

**SUGGESTED GUIDELINES FOR PARENTS
DURING SEPARATION OR DIVORCE PROCEEDINGS**

(When Custody/Parenting Schedule is not necessarily an issue in your case).

We make the following suggestions to help you and your children in this time of mental and emotional stress:

1. Think first of your children's present and future emotional and mental well-being before acting. This will be difficult because of your own feelings, needs and emotions, but try – try – try.
2. Maintain your own composure and good emotional balance as much as possible and remember, it is not the end of the world. Laugh when you can and try to keep a sense of humor. What your children sees in your attitude is to some measure reflected in theirs. If you believe you need to begin an antidepressant medication, talk to your doctor, and then do not hesitate to do so. I need you to sleep at night and function well during the day. If medication helps, you do that, I do not anticipate it will be a problem in Court. Of course, if you have concerns about this, let me know.
3. Allow yourself and your children time for readjustment. A convalescence from an emotional operation, such as a dissolution of marriage, is essential.
4. Remember the best parts of your marriage. Share them with your children and use them constructively.
5. Assure your children that they are not to blame for the break up and that they are not being rejected or abandoned. Children, especially the younger ones, often mistakenly feel they have done something wrong and believe that the problems in the family are the result of their own misdeeds. Small children may feel that some action or secret wish of theirs has caused the trouble between their parents. Explain to them that there are other children whose parents have been divorced and that they are not going to lose their mom or dad.
6. Continuing anger or bitterness toward your former partner can injure your children far more than the dissolution itself. Your actions during the divorce process are more important than words.
7. Refrain from voicing criticism of the other parent. It is difficult, but absolutely necessary. For a child's healthy development, respecting both parents is important for him or her.
8. Do not force or encourage your child to take sides. To do so encourages frustration, guilt and resentment. Importantly, it WILL backfire on you in Court.
9. Try not to upset the children's routine abruptly. Children need a sense of continuity and it is disturbing to them if they must cope with too many changes all at once.
10. Dissolution of marriage often leads to financial pressures on both parents. When a financial crisis arises, the parent's first impulse may be to keep the children from realizing it. Often, they would rather make sacrifices themselves then ask the child to do so. The atmosphere is often healthier when there is appropriate frankness and when children are expected to help make the

new adjustments. However, assigning blame or fault for the changing financial circumstances is not acceptable.

11. A marriage breakdown is always hard on the children. They may not always show their distress or realize at first what this will mean to them. Parents should be direct and simple in telling children what is happening, and in an age-appropriate manner that a child can understand and digest. This will vary with the circumstances and with each child's age and comprehension. The worst course is to hush things up and make a child feel he must not talk or even think about what he or she sees is going on. Unpleasant happenings need explanation, which should be brief, prompt, direct and honest. This does not mean you should tell the children your opinion of all the reasons for the divorce.
12. The guilt parents may feel about the marriage breakdown may interfere in disciplining the children. A child needs consistent control and direction. Over permissive or indecisive parents, who leave a child at the mercy of every passing whim and impulse, interfere with the child's healthy development. Children need and want to know quite clearly what we expect of them. Children need leadership and sometimes authority. Parents must be ready to say "NO" when necessary.
13. Do not overlook the fact that you are only human and admit it. You will not be able to make a 100% score on being the perfect parent (no one ever does in good or bad times). When you fail in your attempts, acknowledge it and resolve to attempt to improve day by day.
14. **If I hear or see something you are doing that is in my opinion harmful to your children, I will discuss this with you. If during this litigation you continue to take steps contrary to your children's best interest, I will withdraw from my representation of you. If this is not acceptable, do not retain me.**
15. In Florida, most parents will "share parental responsibility" for their children (rather than just one parent having "sole custody"). Some basic guidelines for shared parental responsibility are below:
 - a. The Parties must consult with the other when important decisions must be made about the minor children including questions related to: a religious upbringing; discipline; financial, moral, social, recreational, and legal matters; school and educational programs; changes in social environment; and non emergency health care, both medical and dental. The Parties will not unilaterally decide such issues if there is a disagreement but will attempt to resolve the issue in the best interest of the children. The Parties will work cooperatively in making plans consistent with the best interest of the children and amicably resolve any disputes that arise. The Parties should understand the importance that each of them plays in the children's lives. Each parent must take all steps within reason to assure both parents are permitted and encouraged to have an active role in their children's upbringing. Each parent shall meet or discuss any child custody, child behavior or other problem involving the children outside the children's presence. The Parties shall keep the other informed of any issue that is or needs to be addressed with a psychologist or other mental health professional, educator, medical professional, law enforcement, or other professional regarding the children.

b. The Parties shall insure the children are allowed unhampered contact and free access with the other Party. Each shall encourage a feeling of affection between the minor children and the other Party. Neither Party shall do anything to hamper the natural development of the minor children's love and respect for the other Party. Neither Party shall do anything to estrange the children from the other parent nor to injure the opinions of the children as to that other parent. The Parties shall not make disparaging remarks about the other parent to the children nor shall they permit others to do so in their presence. Each Party shall make all reasonable efforts to ease communication between the other Party and the children, by telephone, electronic mail, and otherwise. However, in every event, such communication shall be reasonable in nature.

c. The Parties both have the right to attend any of the children's activities no matter whose time it is with the children. The Parties shall keep each other informed as to the children's activities.

d. The Parties shall notify the other promptly of a child's serious illness or accident. If the children are hospitalized, both parties shall have an unlimited visitation with the children. Each Party shall be entitled to authorize emergency medical treatment for the minor children and medical, dental, institutional, psychiatric or other necessary care. Each Party shall have access to the records and information about the minor children, including but not limited to, medical, dental, and school records. If a Party receives a copy of the children's report cards, school notices/letters involving the children's behavior or academics, notices of school or extra curricular activities, school picture order forms, or other similar records, they shall forward a copy to the other Party.

e. The minor children shall continue to be known by the surname of the Husband. *For no reason shall the minor children use the name of any subsequent spouse of the Wife.* The Parties will ensure that the minor children shall refer only to the Parties use the designations of "Mother" and "Father" and the diminutive of those terms.

f. During their respective periods of residency, the Parties shall keep each other informed if the children are out of town, provide a location for the children in that event, and an emergency contact number.

16. Some basic guidelines for secondary parenting ("visitation") are as follows:
Visitations with the other parent, normally and under the proper circumstances, is needed and helpful to your children's development and future welfare.

a. Visitations should be pleasant, not only for the children but for both parents. A visitation should help your children maintain a positive relationship with their other parent and it is also the obligation of the primary custodial parent to make this happen.

b. Unless you have significant reasons to the contrary, the visiting parent is entitled to have the children visit his or her home overnight. The visiting parent may travel with the child or do other events or activities as that parent may choose during his/her parenting time without the consent or permission of the custodial parent.

c. Parents often ask whether introducing the children to someone they are dating during the duration of the proceedings is okay. The simple answer is "no." Wanting their parents back together is usual for children (of all ages). Seeing their parents dating soon after a separation and before the divorce is even final can be a very hard adjustment for children. Importantly, if they bring your dating up in Court as somehow negatively affecting the children, it certainly can affect the Court's custody and parenting decisions. Use the time while the divorce is pending to have quality time with you and the children. There will be plenty of time later to date . . . I promise. If you decide you must date during this proceeding, please discuss this with me before you introduce the children to your "new friend."

d. I expect the parties to maintain a set parenting schedule. Of course, as needed, you should both maintain flexibility to change the schedule as needed for the children. However, if the children are scheduled to be with you and you cannot keep them, first asking the other parent if they would like to have the children with them. If the other parent cannot (or even will not) take the children, it is your responsibility to find appropriate care for the children while they are scheduled to be with you (of course, the other parent should not then complain about who is selected as a babysitter). However, to not show up is unacceptable.

e. Sometimes the non-custodial parent wonders where to take the children on visits and what to plan in the way of amusement for them, particularly if the children are young. Activities may add to the pleasure of the visit, but most important of all is the parent's time with the children. Giving of oneself is more important than giving material things. There are many things to do that are inexpensive and still child-oriented (for example, walking around Lake Ella, feeding ducks; riding bikes; playing board games, etc.).

f. Do not use visits with the children to check the other party. Your children are not little spies. Also be prepared that your wonderful children will lie to you . . . if the children believe you are so angry with the other parent that you "want to hear bad things about them," the children may create those "bad things." Do not jump to conclusions if the children tell you something bad. First, look to the circumstances surrounding the statement and events to see if it is really true. If you believe an issue may be true that is of concern to you, let us know.

g. The children may have problems following the visits and both parents should try to discuss them and to agree on ways to help the children deal with them. In any event, it is your responsibility to help the children transition between the households and you should know that visitation will likely not end be severely limited due to these problems. Of course, if the children are having significant problems, please let me know.

h. Your children's future attitudes, outlook and emotional development are important. Visitations that are as uncomplicated and "normal" as possible under the circumstances is necessary to their emotional health. To the extent possible, the children should know and have the love of and the proper guidance of both parents. Only you can make this happen.

17. READ AND REREAD these basic guidelines. Add to them by writing down your own constructive positive approaches to the handling of your new way of living. Discuss, when practicable, your thoughts and feelings with others whom you trust and feel comfortable with and benefit by sharing their positive attitudes. No one says this will be easy or fair.
18. Finally we have attached a copy of the Statutes in Florida about custody and support if you would like to review them.

RECOMMENDED READING FOR YOU AND YOUR CHILDREN

FOR CHILDREN

Bradley, Buff. *Where do I belong?* Reading, MA: Addison-Wesley, 1982.
A kid's guide to step families

Brown Laurene and Marc. *Dinosaurs Divorce.*
Boston: Little, Brown & Company 1986.
A guide for changing families

Gardner, Richard A. *The Boys and Girls Book About Divorce.* New York: Bantam, 1970.

Rofes, Eric, ed. *The Kid's Book of Divorce.*
New York: Vintage Books, 1982.
By, for and about kids.

FOR PARENTS

Ahrons, Connie. *The Good Divorce.*
New York: Harper/Collins, 1994
Keeping your family together when your marriage comes apart.

Fisher, Roger and Ury, William. *Getting to Yes.* Penguin Books, 1981.
Negotiating agreement without giving in.

Gold, Lois. *Between Love and Hate: A guide to a civilized divorce.*
New York: Plenum Press, 1982.
How to resolve conflict, improve communication,
and avoid costly legal battles.

Jarratt, Claudia, *Helping Children Cope with Separation and Loss.*
Boston: Harvard Common Press 1994.

Lansky, Vicki. *Divorce Book for Parents.*
New York: Signet, 1991.

Kalter, Neil. *Growing up with Divorce.*
New York: Fawcette Columbine, 1990.

Helping your child avoid immediate and future emotional problems.

Warshak, Richard A. *Divorce Poison*. Harper/Collins, 2001.

Helping to deal with the other parents' involving the children in adult matters.

Newman, George. *101 Ways to Be a Long Distance Super-Dad*.

Mountain View, CA: Blossom Valley Press, 1984.

Ricci, Isolina. *Mom's House, Dad's House*.

New York: Collier Books, 1980.

How parents can make two homes for their children.

Ross, Julie and Corcoran, Judy. *Joint Custody with a Jerk*.

New York: St. Martin's Press, 1996.

Raising a child with an uncooperative ex-spouse.

Ury, William. *Getting Past No*.

New York: Bantam Books, 1991.

Negotiating your way from confrontation to cooperation.

Ware, Ciji. *Sharing Parenthood After Divorce*.

New York: Bantam Books, 1982.

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