

# Parenting Plan Tool

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Aussi offert en français sous le titre :  
*Échantillon de clauses pour un plan parental*

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# Coming up with a parenting plan

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A **parenting plan** is a written document that outlines how parents will raise their children after separation or divorce. This parenting plan tool will give you some options to help you and the other parent develop a basic parenting plan.

You can use this parenting plan tool if you're making parenting arrangements under the *Divorce Act*. It may still be useful to you even if the *Divorce Act* doesn't apply to your situation, because the types of decisions you need to make about how you will raise your children are similar.

Before you start to work on your parenting plan, it's a good idea to read these publications

- *Making plans: A guide to parenting arrangements after separation or divorce* talks about parenting after separation and divorce and how to decide on the best parenting arrangement for your children. It's available online at [www.justice.gc.ca](http://www.justice.gc.ca), under "Family Law," then "Custody and Parenting."
- *The Parenting Plan Checklist* lists many of the issues you need to think about when you develop your parenting plan. It's available online at [www.justice.gc.ca](http://www.justice.gc.ca), under "Family Law," then "Custody and Parenting," then "Create a parenting plan."

*You can also find information* about family law in your province or territory as well as government-based family justice services in your area on the Department of Justice Canada website. You can find them under "Family Law" at [www.justice.gc.ca](http://www.justice.gc.ca).

The federal *Divorce Act* generally applies when divorcing parents need to settle issues related to parenting arrangements. Provincial and territorial laws apply regarding parenting arrangements when unmarried parents separate or when married parents separate and do not pursue a divorce.

## How can I use this parenting plan tool?

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This document gives you a starting point for developing a parenting plan that is in your children's best interests. It has several sections. Each section looks at different issues for you to think about as you decide on your parenting arrangements. There are options for

- general statements or rules about your co-parenting relationship
- how you will make decisions about your children
- how your children will spend time with each parent
- how you will exchange information and communicate about your children
- how you will handle appointments and other practical arrangements for your children

- travel
- moving away
- how you will resolve disputes
- reviewing, monitoring and changing the parenting plan

The clauses are only examples. Your plan needs to be tailored to meet your child’s specific needs.

It’s a good idea to consult a family lawyer when you are developing a parenting plan. A family law lawyer can help you to understand your legal rights and responsibilities before you make the plan final.

***This parenting plan tool is not intended as legal advice.***

You and the other parent may want to write a parenting plan that is legally binding. This means that you can ask a court to enforce it. If you have your parenting plan included in your order under the *Divorce Act*, it will be legally binding. If you are not making parenting arrangements under the *Divorce Act*, you may decide to have your parenting plan included in an order under provincial or territorial law, or to make it a legally binding agreement. You will find more information about making agreements and obtaining orders under provincial and territorial legislation at [www.justice.gc.ca](http://www.justice.gc.ca). Go to “Family Law”, then “Provincial and Territorial Contacts.”

A family law lawyer can also tell you how the court system works and give you advice about having your parenting plan made into an agreement or reflected in a court order. For example, one factor to consider is that formal written agreements or court orders may be required by outside agencies or professionals, such as schools, medical professionals, and government departments. These organizations also need documents that are clear and easy to understand.

It’s also important to note that

- This parenting plan tool doesn’t cover every option. The *Parenting Checklist* has a detailed list of issues that you may want to include in your plan. It’s available online at [www.justice.gc.ca](http://www.justice.gc.ca), under “Family Law,” then “Custody and Parenting,” then “Create a parenting plan.”
- The clauses are examples. If you find them helpful, you may wish to use them. If a different type of clause would work better for your child—that’s O.K. too.
- The guiding principle is what is in the best interests of your children in your unique circumstances. There is no one plan that fits all families.

- This parenting plan tool does not include provisions on child support. The Federal Child Support Guidelines: Step-by-Step contains detailed information about the *Federal Child Support Guidelines* and worksheets to help you determine the child support amount for your children. To see a copy, visit [www.justice.gc.ca](http://www.justice.gc.ca). Go to “Family Law,” click on “Child Support” then “Understand the Federal Child Support Guidelines.”
- Some of the options in this parenting plan tool may not be appropriate in your situation. For example, if there has been family violence and there are ongoing safety issues, options that would require you and the other parent to interact often may not work in your case. Many of the options also require you and the other parent to cooperate well with one another.

## Do I need to address all of the issues covered in this parenting plan tool?

All families are different. This parenting plan tool is meant to give examples of clauses you can include in a parenting plan. As you read through the document, you may find that you don't need some of these clauses in your situation or you may wish to add others.

If it's likely that there will be conflict between you and the other parent about certain parenting issues, think about addressing those issues in your plan. This may help to reduce conflict later. On the other hand, only include the details that are really necessary. Remember: the expectation will be that both you and the other parent will comply with the rules you include in your plan.





# Section 1: Names of children and parents

---

## Parents' Names

---

Parent A

\_\_\_\_\_

Parent B

\_\_\_\_\_

## Children's Names

---

\_\_\_\_\_

First name

\_\_\_\_\_

Last name

\_\_\_\_\_

Date of Birth MM/DD/YYYY

\_\_\_\_\_

First name

\_\_\_\_\_

Last name

\_\_\_\_\_

Date of Birth MM/DD/YYYY



## Section 2: General statements and rules about the parenting relationship

---

You may wish to include general statements at the beginning of your parenting plan. These set out the guidelines that you and the other parent both agree should apply.

Children's needs change over time, especially as they go through different developmental stages. It's a good idea to recognize that you may need to update the parenting plan as they get older. The last clause below addresses this issue.

Here are some statements you may want to include in your parenting plan

1. We are both responsible for and will contribute to the care and upbringing of our children.
2. We agree that we will make decisions that are in the best interests of our children, and will put their interests ahead of our own.
3. We will find an appropriate way to include our children's views in our discussions.
4. We will make it clear to our children that although we're asking for their input, they're not responsible for the decisions that we make. We are responsible for making these decisions.
5. We agree that we will communicate in a civil manner with each other, and we will not argue in front of the children or involve them in any conflict between us.
6. We will both promote our children's relationship with the other parent. We will not speak negatively about the other parent and we will encourage our children to spend time with the other parent and their extended family.
7. We will exchange information about the children.
8. We recognize the importance of exchanging contact information (parents' address, telephone numbers, e-mail address), so we can share information about the children.
9. Option 1: We recognize that as our children grow up and as our lives change, there may be a need to review this parenting plan and adjust it from time to time.

OR

Option 2: From time to time, we may need to change this parenting plan to take [insert children's names] changing needs into account. Any such changes will be discussed at annual parent meetings. We expect to review this parenting plan as [insert children's name] reaches important developmental stages (for example, six, nine, twelve and sixteen years of age).

## Section 3: Making decisions about the children

---

You and the other parent need to decide how you will make major decisions about the children.

Examples of major decisions include

- choice of school
- decisions about medical treatments
- regular attendance at religious services

You and the other parent may agree to make these decisions jointly, have them made solely by one parent, or divide different decisions between you.

In contrast, day-to-day and emergency decisions are usually made by the parent who is with the children at any given time.

If you are not making a parenting arrangement under the *Divorce Act*, you can find information about the laws of your province or territory at [www.justice.gc.ca](http://www.justice.gc.ca). Go to “Family Law” then “Provincial and Territorial Contacts.” For example, if you live in the province of Québec, parents share parental authority, which includes important decisions about the children such as health care, education and religion. The parents may decide between them how they will exercise that parental authority.

### Important decisions about the children

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1. We will make major decisions together about the children’s education, health care, and religion. If we cannot come to an agreement about a major decision, we will use the dispute resolution process set out in paragraph XX.[See Section 9 of this document for some options].

OR

2. Parent A will make major decisions about the children’s education, health care, and religion, after consulting with Parent B.

OR

3. Parent A will make major decisions about the children’s education, health care, and religion.

OR

4. Parent A will make major decisions about the children’s education after consulting with Parent B. Parent B will make major decisions about the children’s health care and religion, after consulting with Parent A.

## Day-to-day decisions

---

1. During the period when the children are living with a parent, that parent can make day-to-day decisions about the children, like homework, bedtime and chores.

## Emergency decisions

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1. In a health emergency, the parent with whom the children are living at the time can make the decision.
2. If a parent makes an emergency health decision, the parent who has made the decision must immediately contact the other parent.

## Section 4: Children’s time with each parent

---

The parenting schedule that you agree to will depend on your children’s best interests. There are a number of examples below for school-aged children, but there may be other schedules that would work better in your situation. It’s also important to think about practical issues in developing a schedule that is best for your child. For example, work schedules, transportation and how far you live from the other parent will likely affect the schedule.

You don’t need to use any particular wording, like custody, access, parenting time, parenting time schedule or residential schedule. Choose whatever works best for you. The key is to be clear about what you mean.

Sometimes agreements or orders use language like “reasonable” or “generous” time with a child. This leaves it up to the parents to decide the parenting schedule on an ongoing basis. While this may work well in some cases, it can cause disputes and conflict in others. It’s clearer for everybody if you set out a detailed schedule. But, if your circumstances change and the schedule doesn’t work anymore, you will need to change your agreement or order. Consider which approach will work best for you.

The examples below include information about picking up and dropping off the children. Think about whether you need this amount of detail in your plan.

You should also remember that to meet your children’s needs, you may need to be flexible with the schedule at times. For example, you may need to re-schedule a child’s time with Mom if there is an out-of-town sports tournament during Mom’s time with a child, but Dad is responsible for transportation to and from the activity.

### Regular parenting schedule

---

1. The children will live alternating weeks with Parent A and Parent B. If the children are living with Parent A in a given week, Parent A will pick the children up on Monday after school, and drop them off at school the following Monday morning. Parent B will do the same.

OR

2. This schedule is a rotation, based on two consecutive days with each parent and then five consecutive days with each parent. The children will live
  - a. with Parent A from Monday after school until Wednesday morning before school
  - b. with Parent B from Wednesday after school until Friday before school
  - c. with Parent A from Friday after school until the following Wednesday morning before school
  - d. with Parent B from Wednesday after school until the following Monday morning before school.

When a parent's time with the children begins after school, they are responsible for picking the children up at school. When the parent's time ends on a school morning, they are responsible for dropping the children off at school.

OR

3. This schedule is a rotation over a two-week period. In each week, the schedule is based on two consecutive days with one parent, then two consecutive days with the other parent and then three consecutive days with the first parent. The children will live
  - a. with Parent A from 6:00 p.m. on Sunday until Tuesday before school
  - b. with Parent B from Tuesday after school until Thursday before school
  - c. with Parent A from Thursday after school until 6:00 p.m. on the Sunday beginning week 2
  - d. with Parent B from 6:00 p.m. on the Sunday beginning week 2 until Tuesday before school
  - e. with Parent A from Tuesday of week 2 after school until Thursday before school
  - f. with Parent B from Thursday of week 2 after school until 6:00 p.m. on the following Sunday.

When a parent's time with the children begins after school, they are responsible for picking the children up at school. When the parent's time end on a school morning, they are responsible for dropping the children off at school.

OR

4. The children will live mainly with Parent A. The children will live with Parent B from after school on Tuesday until 8:00 p.m. and after school on Thursday until 8:00 p.m. The children will also live with Parent B every second weekend from after school on Friday until Monday morning. Parent B will be responsible for picking the children up from school on Tuesdays and Thursdays, and on those days Parent A will pick up the children from Parent B's home at



8:00 p.m. On the weekends when the children live with Parent B, Parent B will pick the children up at school on Friday and drop them off at school on Monday.

OR

5. The children will live primarily with Parent A. The children will live with Parent B from after school on Wednesday until 7:00 p.m., and every second weekend from afterschool on Friday until Monday morning. Parent B will pick the children up from school on Wednesday and drop them off at Parent A's residence at 7:00 p.m. On the weekends when the children live with Parent B, Parent B will pick the children up from school on Friday and drop them off at school on Monday morning.

OR

6. Parent B will have time with the children from 2:00 p.m. to 4:00 p.m. every second Saturday, supervised by X. The children will live with Parent A at all other times.

## Persons authorized to pick up and drop off the children

---

Sometimes you or the other parent may not be able to pick up or drop off children as scheduled, and may arrange for someone else to do this. In most cases, this will not cause problems. But, sometimes one of you may have concerns about who picks up and drops off your children. It's a good idea to discuss this issue and decide how you will handle it.

1. If it is not possible for Parent A or Parent B to pick-up or drop-off the children as provided for in the parenting schedule, the parent who is responsible for the pick-up or drop-off may authorize another person, whom the children know, to pick up or drop off the children.

OR

2. If it is not possible for Parent A or Parent B to pick-up or drop-off the children as provided for in the parenting schedule, the following people may pick-up or drop-off the children [insert names of all individuals who may do this].

## Vacations, holidays, special days

---

It's important to set out how the regular schedule will change when there is a holiday or special day. It may be a good idea to ask your children how they would like to celebrate holidays or special days.

You will find the most commonly celebrated official holidays below. If you or the other parent celebrates other religious or cultural holidays, or if there are other holidays where you live, it's also a good idea address these in your parenting plan.

To make your children's transitions between you and the other parent as easy as possible, you may wish to consider scheduling vacations and holidays around natural breaks in the year, especially the school year. For example, it may make sense to schedule holidays with one of you at the beginning or end of the summer break.

### Children's birthdays

1. The children will spend their birthday with whichever parent they are living with according to the regular parenting schedule.

OR

2. On even years, the children will spend their birthday with Parent A. On odd years, the children will spend their birthday with Parent B. This birthday time will begin after school on school days and continue until 7:00 p.m. Where the birthday falls on a weekend or holiday, the birthday time will begin at 12:00 p.m. and end at 7:00 p.m.

### Parent's birthdays, Mother's Day, Father's Day

1. The children will spend Parent A's birthday and Parent B's birthday with the respective parent. This birthday time will begin after school on school days and continue until 7:00 p.m. Where the birthday falls on a weekend or holiday, the birthday time will begin at 12:00 p.m. and end at 7:00 p.m.

The children will spend Mother's Day and Father's Day, with the respective parent from 9:00 a.m. on the Sunday until drop-off at school on Monday morning.

OR

2. A parent's birthday, Mother's Day or Father's Day will not change the regular schedule.

## School spring break

1. On even years, the children will spend their spring break with Parent A. In odd years, the children will spend their spring break with Parent B. These arrangements will start with the end of the last school day before spring break and continue until the morning school re-starts.

OR

2. The children will spend one-half of the spring break with Parent A, and one-half with Parent B.

OR

3. The children will spend every third spring break with Parent A.

## Christmas

1. The children will spend one-half of the Christmas school vacation with Parent A, and one-half with Parent B. The Christmas school vacation will start at the end of the last school day before the holiday and last until the morning of the day school re-starts. The weeks will alternate by year, so that every second year the children have Christmas with each parent.

OR

2. The children will spend Christmas Eve from 9:00 a.m. until 8:00 p.m. with Parent A, and from 8:00 p.m. on Christmas Eve until December 26th at 7:00 p.m. with Parent B. Otherwise, the Christmas holidays will be spent with Parent A and Parent B according to the regular schedule.

## Easter

1. The children will spend the Easter Weekend according to the following schedule: the children will be with Parent A from after school on Thursday until Saturday at 7:00 p.m. and with Parent B from 7:00 p.m. on Saturday to their return to school on Tuesday morning.

OR

2. The children will spend the Easter Weekend, from after school on Thursday to their return to school on Tuesday morning with Parent A in even years, and with Parent B in odd years.

## Thanksgiving

1. The children will spend Thanksgiving Weekend according to the following schedule: the children will be with Parent A from after school on Friday, until Sunday at 1:00 p.m. and with Parent B from 1:00 p.m. on Sunday to their return to school on Tuesday morning.

OR

2. The children will spend Thanksgiving Weekend, from after school on Friday to their return to school on Tuesday morning with Parent A in even years, and with Parent B in odd years.

## Victoria Day

1. The children will spend the Victoria Day Weekend according to the following schedule: the children will be with Parent A from after school on Friday, until Sunday at 1:00 p.m. and with Parent B from 1:00 p.m. on Sunday to their return to school on Tuesday morning.

OR

2. The children will spend the Victoria Day Weekend, from after school on Friday to their return to school on Tuesday morning with Parent A in even years, and with Parent B in odd years.

## Summer holidays

1. The children will spend two weeks of the summer holidays with Parent A, and all other weeks with Parent B. Parent A will advise Parent B by March 15th, what weeks of holiday they will be taking with the children.

OR

2. The children will spend at least three weeks of the summer holidays with Parent A, to a maximum of one-half the summer holidays. Parent A will tell Parent B by March 15th how many weeks of holiday they propose to take. In even-numbered-years Parent A will have first choice of which weeks. In odd-numbered years, Parent B will have first choice of which weeks.

OR

3. The children will spend July of each year with Parent A and August of each year with Parent B.

## Halloween

1. Parent A will have the children for Halloween in odd-numbered years, and Parent B will have the children for Halloween in even-numbered years. Halloween will be from after school until 9:00 p.m. that day. If Halloween falls on a weekend, it will start at 5:00 p.m. and end at 9:00 p.m.

OR

2. Halloween will not affect the regular schedule.

## Scheduling extra-curricular activities

---

It's usually not a good idea for one parent to schedule extra-curricular activities during another parent's scheduled time with the children without the parent's consent, since this reduces their time with the children.

1. Neither of us will schedule extra-curricular activities during the time the children are to be living with the other parent, unless the other parent agrees. The other parent will not unreasonably withhold their agreement.

## Telephone and other contact

---

If there is a potential for conflict on this issue, it can be important to set out some ground rules for contact with a parent while the children are spending time with the other parent. When this is not clear, misunderstandings can sometimes arise about one parent "interfering" with the time of the other parent. Examples of possible approaches are provided below.

You need to decide if and how much telephone or other contact will meet the child's needs. For example, some children who are doing well spending time with a parent, may become upset just by hearing the other parent's voice on the phone. For other children, this will not be an issue. Think about what will work best for your child.

You may wish to speak with your children about how they like to communicate. Do they prefer to use the telephone, texting, e-mail, video calls (for example, Skype) or other forms of "virtual" communication?

It's important to remember that the type of communication your children can use will depend on many factors, including their ages and stages of development. For example, young children may find it difficult to have a conversation by telephone.

1. During the regular parenting schedule, the children may contact each parent whenever they wish.

OR

2. During the regular parenting schedule, Parent A may call the children between [insert time ] and [insert time] when they are with Parent B and Parent B may call the children between [insert time] and [insert time] when they are with Parent A.

## Childcare

---

Some parents agree to include a first option for the other parent to provide childcare, so they can be contacted before childcare arrangements are made. In other cases, these types of arrangements can cause conflict between the parents. Decide if you wish to include this option in your parenting plan.

1. We agree to call the other parent, whenever it is practical, for childcare needs.

OR

2. We agree that if childcare is required for more than four hours, the parent with whom the children are living will notify the other parent and give them the opportunity to spend the period for which childcare is required with the children.

## Time with other people

---

In most cases, children have a relationship with and spend time with other people in their lives, like grandparents or other extended family members, while they're with their parents. But sometimes, parents may choose to include a clause in the parenting plan that specifically provides for contact between the children and another person. For example, this may apply when a person has been very involved in the care of the children, and it's important to the children to maintain that relationship by setting up a regular visit. When you're thinking about this type of provision, it's important to keep in mind the children's overall schedules as well as their involvement in other activities.

1. The children will spend from 2:00 p.m. to 4:00 p.m. the last Sunday of every month with [insert name of individual]. [insert name of individual] will be responsible for picking up the children from Parent [insert Parent A or B depending on the schedule] and dropping off the children to Parent [insert Parent A or B depending on the schedule].

## Section 5: Sharing information and communicating about the children

---

It's important to set out ground rules about what information you will share with each other about the children. It's also a good idea to decide how you will discuss parenting issues that come up from time to time. Good communication is important in a positive co-parenting relationship.

### Information about the children

---

1. We agree to share information with each other on a regular basis about our children's welfare, including their education and school work, health and dental care, counselling, and other important issues.

We agree that we may both ask for and be given information directly from the children's teachers, other school officials, health care providers (including both doctors and dentists), and any other person or institution involved with the children.

### Attendance at child-related events

---

1. We agree that we may both attend all school events, parent-teacher meetings and extra-curricular activities.

OR

2. We agree that Parent A will attend all parent-teacher meetings and will advise Parent B of the children's progress.

We agree that both parents may attend school events and extra-curricular activities.

## Communicating about the children

---

1. We agree that we will speak [indicate when or how often] by phone to discuss any issue related to the parenting of our children. In addition, we will communicate with each other by e-mail as needed.

OR

2. We will communicate with each other by e-mail as needed to discuss any issue about parenting of our children.

## Exchange of contact information

---

1. We each agree that we will provide to the other parent our telephone number(s), e-mail address, and mailing address [include each that are applicable]. We also agree that if this contact information changes, will provide the new contact information to the other parent immediately.



## Section 6: Appointments and other practical arrangements for the children

---

There are many other decisions that you will need to make for your children, including decisions about

- who will buy the children's clothing, sports equipment and toys
- if these will stay in one home or be carried between homes
- who will take children to different appointments

Many parents address these issues on an ongoing and informal basis. If you think, however, that there may be conflict between you and the other parent on this issue, it may be a good idea to be clear about these issues in your parenting plan.

### Doctor's appointments

---

1. Parent A will be responsible for taking the children to all medical appointments (for example, doctor, physiotherapist, counsellor).

OR

2. Parent A will be responsible for taking the children to all doctor's appointments and Parent B will be responsible for taking the children to all other medical appointments (for example, counselling, physiotherapy).

### Dentist's appointments

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1. Parent B will be responsible for taking the children to all dental appointments.

## Children's personal items

---

Children may have favourite clothing or toys that they would like to have with them, wherever they are living, even if these are gifts from one parent. If there is potential for conflict on this issue, it can be important to be clear about where the children may take these items.

1. The children may take personal items (for example, clothing), toys, sports equipment and gifts (including from either parent), between the homes of Parent A and Parent B. We will not restrict the children's ability to take these items between our homes.

## Documents

---

You may have important documents related to your children, like healthcare cards, SIN cards, birth certificates and passports. It's important to decide where you will keep those documents. A sample clause is provided below.

1. The children's health cards will travel with the children between the homes of Parent A and Parent B. Parent A will keep the passports issued in the children's names, SIN cards, birth certificates [insert any other relevant documents] at their home and they will be made available to Parent B as needed.

## Section 7: Travel

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### Vacations

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When one parent plans to travel with the children, especially long-distance, it's important to give the other parent notice so they know

- where the children are
- how to contact them while they're away
- when they're returning

Foreign Affairs and International Trade Canada also strongly recommends that children travelling abroad carry a consent letter proving they have permission to travel from every person with the legal right to make major decisions on their behalf, if that person is not with them on the trip. You may wish to include a provision in your parenting plan that deals with consent letters. Go to [www.travel.gc.ca](http://www.travel.gc.ca) and look under "Travelling Abroad," then "Children," then "Consent Letter for Children Travelling Abroad" for sample letters and recommendations about these letters.

1. If Parent A or Parent B plans a vacation with the children, that parent will give the other parent, at least X days before the trip, the flight information, the trip itinerary, the numbers of the passports issued in the children's names, as well as contact information for the children during the trip.

Where Parent A or Parent B plans international travel with the children, that parent will prepare, for the signature of the other parent, a consent letter proving that the children have permission to travel. The other parent will not unreasonably refuse to sign the consent letter.

### Passports

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When parents are separated or divorced, Passport Canada has very precise rules about which parent's signatures are needed on passport applications. It will look closely at agreements and court orders to make sure that the parent who applies has the legal right to apply and that there are no restrictions on travel. You can help avoid delays in getting a passport for your children if you include a clause that sets out which of you must consent to the passport application. Please note that in the second option below, Passport Canada will only issue a passport to Parent A, if the children live with Parent A the majority of the time.

1. Parent A and Parent B must both consent for the purposes of a passport application for [insert name of children].

OR

2. Parent A can apply for the passport of [insert children's names] without the consent of Parent B.

## Restrictions on travel

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Sometimes, a parent may be worried about letting the children leave the province or country. This may happen where one parent is worried the other parent may abduct the children. If you are worried that the other parent may abduct your children, it's very important that you speak with a family law lawyer to make sure your draft parenting plan protects your children.

You should note that placing a restriction on your children's travel can affect passport applications. If your parenting plan says that the children cannot be removed from a certain province or territory (Option 1 below), Passport Canada will not issue a passport. You would have to make a new agreement or obtain a court order that allows the children to travel. In cases where you and the other parent decide that the children cannot be removed from a territory without the consent of both parents (Option 2 below), you must both sign the passport application. If you don't, Passport Canada will not issue a passport.

1. [Insert children's names] cannot be removed from the province of X or Canada.

OR

2. [insert children's names] cannot be removed from the province of X or Canada without the consent of both parents.

## Section 8: Moves

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### Local moves

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If you or the other parent moves within a local area, it's important to let the other parent know, because it can affect your parenting arrangement. For example, the other parent needs to know where to pick up and drop off the children. You may also want to give this information to extended family members. Your parenting plan can include provisions to make sure you and the other parent exchange address information.

1. If either parent proposes to change his or her residence within the City of X, at least 60 days before the move, they will provide the other parent with the new address, telephone number and the date of the move.

OR

2. If either parent proposes to change his or her residence within the City of X, at least 60 days before the move, they will provide the other parent and the children's grandparents with the new address, telephone number and the date of the move.

### Relocation

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Moves of a significant distance can have a big impact on children and their relationship with their parents. It's important to think about how you want to deal with this issue in your parenting plan, even if you don't anticipate either parent relocating.

It's important to be aware that your provincial and territorial legislation may contain specific rules about moving away with children. If you are making a parenting plan under provincial or territorial legislation, you will want your parenting plan to conform to these rules. For example, if you live in British Columbia, you should know that the *Family Law Act* requires parents to meet certain conditions.

1. Neither parent may change the place of residence of the children from the City of X, without
  - a) providing the other parent with 60 days notice of the proposed move, and
  - b) obtaining the written consent of the other parent or a court order to allow the move.

The notice must include

- a) the address of the proposed new place of residence
- b) the date of the proposed move
- c) a proposal for a new parenting schedule.

OR

2. If Parent A proposes to change the children's place of residence from the City of X, they must provide Parent B with 60 days notice of the proposed move. The notice must include
  - a) the address of the proposed new place of residence
  - b) the date of the proposed move
  - c) a proposed parenting schedule.

If Parent A and B cannot agree on revised parenting arrangements, they agree to use the dispute resolution method set out at Section 9 to resolve all issues with respect to the proposed move.

OR

3. Parent B may change the children's place of residence from the City of X. If Parent B decides to change the children's place of residence from the City of X, they must provide Parent A with 60 days notice of the proposed move. The notice must include information about
  - a) the address of the proposed new place of residence
  - b) the date of the proposed move
  - c) A proposed parenting schedule.

If Parent A and B cannot agree on a revised parenting schedule, they agree to use the dispute resolution set out at Section 9 to establish a new parenting schedule in light of the move.

## Additional costs due to distance

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When one parent moves away with the children, sometimes the other parent may have significant costs related to spending time with the children. For example, a parent may have to pay for airline and hotel costs. To help both of you spend time with your children, you may wish to include something in your parenting plan about these costs. Examples of costs provisions are included below.

1. Parent A will reimburse Parent B for [insert percentage] percent of all flights taken to spend time with [insert the name of the children] according to this parenting plan. Parent B will provide Parent A with receipts for all flights and Parent A will reimburse Parent B within 30 days of receiving the receipt.

OR

2. Parent A will reimburse Parent B for [insert percentage] percent of all flights taken by [insert name of children] to spend time with Parent B according to this parenting plan. Parent B will provide Parent A with receipts for all flights and Parent A will reimburse Parent B within 30 days of receiving the receipt.





## Section 9: Dispute resolution

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An important reason for developing a parenting plan is to limit future conflicts. But things you weren't expecting can happen and can affect your parenting plan. Sometimes, you and the other parent may not be able to agree on how to handle these issues. Also, if your parenting plan says you will make decisions jointly, you may not always be able to agree on every issue.

It's important to include a provision in your parenting plan that says how you will resolve disputes. For example, you may agree that before you ask a judge to decide, you will try another type of dispute resolution. An example is provided below. While this example talks about mediation, you may wish to try other types of dispute resolution, like collaborative law, parent coordination or arbitration (if available in your province). You may also wish to set out how the costs of the dispute resolution mechanism will be divided between you.

1. If there is a future dispute between us that we cannot resolve on our own, we agree that we will enter into mediation, before we seek to have the issue resolved in court.

### Costs

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1. The costs of the mediation will be shared equally by Parent A and Parent B.

OR

2. Parent A will pay [choose percentage] percent of the costs of the mediation.



## Section 10: Reviewing, monitoring and changing the parenting plan

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From time to time, you may have to make changes to your parenting plan. Remember, if you're thinking about making changes, it's always advisable to discuss the issues and show your draft amended parenting plan to a lawyer before you sign it, to ensure that you understand your legal rights and responsibilities. This is particularly important if the terms of your parenting plan are a formal agreement or have been included in a court order, as those documents should be updated.

### First parenting plan review

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To make sure your parenting plan is working for your children and is practical for you and the other parent, you may want to include a provision for a first review. This would set a specific time for you to meet to discuss the parenting plan and how it's working. If you decide that you need to make changes, you could go over them at that meeting. If you want to include a provision for a first review, it's important to allow enough time to try out the parenting arrangement first. For example, you may decide to meet after two months.

Natural breaks in the year are often good times to start or end a new arrangement. For example, the end of the school year, the end of the summer, or major school breaks, are good times to make changes.

**Note:** If you decide to include a first review in your parenting plan, but for some reason the parenting arrangement is not working and you end up in court, the judge may be reluctant to change a "trial" parenting arrangement that they find is working to your children's benefit. The courts are concerned about stability for children and will only change parenting arrangements if there is a good reason and it's in the best interests of the child.

1. This plan will be reviewed on [insert date]. At this time, Parent A and Parent B will discuss the parenting plan and negotiate any changes that they agree are appropriate.

## Regular parent meetings

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Children need different things from you at different ages and stages, and their schedules will change as they grow. This is especially true as your children become more involved in activities. The younger your children are at the time of your separation or divorce, the more you can expect that their needs will change over time. You may need to adjust your parenting plan. Think about whether your parenting plan should include a provision that you and the other parent meet regularly to look at the parenting plan and how it's working for your children.

1. a) Parent A and Parent B agree that they will meet annually, before the end of [insert a month], to discuss the parenting plan. Prior to the annual meeting, each parent will review the parenting plan and bring a written list of issues for discussion to the meeting.
- b) Changes to the parenting plan will be made at the annual meeting.
- c) If Parent A and B are unable to agree to changes to the parenting plan within 30 days of the annual meeting, they will use the dispute resolution method set out in Section 9.

## Unanticipated changes

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Sometimes, you may have changes in your life that you didn't expect when you wrote your parenting plan. Even if you decide to hold annual meetings with the other parent, issues may come up between meetings. For example, if one of you has a new work schedule, you may need to change your parenting plan. It's a good idea to decide how you will address these types of changes.

1. If the circumstances of the children change, including the ability of Parent A or Parent B to meet the children's needs, we agree to the following process to amend the parenting plan:
  - a) the parent who proposes a change to the parenting plan will advise the other parent in writing of the proposed change;
  - b) we will discuss the proposed change and attempt to come to an agreement to resolve the issue;
  - c) if it is not possible to come to an agreement within 30 days, we will use the dispute resolution method set out in Section 9 to resolve the issue.