



ASSOCIATION OF
FAMILY AND CONCILIATION COURTS

A RELATIONSHIP THAT LASTS FOREVER

PARENT
ACCESS

CHILD
VISITATION



Introduction

Separation and divorce can dramatically affect your relationship with your child. The quantity and quality of time your child spends with each parent is important to a healthy post-divorce adjustment. Your divorce decree should include a parenting plan that provides access to both parents and specifies a schedule for the school year, summer months and holiday periods. An access plan that assures that your child will have regular contact with each of you is in your child's best interests.

Remember: Your child did not cause your marriage to end. Your child is entitled to the BEST relationship possible with each of you.

This brochure will provide you with information to help you plan your child's time with each parent.

A Message to Both Parents

Children of different ages and developmental stages may need different amounts of time with a parent. However, all children need to feel that you love them enough to put your conflicts aside so that they can have a good relationship with each of you.

When parents separate, all children benefit from:

INFORMATION: Assure your children that they are not to blame for the divorce. Tell them that they will be taken care of by both of you. Give your children general information about why the divorce occurred and specific information about what will happen next, such as where they will live and when they will see each of you.

STABILITY: An access schedule for each parent should be defined and put in place as soon as possible. This schedule can be included in the divorce agreement. A regular schedule is particularly important for children under the age of 7.

PEACEFUL RELATIONS BETWEEN ADULTS: Separation can be an upsetting time for all family members. Parents need to keep their adult conflicts away from the children.

FINANCIAL SUPPORT: Parent/child access is not conditional on payment of child support. Each of you may experience major financial adjustments following a separation. You may have to make your money go further at the same time that your children's needs continue or even increase. However, children should not be deprived of access to a parent because of conflicts over child support.

Suggestions for Custodial Parents

You have an important responsibility to support and encourage your child's relationship with the other parent. Except in extreme circumstances, regular access benefits children. If you show confidence about visiting, your child will too.

You also have an important legal obligation regarding visitation. The court will hold you responsible for complying with access orders.

Children may have some adjustment problems following a separation. Your child may become moody, withdrawn, angry or revert to immature behaviors. Your child may be upset because you are unhappy or because of the absence of the other parent. When you support your child's relationship with the other parent, you are promoting your child's healthy adjustment.

DON'T ask your child to report back to you about the other parent. This only puts your child in the uncomfortable position of being caught in the middle if they have to tell you about the other parent's activities.

Suggestions for Parents With Access

Children need stability and flexibility in visitation. As the parent with access, it is very important that your children be able to depend upon you to follow through with your visitation plans. Children can be heartbroken and disappointed if you come in and out of their lives without any predictability.

If you have not seen your child for a long time, you should be sensitive to his or her needs for shorter and more frequent visits so that he or she can become more comfortable with the relationship. This is quite important if your child is very young.

If you are already involved in another relationship, wait for awhile to introduce that person to your child. Give your child some time to adjust to the new family situation before he or she has to share you with a new partner.

Children can be very self centered. They may try to take advantage of you by demanding "things." Try to avoid buying your child's affections. DON'T try to compete with the other parent. DO provide affection and discipline and teach your child responsibility and self-control.

Children frequently experience a reduced standard of living after parents separate. Paying your child support is a way to show your support for your child.

Questions and Answers Regarding Child Access

What is the best access plan?

There is no single answer to this question; visitation must fit the needs of all family members. Optimally parents should try and work out these plans together. Access schedules need to consider work, school, social and family obligations.

The following are some basic guidelines for access:

Infants need regularity. Several short visits per week are better than a few longer visits. Become involved in feeding, bathing and changing the child.

Preschoolers need familiar routines and consistent schedules. Access time can be increased. Overnight visits on the weekend and/or weekday evenings can assure continuity.

School age children need more time with each parent and can handle flexible schedules. Extended weekends and overnights during the school week can work well for this age group, however, it is important to arrange these times around school and other activities.

Pre-teens can handle longer visits. More time with the same sex parent may be important. Schedules must accommodate the extracurricular activities of children at this age level.

Teenagers need a "safe harbor" from which they can come and go. Access schedules should not prevent teenagers from being involved with school, peers and employment.

How is long distance visitation handled?

When parents reside in separate communities, summer may be the only time to spend together. Very young children should be accompanied during travel. The amount of time may need to be adjusted depending on the child's reaction. Older children can handle a full summer schedule but consideration should be given to the child's recreational activities and employment plans.

What about holidays?

Holidays are important for children and adults. Plan ahead and make every effort to include time with each parent. Include the child in the planning process. Compromises will most likely have to be made, but with cooperation, children can celebrate holiday events with each parent. You may want to consider dividing some holiday activities or alternating them annually.

What if my child says he or she doesn't want to go?

Both parents should try to understand what is causing this discomfort. Don't over-react. Counseling for the child and parent may be helpful. Try and work together to find out what is bothering your child and if the behavior persists, consider talking to a counselor about it.

Can visitation be supervised?

In some cases it is in a child's best interest to have visitation supervised by a third party. A court may order supervised visitation or a neutral place of exchange when there are concerns about a parent's interaction with the child or domestic abuse.

What if I have problems over visitation?

Some visitation problems may be the result of emotional issues or lingering problems between parents. Counseling may help resolve these issues.

If you are unable to resolve your differences by talking together or through counseling, try mediation. A mediator can help you discuss the problems and work toward a cooperative solution.

How can I get visitation enforced?

If visitation has been court-ordered or is a part of your separation or divorce decree, you can ask that the terms of your visitation be enforced by the court. For further information contact the Family or Conciliation Court, court-connected mediation program, local Bar Association, Clerk of Court or the Office of Child Support Enforcement.

What if a parent has not seen the child in a long time?

When re-establishing access after a long absence, a parent should put the child's needs first. Counseling may help a child to understand why a parent has been absent. Take time to develop the relationship using frequent, short visits. Gradually, a normal access plan can be achieved without harm to the child.

Do grandparents have access rights?

Many courts grant visitation rights to grandparents. Grandparents can have a very special relationship that connects the child with extended family roots and traditions. Grandparents can provide love, affection and emotional support. It is best if extended family members can maintain a neutral and respectful silence on the subject of the parents' divorce. Mediation may be helpful in developing an access plan for grandparents, too.

A Child's Rights

A CHILD has the right to love each parent without being subjected to the other parent's hurt or anger.

A CHILD has the right to develop an independent and meaningful relationship with each parent and to enjoy the uniqueness of each parent and each home.

A CHILD has the right to be free from involvement in parents' personal battles or being used as a spy, messenger or a bargaining chip.

A CHILD has the right to extended family relationships which include grandparents, aunts, uncles, cousins, and others and to appreciate the unique differences of each side of his or her family and not have these differences referred to as "better" or "worse."

A CHILD has the right to be free from questions about the other parent's private life.

A CHILD has the right to see his or her parents treat each other in a courteous and respectful manner.

A CHILD has the right to develop and maintain activities and friends without fear of losing time with a parent.

A CHILD has the right to be a CHILD without having to assume adult and/or parental roles or duties.

A Parent's Rights

A PARENT has the right to love and nurture one's child without harassment from the other parent.

A PARENT has the right to receive respect and courtesy and the obligation to show respect and courtesy.

A PARENT has the right to attend and participate in a child's special activities.

A PARENT has the right to information regarding a child's physical, mental and emotional health.

A PARENT has the right during parenting time to follow one's own standards, beliefs and style of child-rearing without interference from the other parent.

A PARENT has the right to a separate and private life.

The actions that YOU as a parent take at the time of separation and divorce will be very important to the long term relationship with your child. This publication of the Association of Family and Conciliation Courts is presented to help you maintain emotional involvement and regular physical contact with your child. The Association of Family and Conciliation Courts believes that cooperative participation of both parents will improve your child's adjustment to divorce.

This brochure was prepared by Philip Bushard, DPA and William F. Hodges, PhD, for:

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