement by making it a Consented Parenting Order).

### Services to help you

If you need help to reach agreement, there are a range of family justice services to help you, including the Family Legal Advice Service, the Parenting Through Separation course and Family Dispute Resolution.

#### FAMILY LEGAL ADVICE SERVICE

You can get a family lawyer's advice at any time. You may be able to get some initial legal advice and help for free if you qualify for government-funded services.

If you qualify for the funded service, a family lawyer can talk to you about your legal rights and responsibilities and your options. In addition, if you decide to go to court or have had documents for a Parenting Order served on you, they can help you fill in the court forms.

#### PARENTING THROUGH SEPARATION – A FREE PARENTING INFORMATION COURSE

Parenting Through Separation is a free information programme to help you understand and manage your children's needs. Anyone who is trying to settle child arrangements can do the course but separating parents usually go to different sessions.

The course takes four hours, is delivered in small groups, and covers:

- how separation affects children
- what's best for children when their parents no longer live together
- tools and tips for dealing with the situation, including how to create a parenting plan.

#### FAMILY DISPUTE RESOLUTION (MEDIATION)

If you can't agree on the arrangements for your children, Family Dispute Resolution (Mediation) is a service designed to help you reach agreement without having to go to court. It usually involves the parents but may include extended family as well, if they are involved in caring for the child. A qualified mediator will listen to everyone and help you reach an agreement that is best for your children. Your mediator will:

- make sure mediation is right for you – in some situations such as where there's been family violence, it won't be appropriate
- decide if either of you need to talk with a counsellor so you are better prepared to take part in mediation (called Preparation for Mediation)
- allow all the people involved time to put forward your points of view.

Your mediator won't:

- try to get you back together
- make judgements about who is right or wrong
- make a decision for you.

## PREPARING FOR MEDIATION

You may be too angry or stressed to think clearly about what is best for your children. In this case, the mediator might suggest you talk with a counsellor so you are better prepared to take part (called Preparation for Mediation).

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### Costs

If you're on a low income, you might not have to pay anything for Family Legal Advice, Family Dispute Resolution or Preparation for Mediation. The lawyer or mediator you see will also confirm if you qualify or not.

If you don't qualify for full funding, you can still use Family Dispute Resolution at a set total price of \$897 (including GST). The total cost is split between the people taking part in the mediation.

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### If you still can't agree

If you still can't agree on parenting arrangements, you can apply to the Family Court for a judge to make a decision. This is called applying for a Parenting Order. In most cases, you will need to have attended Parenting through Separation and tried Family Dispute Resolution before applying to the court.

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### If you feel unsafe

If at any time you feel that you or your children are at risk from family violence, call the Police on 111.

To find out more about:

your options when you can't agree, go to [justice.govt.nz/family/care-of-children/resolving-parentings-disagreements/](https://justice.govt.nz/family/care-of-children/resolving-parentings-disagreements/)

if you qualify for full funding, go to [justice.govt.nz/family/care-of-children/resolving-parentings-disagreements/mediation-to-work-out-parenting-disagreements/qualifying-for-funding/](https://justice.govt.nz/family/care-of-children/resolving-parentings-disagreements/mediation-to-work-out-parenting-disagreements/qualifying-for-funding/)

Family Dispute Resolution, Family Legal Advice Service, Parenting Through Separation, go to [justice.govt.nz/family/care-of-children/find-a-service-to-help-with-disputes/](https://justice.govt.nz/family/care-of-children/find-a-service-to-help-with-disputes/)