

More Do's and Don'ts in Child Custody Disputes

By Scott David Stewart

In my previous article on child custody do's and don'ts, I discussed the importance of carefully introducing significant others to your child, warned against parental alienation, and encouraged communication and information sharing. In this article, I'll review more do's and don'ts important in child custody disputes.

Make Your Home Your Child's Home. With change, children need a place of their own to feel secure and in control. You can encourage that by providing your child with a separate bedroom or arrange for a special personal area somewhere in the home. This could be a desk in a bedroom shared with another child, or one end of the family room with just the child's playthings, children's books, and child-sized furniture. Providing a separate bedroom or special personal area will help your child adapt to the many changes they face in life during and after a divorce, legal separation, or custody dispute.

Encourage Healthy Relationships. You can encourage your child's involvement in the community by helping the child establish relationships in the neighborhood, and even in school if necessary. Establish normal routines -- daily, weekly, and monthly routines create predictability and stability. Children feel more in control when they know what is expected of them and what to expect from others. Include regular activities such as church, homework, chores, and free time for a structured family home life.

Be Prompt, Yet Flexible, with Parenting Time Exchanges. When you pick up or drop off your child for parenting time, be there on-time as scheduled. Be mindful of traffic, illness, extracurricular activities, and other circumstances that can delay parenting time exchanges. Delays should be the exception, not the rule.

If you are delayed and unable to pick-up or drop off your child on-time, then communicate that important information to the other parent. You expect understanding and flexibility when you are reasonably delayed, do show the other parent the same courtesy.

Maximize Your Parenting Time. When spending time with your child, it is imperative that you engage in meaningful activities and are intentional with your time. Strike a balance between structured and unstructured activities with your child. One simple way is to balance homework time with playtime. Include a reasonable amount of unstructured free time -- time for just hanging out and talking. Free time gives your child an opportunity to relax and exchange ideas and feelings casually with you.

Make sure to schedule age appropriate activities. Include activities with your child's extended family, so your child has opportunities to develop and maintain positive relationships with relatives. Combine indoor and outdoor activities into your parenting time. Look into age appropriate activities with your local recreation center, public library, church, or children's group.

Don't Confuse Child Support with Parenting Time. Child support and parenting time are two distinctly separate issues. In a parenting plan, terms and conditions are laid out governing how after school time, evenings, weekends, vacations, travel, parenting time exchanges and communication will be handled. If the other parent violated the terms of the parenting plan, then a contempt order and appropriate legal action may be taken in defense of your child.

If the other parent falls behind in child support, don't retaliate by interfering with the parenting time schedule. Don't try to straighten the other parent out with tough love. The court will not condone withholding parenting time from a parent who is not paying timely support. Furthermore, withholding or obstructing parenting time punishes your child, too, and for conduct beyond the

child's control. You don't want your child to equate his or her worth, or value, in child support dollars. And you don't want your child feeling guilty about or responsible for nonpayment of child support.

The issues involved in custody conflicts are often emotionally charged. I've covered only a few of the common mistakes I've seen clients make in my extensive family law litigation experience. When custody issues arise, it is essential that you carefully and consistently document events for future use in your case.