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AFCC ONTARIO

Parenting Plan Guide



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This publication is intended for general educational and informational purposes only and does not constitute legal or other professional advice. Users should obtain appropriate professional advice having regard to their individual circumstances.

This *Parenting Plan Guide* has been prepared by the Ontario Chapter of the Association of Family and Conciliation Courts (AFCC-Ontario) to assist parents and their professional advisors in developing child-focused, realistic parenting plans. The *Guide* provides suggestions intended to help improve communication between parents who have separated or never lived together and offers guidance for their making of plans to care for their children. The central theme of this *Guide* is that in most cases it is in the best interests of children for parents to cooperate and minimize conflict between them, and for their children to have a significant relationship with both parents. This *Guide* should support parents in fulfilling these goals.

The *Guide* also recognizes that in cases involving high conflict or family violence, including coercive control, expectations of coparenting and cooperation may be inappropriate or unsafe, and that alternative parenting arrangements may be required to protect the best interests of children and the safety of parents.

This *Guide* combines knowledge gained from scholars and developmental research on the impact of parental separation and divorce on children, with practical insights of experienced lawyers, mediators and mental health professionals about the needs of children with parents living apart. The *Guide* is not an exhaustive summary of research, and it is not intended to be a sole reference on issues relating to child development and post-separation parenting. Further, each child and family situation is unique, while social science research is typically based on group findings and may not be applicable to your individual case. We have not included references or links to social science research as the literature is always evolving, and the *Guide* is only intended to provide general information that the members of the Task Force feel confident endorsing. Interested readers are encouraged to do their own further research or consult with mental health, child development or family justice professionals

In this *Guide* there are links to various legal and service resources for parents experiencing separation or family violence, and for lay readers there is an explanation of Terminology at the end of this document.

The 2026 *Guide* is a revised version of materials prepared by the AFCC-Ontario in 2021, and is consistent with themes in those earlier materials, though written with the awareness that the *Guide* is sometimes relied upon by decision-makers and the courts.

The project to develop the original materials and undertake this revision was supported by the Board and membership of AFCC-Ontario. While the members of the Task Force listed below took the lead in preparing this version of the *Guide,* the *Guide* is the product of a collaborative effort by many members of the AFCC-Ontario and other professionals, without whose contributions this *Guide* would not have been possible. We acknowledge that these materials were inspired by and borrow from similar materials prepared in other jurisdictions and materials from Justice Canada.

The drafters of these materials appreciate the growing diversity of the Canadian population and broad range of familial relationships and norms in this country. Most Canadians have multiple intersecting identities that may be based on gender, sexual

orientation, ethnicity, culture, race, religion, language, age and class, which help shape varying norms and structures. In drafting these materials, we have tried to reflect the changing landscape of the Canadian family life, though we acknowledge that these materials do not reflect the full diversity of the country.

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AFCC-ONTARIO PARENTING PLAN GUIDE

What is a Parenting Plan?

A parenting plan is a written document that sets out the terms of the agreement by both parents about how they will care for their children after separation or divorce. A parenting plan is intended to establish principles and rules to guide how parents will share responsibilities and time with their children, including addressing such matters as:

- when the children will spend time with each parent (i.e., parenting time);
- how the parents will make major and day-to-day decisions about their children;
- how information is shared and communicated between parents;
- how other related issues may be addressed, such as involvement of a new partner with the children; and
- how future disagreements about the children are to be resolved.

A parenting plan should have enough detail to be useful yet have enough flexibility to be realistic and to meet the changing needs of the children involved. A parenting plan should reflect the interests and the needs of the individual children concerned. It is almost inevitable that a parenting plan will have to be revised as children grow older, and their needs and the circumstances of their parents change. A parenting plan is best viewed as a working document that will need to be revisited and likely revised over time.

The process of discussing issues, identifying areas of parental consensus and disagreement, reaching an agreement (often based on compromises), and then setting out the plan in writing is important. Having a parenting plan can help to minimize future conflict between parents by setting out clear guidelines and expectations for parental behaviour so that each parent can support their child's relationship with the other parent. Further, there is value in the process of making a parenting plan, as it gives parents an experience in collaborative problem solving.



Minimizing conflict between separated parents is important. Children do significantly better if their parents co-operate and communicate with each other and conflict is low. If communication or co-operation with the other parent is not easy, a good parenting plan can provide the details of the parenting arrangements so that parents are not required to negotiate every decision that needs to be made.

A parenting plan that the parents have voluntarily made may be incorporated into a separation agreement or court order. This will give the parenting plan legal significance and may make it enforceable by a court.

When Coparenting May Not Be Realistic

The *Divorce Act* and Ontario legislation encourage parents to use non-court family dispute resolution processes, including negotiation, mediation and collaborative family law, to resolve disputes, *to the extent it is appropriate and safe to do so.* **While co-operation between parents and voluntary agreements are often best for children, there are important limits to coparenting. In cases involving high conflict, family violence, including coercive control, or where a parent has serious or untreated mental health or substance misuse issues, expectations of cooperation or jointly made parenting arrangements may be inappropriate or unsafe. In such circumstances, the protection afforded by the legal process and a court order may be essential to address the risk of harm to children.**

Further, it will only be possible to have a jointly made parenting plan where both parents are willing and able to communicate, co-operate and make child-focused decisions. This *Guide* is intended to provide general assistance, but it does not address all family circumstances. Many families face unique circumstances that may require a more tailored approach.

It is especially important for individuals who have experienced family violence, including coercive control, to obtain legal advice, support and a safety plan. Additional guidance on parenting arrangements in the context of family violence is available in *Making Appropriate Parenting Arrangements in Family Violence Cases* (Department of Justice Canada, 2023). Legal Aid Ontario also provides some free legal assistance for victims of family violence to help them understand their legal options and obtain appropriate protections. Luke's Place also provides summary free legal advice to women in Ontario leaving an abusive partner.

The Purpose of This Guide

The *Guide* is intended to help parents and professionals deal with the main issues that commonly arise in making a parenting plan, but the discussion here is not exhaustive. Some issues discussed in the *Guide* and *Template* will not apply to every case, and there may be others not discussed that parents will want to address in their parenting plan. This *Guide* does not address such legal issues as child or spousal support or property division, though these are often interrelated with parenting issues, and should be addressed in a separation agreement or court order.

The *Guide* offers suggestions for improving parental communication and co-operation, and more specifically for jointly making a parenting plan.

Children's Participation in the Development of a Parenting Plan

One issue for parents to address as they are making or reviewing their parenting plan is their children's ability and willingness to participate in its development. Parents should be aware that their children's views and preferences are important factors for the parents to consider when making decisions that affect their day-to-day life.

While it is preferable for parents to decide together how to involve their children in developing their parenting plan, this is not always possible. If the parents have different perspectives on their children's views, it may be helpful to involve an independent, trained professional, who can meet with the children to explore their views and preferences and share this information with the parents and other involved participants.

It is essential that parents ensure that they do not seek to influence their children's views and preferences about post-separation care, to pressure the child, to seek to have the child align with their position, and, certainly, to never ask their children to "choose sides".

The Public Health Agency of Canada has some very useful information for parents about helping children involved in separation and divorce, and to help parents communicate with their children about the changes in their family life. This information is premised on the recognition that considerations and communications with children should depend on their ages and stages of development.

See the Justice Canada website: Because Life Goes On...Helping Children and Youth Live With Separation and Divorces.

Making a Legally Binding Parenting Plan

Parents may want to have a parenting plan that is legally enforceable. If a parenting plan is included in a court order under the federal *Divorce Act* or the Ontario *Children's Law Reform Act,* it will be legally binding, and a court will enforce it. Otherwise, to be legally binding, the plan must be in writing, signed by both parents, and their signatures need to be witnessed.

A parenting plan may have practical and legal significance even without being incorporated in a court order by being part of a separation agreement, but it is preferable to consult a lawyer and to get legal advice to discuss issues related to enforceability. A family lawyer can also discuss the implications of a parenting plan for child support and other legal issues. For example, one factor to consider is that outside agencies or professionals, such as schools, health care professionals, and government agencies, may require a formal written agreement or court order if they are to provide reports or comply with the plan in other ways and will need documents that are clear and easy to understand.

Professional Assistance

Parents can make a parenting plan together without seeking professional help. The *AFCC-Ontario Parenting Plan Template* and other resources are available to assist parents. However, parents will often benefit from having assistance from mediators, counsellors, therapists or advice from lawyers to help make a parenting plan. It is an especially good idea to seek independent legal advice before finalizing a parenting plan, including to understand its implications for financial issues like child support.

There are family lawyers who are willing to provide advice or consultation to parents on a "limited scope" basis, charging a fee, usually an hourly rate, to review a parenting plan or other agreement, without providing full representation. See website of the Ontario Family Law Limited Scope Legal Services Project for more information about this type of legal service, including names and contacts for lawyers doing this work.

In Ontario, there are mediation services affiliated with the Family Courts throughout the province available without charge or on a geared-to-income basis for others. These mediation services can provide valuable assistance in helping parents to reach agreements, whether or not they have lawyers.

Having a Temporary Parenting Plan

Parents should begin consulting with each other and professionals and planning for their children as they begin the process of separation. However, separation may be a particularly stressful and uncertain time for parents and children, and it may take a while for the situation to be stable enough to make a long-term plan.

It will often be helpful for parents and their children to "try out" an arrangement or schedule to see how it meets their needs and then adjust their plan. It is often useful for children to try out different arrangements and then seek their views before making definite plans. While children's perspectives and opinions are valuable in this process, they should not be put in the position of being asked to make the final decision.

In some cases, parents may decide to have a temporary parenting plan that deals with the most pressing issues that need to be resolved, while deferring the negotiation of a longer-term plan. Even if a plan is intended to be temporary, it will be useful to have it in writing. Such a plan should include a specific statement that it is intended to be a temporary or interim plan that will be replaced by a longer-term and often more detailed plan. However, if parents do not review or change their plan as anticipated, a *status quo* parenting arrangement may be established that could be a factor in future court proceedings, long after the temporary plan was expected to be replaced.

Modifying the Parenting Plan

Some aspects of a parenting plan are very likely to change as children grow older or parental circumstances change. As discussed below in detail, parents should consider issues related to possible review and modification when making an initial parenting plan. If parents cannot agree between themselves whether or how to modify their parenting plan, they may find it helpful to consult with a mediator or lawyer. In some circumstances, it may be appropriate to seek information from a mental health professional who has specialized knowledge in working with separating or divorced families before modifying a plan.

Even if a parenting plan has been incorporated in a separation agreement or court order, in most situations parents may agree to modify or change their parenting plan without returning to court. However, the modified plan may not be legally enforceable without formally altering the court order or separation agreement. Further, a substantial change in the amount of time that a child spends with a parent may affect child support obligations. It is advisable to consult a family lawyer if a substantial change is being considered.

The Importance of a Positive Coparenting Relationship

Before addressing issues related to the specifics of parenting schedules and plans, parents should consider the psychological context of "parenting apart" and the principles that should guide their decision-making and coparenting. Post-separation parenting is not a single event but an ongoing process that evolves over time, often requiring flexibility and periodic adjustment as children grow and circumstances change.

While the end of the intimate relationship may bring feelings of anger, distrust, grief or betrayal, coparenting is a lifelong responsibility that should continue as long as it is safe to do so. Recognizing and maintaining a safe, functional, trusting, and respectful coparenting relationship best supports their children's well-being.



Parents going through the process of separation can face challenges in their coparenting relationship while otherwise pursuing separate lives. Parents sometimes fear that the loss of their intimate adult relationship will also mean the loss of their parent-child relationship. These fears are common, especially during periods of heightened conflict, legal proceedings, or unresolved emotional distress related to the separation. Parents are often also concerned about the negative impact that their separation may have on their children's healthy development. It is important for parents to be aware of their children's experiences during their parents' separation and to ensure that they are adequately supported throughout the process. Children benefit most when parents are emotionally available, predictable and able to separate adult grievances from parenting responsibilities.

The *Divorce Act* and Ontario legislation require parents to act in the best interests of children. This includes an expectation that parents, to the best of their abilities, protect their children from conflict that may arise from separation or divorce. It also includes an

expectation that parents will support the child's relationship with the other parent, except when doing so would be inappropriate or unsafe, including circumstances of coercive control or other safety concerns. For these higher-risk situations, supporting a child's relationship with the other parent may not require high levels of cooperation or shared decision-making between the parents, nor does it require parents to ignore or minimize safety risks.

It is important to distinguish between coparenting as a relational process and decision-making authority as a legal responsibility. Coparenting in its relational sense refers to how parents conduct themselves in their shared role as parents. This includes respectful communication, how they manage their emotions, predictability, boundary-setting and keeping children out of adult conflict. Effective relational coparenting does not require parents to be friends or to agree on all issues.

Decision-making authority, by contrast, refers to the legal responsibility for making major decisions affecting a child's life (see discussion below on Decision-Making Authority). Importantly for children, the absence of shared decision-making authority does not mean one parent is excluded from the child's life or that relational coparenting is any less important.

There is a growing body of research on the effects of separation and divorce on children. Using this research makes it possible to better assess children's needs and to develop plans that meet those needs and promote children's healthy development. It is generally accepted that in most cases where parents have separated:

- Children do best in both the short-term and the long run when they feel loved and cared for by both parents.
- Children generally do better when both parents have stable and meaningful involvement in their children's lives.
- The strength of a parent's relationship to a child is affected more by parental commitment, warmth and the ability to meet the child's needs than it is by the amount of time spent with the child.
- Each parent has different and valuable contributions to make to their children's development.
- Children should have both structured routine time (such as bathing or doing homework) with each parent, as well as unstructured time (such as playing in the park).
- Parents should help their children maintain positive existing relationships, routines and activities.
- Children often find security in personal items, such as a favourite stuffed animal, and should be allowed to take them back and forth between homes, regardless of which parent purchased them.

- Parenting plans will need to be adjusted over time as the needs and circumstances of parents and children change.
- Children's perspectives should be invited in developmentally appropriate ways, without expecting children to make important decisions.

Children can be harmed by exposure to ongoing conflict between their parents, a finding that is well supported in research on post-separation parenting. High levels of parental conflict are associated with increased anxiety and negative impacts on healthy child development. Research highlights that chronic tension, hostile communication, involvement of children in disputes between parents, and exposure to parental stress can be as harmful as overt conflict.

Family violence, which may include patterns of coercive control, presents distinct and more serious risks that may directly endanger children and caregivers and may not be addressed through conflict-reduction strategies alone. In high risk situations, shared decision-making and extensive communication is inappropriate or may be unsafe. In all cases, parents should avoid exposing children to adult disputes, including arguments during exchanges, and parenting arrangements must prioritize children's safety and well-being.

Family justice professionals also commonly advise that:

- Parents should never make children feel that they have to "choose" between the parents.
- Children should never be made to feel guilty about having a good time with the other parent.
- Each parent should strive to have a respectful relationship with the other parent.
- Each parent should support the child's relationship with the other parent.
- A parent should not make derogatory comments about the other parent in the child's presence or when the child might overhear them. Relatives and friends should also be discouraged from making such comments in the presence of the child or within their earshot.
- Children should not be expected to communicate messages between parents, in particular about financial matters or issues about which parents disagree.
- Parents should exchange the children without arguing and by acknowledging each other politely.
- A parent should allow their children to attend important family celebrations and events with the other parent.

- While parents should acknowledge that there may be differences between their two homes, such as in daily routines and activities, religious observances and diet, it is preferable to refer to these as "differences," and not as "better" or "worse".
- Young children need consistent sleep and feeding schedules in both homes.
- While parents should try to establish consistent rules for acceptable adolescent behaviour, most older children are adaptable and can tolerate differences in rules (such as those between home and school). In some situations, day-to-day parenting issues may need to be addressed in a parenting plan. For example, this may arise regarding safety issues or children with specific health concerns. However, parents also need to appreciate that their former partner's lifestyle and day-to-day parenting approaches generally cannot be controlled in a parenting plan.
- There are situations where one parent may have been much less involved in the child's life as the other parent with the care of the children before separation, or the other parent has never lived with the child. This does not mean that the previously less or uninvolved parent cannot learn the necessary parenting skills and knowledge to be part of their child's life. While the parent who has had primary care may feel concerned about giving up care of "my child" to the other parent, it is important that the primary caregiver allows the other parent to have time to build the necessary parental skills to develop a strong relationship with their child, unless there are legitimate concerns about the other parent's capacity to parent the child alone.

Transitions, by their nature, can be difficult for children, particularly when they involve separation from a parent or exposure to parental tension. Predictable routines, calm parental behaviour, and explicit reassurance reduce transition-related distress. In some situations, it may help for the parent with care before an exchange to bring the child to the other parent, as this signals parental support and reduces the child's sense of being taken away.

Communications - "B.I.F.F."

Some separated parents are able to maintain warm relations, but many experience strained communication, particularly early after separation. Disagreements are inevitable. What matters for children is how parents manage them.

Much coparent communication now occurs through email, text, or coparenting web-based apps. Research emphasizes that written communication leaves a durable record and can either escalate or de-escalate conflict over time. A helpful guideline developed by the American family lawyer Bill Eddy is that communications be "B.I.F.F.": Brief, Informative, Friendly, and Firm. If the other parent uses hostile language, responding calmly and in child-focused way, rather than reacting in kind, is generally more effective. Parents are encouraged to consider how their communications might later be viewed by

a judge or other family justice professional: as escalating conflict or as supporting stability and child-focused decision-making.

For more discussion about the effects of separation on adults and their children, and suggestions for improving co-operation and communication between parents who are living apart, visit the Justice Canada website: Making Plans: A Guide to Parenting Arrangements After Separation or Divorce.

INDIVIDUALIZED PARENTING PLANS

Canadian law does *not* presume that children should spend equal time with each parent, or that any other specific parenting schedule should apply. A presumption would mean starting with a default assumption that a specific arrangement would be the optimal plan unless someone proves otherwise. Rather, both research and Canadian law emphasize that parenting plans should be based on an individualized assessment of the best interests of each child and the circumstances of the family. Parenting arrangements should be decided on a case-by-case basis rather than assuming that one type of schedule will work best for all children.

It is also important to distinguish between families capable of developing parenting arrangements outside of court and those whose parenting plans are determined through litigation. Parents who can communicate effectively and resolve parenting issues cooperatively are often better able to implement more flexible or complex parenting schedules that more fully reflect the needs of their children and their circumstances. In contrast, when parents are involved in ongoing litigation or experience significant conflict, family violence or communication difficulties, then parenting arrangements generally need to place greater emphasis on stability, predictability, and minimizing opportunities for conflict between parents by establishing clear, but less flexible, rules.

The use of parenting plans based on roughly equal parenting time is becoming more common in Canada, especially for families who voluntarily adopt these arrangements and have characteristics associated with better outcomes, such as lower levels of parental conflict and greater parental cooperation. However, even in low conflict situations, shared parenting may not be the optimal plan for some children as they may experience these equal parenting time schedules as disruptive or uncomfortable or are deeply affected by the continuous exposure to parental conflict that such arrangements may intensify.

While each case requires individualized assessment, substantially equal parenting time may not be appropriate if there is family violence or a high level of conflict. Further, substantially equal parenting time may not be appropriate if:

- the parents do not live relatively close to one another;
- the parents communicate poorly;
- the parents were not each significantly and actively engaged in the care of the children before the plan is put into place;
- the children are pre-school age and primarily attached to one parent; or
- the children are older and do not support this arrangement.

Further, whatever the initial plan, the needs of children and the circumstances of parents may change as children grow older, and plans for their care will generally need to be modified to remain developmentally appropriate. As will be discussed, in some

cases, it may be appropriate for children to start spending most time in the care of one parent, and over time gradually increase the time with the other parent; this is often called a “step-up” schedule. There are also cases that will start with shared parenting time and will evolve towards children having a primary residence, as they grow older and start to express strong preferences.

The discussion that follows provides general guidance about parenting plans and schedules that may be appropriate for children at different ages and developmental stages, and highlights factors that parents should consider when making decisions about parenting arrangements. However, each child and parenting situation is unique. No parenting plan will be perfect for either the parents or the children involved, and all plans require compromises and practical trade-offs. Parents generally know their children well and, sometimes with the assistance of professional consultation, are often best able to develop parenting arrangements that meet their children’s needs. When parents are unable to reach an agreement on their own, a mediator or other family dispute resolution professional may help them develop a workable parenting schedule. Failing that, a judge or an arbitrator may resolve the issues needed to make a parenting plan.

Parenting Schedules

In some cases, a starting point for discussions about an initial parenting schedule may be the caregiving arrangements before separation. In some families, especially when children are very young, one parent, who may be breastfeeding and has a longer parenting leave, will be the child’s primary caregiver. Historically, this has often been the mother, but caregiving roles vary widely across families. In many families, while the parents were living together, both parents may have had roughly the same level and time of parenting involvement, either right from birth or as parental roles evolved as children grew older. In some families, extended family members may play an important role in helping care for children and supporting family decision-making.



The fact that one parent may have provided more care before separation and a child may be more closely connected to that parent may have initial significance in making an initial post-separation parenting plan. However, it is important to recognize that contemporary Canadian family law recognizes that the pre-separation caregiving pattern is only one factor in determining a child’s best interests.

Continuity is important for children, and parents should attempt to minimize the inevitable disruptions of parental separation. However, the desirability of continuity should not be equated with a need to replicate the parents' pre-separation division of caregiving. Historical caregiving patterns may inform the discussion of parenting time schedules, but they should not

determine the post-separation parenting schedule. While continuity is important for children, in this context a concern about continuity means having a plan that is child-centered, focused on preserving developmentally important routines, relationships, environments, and provides predictability for the child.

Regardless of prior parenting arrangements, and in the absence of concerns about risks to the safety or well-being of a child, after separation both parents are expected to have significant roles in the lives of their children. Canadian law recognizes that a child should have "as much time with each parent as is consistent with the child's best interests." Under Canadian law, parenting decisions must be made based solely on the best interests of the child, with primary consideration given to the child's physical, emotional, and psychological safety, security, and well-being. Further, each parent is expected to act in their children's best interests, which normally includes supporting and maintaining "the child's relationship with the other parent" and facilitating the child's ongoing relationship with both parents where it is safe and appropriate to do so.

It is also important to appreciate that in many cases the needs of the children and expectations of parents will change as a result of separation. The involvement of some parents in the care of their children may increase after separation. This might, for example, reflect an expectation that, if there were no separation, the parent who has been less involved in childcare would in any event have expected to be more involved as the child grows older. Separation may also result in a stay-at-home parent returning to the labour force, thus creating the need for more care by the other parent. Further, if the parents have never lived together, the parent who does not live with the children may need an opportunity to begin a caregiving role without a prior history of care. In such circumstances, it may be important to recognize the value of providing opportunities for that parent to develop and strengthen a caregiving relationship with the child, where this can occur safely and is in the child's best interests. As discussed below, it may be appropriate to have an evolving parenting plan that is based on an expected increase in care over time by the parent who has been less involved before separation, or not involved at all, as that parent's relationship with the children strengthens over time, a "step-up plan" for parenting time. Such graduated or step-up parenting plans are commonly used to allow parenting time to expand progressively as the children adjust and as the parent demonstrates the ability to meet the children's needs.

In making and modifying plans, parents must also be realistic about their capacities and commitments, and those of their co-parents. Factors such as work schedules, the relative locations of homes, the resources of the parents and the availability of transportation will all affect parenting plans and schedules. Parenting plans should prioritize predictability and stability for children while allowing sufficient flexibility to adapt to changing family circumstances. Some of the issues that arise when one or both parents have non-standard work schedules are discussed later in this *Guide*.

Parenting plans for infants and young children will need to evolve as children get older and start attending school. This may require fairly regular revisions, as children's needs evolve quickly in the first few years of life.

Parenting plans designed to accommodate a parent's employment may need to be modified if the parent changes their employment or work schedule. It is important for parents to communicate effectively, discuss the changes they observe in their children, and be prepared to review previously made plans.

Each family needs to consider the age, temperament, previous caretaking arrangements, and the children's relationships with each parent, as well as specific needs, such as whether the children have special needs related to a physical condition, or neurodiversity considerations (e.g. a learning disability or autism spectrum disorder). In addition, it is important to consider children's emotional security, their relationships, and the quality of care each parent provides. Importantly, parents should communicate about their children on a regular basis.

Parents must share information so that children's experiences as they transition between parents are as smooth as possible. The use of co-operative communication strategies, structured communication tools (such as coparenting apps or written logs), and consistent routines across households can help to reduce conflict and improve children's adjustment. It is especially important for parents to communicate about changes in health conditions or recent incidents that may have upset their children. Reducing children's exposure to parental conflict is widely recognized as one of the strongest predictors of positive adjustment following parental separation.

Siblings

Siblings are usually good emotional supports for one another and keeping them together in a parenting schedule often provides them with security. It is generally emotionally preferable and more practical to keep siblings together during parenting time, even if there are differences in age that extend over several years. Sibling relationships can provide important emotional buffering during family transitions such as separation or divorce. Parents need to develop a plan that works well for all of their children, even if that plan may not be developmentally optimal for one child at a particular point in time. In most cases, maintaining sibling continuity helps preserve stability and reduces stress for children.

There are, however, circumstances when siblings should have different parenting schedules. For example, when there is a significant age difference between siblings, parents may decide to include alone time with each child in the parenting schedule for that child in an effort to recognize the developmental differences between siblings. Individual time with each child may support their unique developmental needs and strengthen parent-child relationships. In some cases, one child may have special needs that require a different plan from a sibling. Children with medical, developmental, or

educational needs may benefit from parenting arrangements tailored to their specific routines, therapies, or support systems. Knowing the views and experiences of children may be especially helpful if parents are considering different schedules for siblings.

Step-Up Parenting Plans

A “step-up parenting plan” is a structured plan that gradually increases a parent’s time and involvement with a child. That is, instead of moving immediately to a final or full parenting schedule, the plan builds in stages, for example, moving from shorter daytime visits to longer visits, then to overnights, and eventually to a more regular or even a shared parenting time schedule. Social science literature suggests that children adjust better to parenting arrangements when changes happen gradually and predictably, rather than all at once. Step-up plans recognize that children’s needs change over time, and that parenting arrangements should adapt accordingly, and evolve in a careful, developmentally appropriate way.

Step-up plans are most often used in situations where the relationship between a parent and child has been limited, ruptured or strained, and/or needs to be re-established. It is commonly used where a parent has been absent for a prolonged period, where parenting time has been supervised, where there have been concerns related to mental health, substance use, or extreme levels of high conflict between parents. These plans are also commonly used when one parent is seeking increased parenting time and there is disagreement about whether the child is ready for that.

The objectives of a step-up plan are to help balance two important goals: supporting the child’s relationship with both parents and ensuring the child feels safe and emotionally secure. The focus is not simply on increasing time, but on doing so safely and successfully. A well-designed step-up plan is meant to reduce the risk of overwhelming the child and allows parents and professionals to monitor how the child is adjusting before moving to the next stage.

Before a step-up plan is put in place, several important factors should be carefully considered. First, safety must be addressed. Step-up plans may not be appropriate where there are ongoing concerns about family violence, including coercive and controlling violence, child abuse or neglect, untreated mental health issues, substance misuse, or risk of abduction. Second, the child’s life should be relatively stable before introducing a new “step-up”. For instance, step-ups should be avoided if the child has recently experienced major changes such as a new school, a move, or changes in family structure. In these cases, it is advisable to wait until things settle. Third, the child’s functioning should be considered, including how they are coping emotionally and behaviorally, and how well they manage transitions. Finally, each parent’s own capacity, and the level of interparental conflict or co-operation between them are important considerations. It is often recommended that concerns such as ongoing conflict or inconsistent parenting practices be addressed before introducing a new “step-up”.

Step-up plans should be clearly written and specific. The plan should outline each stage, including when changes will occur and what conditions, if any, must be met

before moving to the next step. For example, a plan might state that parenting time will increase after a set period of time or if certain conditions are met, or a parent has demonstrated stability (e.g., negative drug or alcohol testing, or participation in treatment where relevant). In some cases, time alone should not determine progression but rather there should be professional monitoring and clear, observable indicators of readiness to move to the next stage. Many families, however, have step-up plans with increases in parenting time after the passage of a specified periods of time, with the expectation that if the child is not progressing well, a review will be sought in court or with professional assistance.

Step-up plans may be developed by parents on their own, or they may be created or supported by professionals such as lawyers, mediators, parenting coordinators, or parenting plan assessors. In some cases, they are ordered by the court. If a plan is not court-ordered, there should be clear mechanisms for resolving disputes, such as returning to mediation or consulting a parenting coordinator. Ongoing monitoring is important. If concerns arise, such as a child showing signs of distress or a parent not meeting expectations, the plan may need to pause or temporarily move backward ("step-down") until concerns are addressed.

Overall, a well-structured step-up plan provides clarity, reduces conflict, and supports a child-focused approach to increasing parenting time.

DEVELOPMENTALLY APPROPRIATE PLANS FOR DIFFERENT AGES

Infants: Birth to 9 months

Infants change and learn at a rapid rate. From birth through the first year of life, infants come to recognize and become psychologically attached to caregivers who provide regular, reliable feeding, holding, soothing and diaper changing. Research in developmental psychology and infant mental health shows that attachment relationships begin forming in the first months of life and strengthen through repeated, responsive interactions. The quality of relationships in the first few years of a child's life continues to influence a child's wellbeing through childhood and into adolescence and adulthood. As they become older, infants begin to enjoy play and stimulation with caregivers. They learn to love familiar, reliable caregivers and to trust that their needs will be met by these adults. These early interpersonal experiences become a blueprint or the foundation for their future relationships.

A caregiver's consistency, sensitivity, and capacity to respond to an infant's needs help the child to develop the ability to regulate distress, trust others, and explore their world to learn from it. It is important that infants are protected from prolonged stress and have predictable contact with known, warm, responsive and predictable caregivers. Caregivers must be emotionally available and possess the necessary skills and knowledge, such as noticing signs of hunger and fatigue, mirroring the baby's efforts to make contact, responding to the baby's smiles, babbles, or gestures, and understanding developmentally appropriate play. Responsive "serve-and-return" interactions between infants and caregivers are recognized as essential for healthy brain and emotional development.

It is now widely accepted that infants can build strong relationships with more than one caregiver. While it is clear that responsive, warm and consistent care during the first months and years of life are critical for emotional and brain development, it is also well established that infants can develop strong positive relationships with several caregivers, provided that each caregiver can provide "good enough parenting" (a concept originally described by pediatrician and psychoanalyst Donald Winnicott in the 1950s, referring to caregivers who respond adequately and sensitively to a child's needs most of the time). In fact, having multiple strong relationships is a protective factor. These relationships are built through frequency of contact and quality of interactions.



Many lactating parents want to follow the recommendations of the World Health Organization and many national pediatric organizations for breastfeeding for infants (exclusively for the first six months, and with the introduction of other foods while continuing breastfeeding for up to two years or beyond, if mutually desired by parent and child). However, parenting time with the

other parent can be accommodated even if a child is breastfeeding or receiving human milk. The non-breastfeeding parent can feed an infant expressed milk from a bottle or other appropriate feeding method, particularly after nursing routines are established. While infants may be resistant to bottle-feeding by a parent who can breastfeed (as they can recognize this parent by smell and sight), almost all infants also adjust to taking a bottle of expressed breast milk or formula from another regular caregiver. If parents have different views on this topic, a consultation with the child's pediatrician, family physician, or certified lactation consultant may be helpful.

Parenting schedules for infants, birth to 9 months: If one parent is the infant's primary caregiver in this period (perhaps a breastfeeding parent) and the parents separate or did not live together after the infant was born, the child will normally continue to primarily reside with that person. It will be important for the non-residential parent to develop caregiving competence and a relationship with the child before having sole care of the infant.

If the non-residential parent has not been significantly involved in caregiving for this infant, it is important to develop familiarity between the infant and that parent, starting with frequent short periods of contact. This will require support from the child's primary caregiver. The primary caregiver may have concerns about giving care of the child to anyone else. However, it is important that the primary caregiver does not unnecessarily close off the support from others, but rather takes the long-term view in promoting healthy child development by supporting the other parent's relationship with "their child," unless there are legitimate concerns about the other parent's capacity to care for the infant or concerns related to safety or family violence.

The process of developing parenting skills and a connection with an infant may start with regular, short periods of a few hours in familiar surroundings, sometimes beginning at the primary caregiver's home. There may at first be frequent and regular contact that includes opportunities for all caretaking activities, such as feeding, playing, soothing, bathing, and putting the infant to sleep for naps. As caregiving skills are mastered and the parent-child bond develops, this should evolve to longer visits that may include taking the child away from the primary residence. Gradual increases in caregiving responsibility are generally recommended to support the infant's sense of security and routine.

If the parents cannot communicate effectively about the infant, or if one parent is unable to gain the necessary caregiving skills, consideration should be given to having the child remain in the care of the primary parent, with frequent, short contacts with the other parent. Infants are sensitive to conflict between their parents and may become difficult to soothe during transitions. Exposure to high levels of parental conflict has been associated with increased stress in infants. A third-party familiar with the child may be helpful to transition the infant if parents are unable to do so without conflict.

To develop healthy relationships with both parents, an infant should not be away from either parent for more than a few days. Many infants in the first year of life demonstrate a caregiver preference; extended separation from that primary caregiver should be avoided. However, overnight parenting time with a non-residential parent may be appropriate, preferably in surroundings familiar to the infant, if that parent has become an actively involved caregiver. Before having sole care or an overnight stay, the infant should be comfortable with that parent and able to be soothed, fed, and cared for by that parent. Research suggests that overnight care in the first year can be appropriate when the infant has an established, secure relationship with both caregivers and routines are consistent.

A baby's needs are best met if parents and caregivers can communicate with each other about the baby's routine and habits. Communicating about the baby's sleep, feeding, and waking cycles, as well as sharing tips on what soothes and helps manage the baby, can reduce the baby's stress. Having consistent routines across households is important to support infant regulation and adjustment.

The parents should maintain a communication log, whether handwritten or digital, that is exchanged after each transition and includes information about eating, sleeping, elimination, health, development, and the attainment of new milestones. Consultation with a pediatrician or child development professional may help parents better understand children's needs, especially those of preverbal infants and babies, and reach agreement on significant parenting issues. However, if parents continue to have very different views about parenting, or are unable to share a routine, or the infant is responding poorly to the different caretaking practices, it may be better for one parent to have a more limited role during this early and vulnerable period of life until greater caregiving capacity, communication, or stability is established.

Babies: 9 to 18 Months

Between the ages of 9 and 18 months of age, children experience rapid progression across motor, cognitive, communicative and socio-emotional domains. This period is characterized by emerging mobility (crawling, standing and walking), language development (sounds and vocalizations to simple words) deliberate expression of emotions (sadness, fear, anger, anxiety, displays of love), and connection-seeking behaviours such as proximity seeking, distress upon separation, and comfort seeking from familiar caregivers. Infants also begin to develop the capacity to anticipate routines and relational experiences.

Developmental research emphasizes that consistent and predictable caregiving schedules are necessary to allow the baby's development of self-regulation, self-soothing and the development of secure parent-child relationships. Babies rely on the external regulation provided by their primary attachment figures. Repeated disruptions to established routines may contribute to heightened stress and emotional reactivity.

Parenting plans for children from 9 to 18 months should prioritize stability, continuity of care in their routines, and the capacity for the infant to experience emotionally available and responsive caregiving.

While infants may form meaningful attachments with more than one caregiver, some babies show greater difficulties with multiple transitions and changes. These babies may show increased distress, dysregulation or sleep disruptions with frequent transitions or prolonged separations from a primary caregiver. These babies may do better with one primary caretaker and frequent contacts with the other parent. As such, parenting schedules should be tailored and individualized to meet the specific needs and temperament of your baby.

Schedules for babies 9 to 18 months: Developing a parenting plan for babies of this age should consider:

- the amount of prior involvement of each parent with the baby, including caretaking routines and experience with childcare such as feeding, bathing, playing, soothing, bedtime routines, and waking;
- the ability of each parent to be attuned and responsive to the baby's needs;
- the baby's individual temperament and sensitivity to stress;
- the baby's emotional, social, physical, and cognitive development, which includes ability to self-regulate and tolerance for separation; and
- the broader caregiving environment including continuity of routines and exposure to parental conflict.

If one parent has had primary care, initial schedules may need to emphasize shorter, more frequent contact with the other parent to support the development of the relationship while maintaining a stable and predictable routine. The schedule may "step-up" over time as the infant develops greater tolerance for separation. The duration and frequency of contact with the other parent will also depend upon the other parent's availability, willingness and sensitivity to the child, as well as the baby's temperament.

As with infants under 9 months of age, overnights with a non-residential parent may be appropriate if that parent is attuned to the baby's needs, is able to maintain the care schedule of the residential parent and is able to soothe the baby.

If the parents only separate when the child is in this age range, and both parents have had consistent, good quality involvement in all aspects of care of the child before separation, a parenting arrangement with regular, predictable overnights with both parents may be appropriate. In these cases, ensuring continuity in routines and maintaining cooperative communication between the parents is critical to supporting the child's development.

As with younger infants, ongoing communication is essential. A log, whether hand-written or digital, should include information about eating, sleeping and elimination, as well as health, developmental changes and new milestones.

It is important that parents avoid arguments in the presence of the child, as even pre-verbal babies are highly sensitive to interparental conflict and may feel stressed by the tension between their parents.

Toddlers: 18 to 36 Months

The toddler years are a period of increasing independence. Toddlers are gaining more control over their environment through advancing motor and language abilities. Children in this age range are able to walk and may be able to run, climb stairs, and kick a ball. Toddlers require many opportunities to explore their environment and require a high level of caregiver supervision because they are testing boundaries constantly, do not fully understand danger, and are still learning about cause-and-effect. Most toddlers are starting to say their first few words by 18 months and by 36 months are using language to get their basic needs met. Consistent with this period of increasing independence, toddlers will assert themselves and ask “why” or say “no,” resisting even the most reasonable parental requests. Tantrums peak during this period of development. Emotionally, toddlers have not yet fully developed the skills to regulate their own emotions and will need caregivers to remain calm and help them manage their feelings and behaviour.



Difficulties with transitions may persist into the toddler years and some children may show ongoing distress, clinging or crying when separating from one or both parents. Resistance to being left at daycare or parental exchanges is normal for many toddlers and should not be taken as a sign that the child is rejecting a parent. At this age, transitions may be easier if the parent with care of the child gets the child ready and takes the child to the other parent. Alternatively, transitions that occur at neutral locations, such as reuniting with a parent after daycare, may decrease levels of distress often associated with transitions.

Developmental research shows that empathy is beginning to emerge as toddlers begin to recognize their own emotions, play interactively with peers, observe and use imitation to learn, and show concern for others. Toddlers are sensitive to the emotions of people in their family and negatively impacted by arguments between caregivers.

Toddlers need predictable and consistent routines with patient and calm parents to develop a sense of limits to help them feel safe and secure.

Schedules for toddlers, 18 to 36 months: If parents have shared caregiving arrangements before the child has reached this age, parenting time can be shared as long as the separations from each parent are not too long (usually no more than two to three days without seeing the other parent). If there are older siblings, they are often part of the security system for toddlers and they should normally be on the same parenting schedule.

If the child has some trouble with transitions, or is not particularly adaptable or flexible, or if the parents are unable to effectively communicate with each other about the child, it may be better for a child this age to have a primary residence with one parent and frequent contact, including some overnight parenting time, with the other parent (for example three contacts during the week, made up of one or two 4 to 6 hour blocks and one or two non-consecutive overnights).

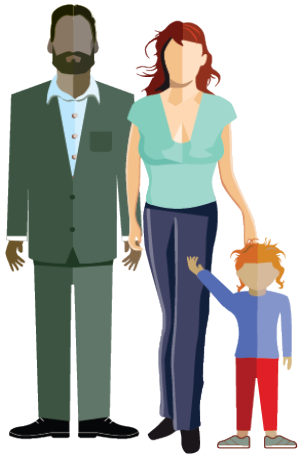
If one of the parents has not established the parenting skills necessary to effectively and safely manage a toddler, a step-up approach may be best. For example, a parent might have 2 or 3 daytime contacts a week (starting at 1 to 2 hours and working up to 4 to 6 hours) to give them the opportunity to build on their relationship with the child as well as their parenting skills. Over time, parenting time may step-up to include an overnight each week, perhaps extending to two overnights a week. More overnights may be appropriate if the child responds well to overnight parenting time or there are other siblings and they can support each other.

Parents of toddlers should co-operate and share information through a log or digital exchange. Toddlers are learning many self-care skills such as toileting, bathing, and eating, with communication between parents important to ensure that there is forward progress in these independence skills, which often need to be mastered by school entry. At this age, it is important that separated parents have consistent approaches to caregiving, including bedtime routines and limit setting. This means that parents may need to compromise their preferred approach in the interest of promoting stability and consistency between two homes. During this critical period where toddlers are learning about feelings through observation, parents should avoid arguments when they are exchanging care. If exchanges by the parents are tense, it is preferable to have a third party, like a grandparent, take the child from one parent to the other, or to have exchanges occur though pickups at the end of daycare.

Preschoolers: 3 to 5 Years

Children between the ages of 3 and 5 are referred to as preschoolers. At this stage, their social, emotional and physical skills are developing, and they are beginning to develop a sense of independence, but routines and security are still very important. In addition to their caregivers, their social networks are expanding to include other family members, children, teachers, and others. These interactions will help shape how they cope in various environments while they learn to interact with others. They are prone to fears and anxiety, though they may not be able to articulate their fears. They may have

nighttime fears, frights, or terrors. Social media content can contribute to the development of nighttime anxiety. Consistent and predictable schedules and rules are important.



By this age, children are developing increased self-awareness and increased language abilities. Behavioural patterns are beginning to form. Some children may be in a daycare setting and preparing for school. There could be various mood swings such as temper tantrums, but children can usually settle down within a short period of time. It is important that they obtain support and encouragement and receive positive communication.

When parents are involved in a child's life, it enhances the child's development, especially at this age. Separation or divorce may create heightened anxiety for children in this age group. There may be feelings of loss or fears that they may lose contact with a parent, which may create irritability in some pre-schoolers. It is important that parents maintain a civil relationship and negotiate parenting plans based on the child's needs and development stage.

If parents live in separate homes and there are not family violence or safety concerns, it is important that both parents remain active in the child's life and that there is good communication that promotes healthy relationships between them and with any other important people in the child's life. Whenever possible, parents should try to follow similar routines and create smooth transitions. When possible, parents should share and exchange ideas and provide structure with some flexibility in activities and routines. Consistency is important, and the maintenance of clear routines for the child. When the child knows what to expect, this promotes confidence, reduces anxiety, and leads to positive interactions with each parent.

Schedules for pre-schoolers, aged 3 to 5 years: Children of this age are often attending daycare, and preschoolers can tolerate longer absences from a parent, but a child's temperament and the pre-separation parenting arrangements must be considered. Transitional objects, such as a favorite toy, stuffed animal or blanket, moving between the two homes can help a preschooler manage sadness and anxiety.

If one parent was primarily responsible for a child and the other parent had limited involvement with the child's daily routine, the child may continue to reside with that parent with a possible plan of step-up care to gradually increase the involvement of the other parent. This might start with two or three 4-hour blocks of parenting time per week, building up to one longer block (likely on a weekend) that may include an overnight. As a child becomes more comfortable moving between the two homes, one or two overnights a week might be added.

If a child has trouble adapting to transitions, or one parent has less time available for childcare or less experience with the care of the child, parents may find that a plan that involves a child spending more time with one parent provides greater stability for the child through this stage of development. This arrangement may involve a schedule of care with the other parent having some midweek contact and care every other weekend. The weekend could start with one Saturday overnight and may then be extended over time to include Friday night, or Sunday night, or both.

If both parents were employed outside the home at the time of separation and were equally involved in the child's care and there are not concerns about family violence substance abuse or other parenting issues, it may be appropriate to have a shared parenting arrangement, but usually not more than 3 nights away from either parent. This type of arrangement may be a "2-2-3" schedule, with care transition starting in the morning (e.g at 9 or 10 am) or at the end of daycare or school.

Pre-School Age Children, Ages 3-5 yrs.: Equal Time 2-2-3

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A

If the parents have difficulty communicating in person, it may be preferable to have as many exchanges of care as possible done by having one parent drop the child at daycare and the other pick up the child at the end of the day. This would require starting the schedule on Monday, so that apart from holidays, transitions take place through daycare.

In some cases, such as if both parents have not been fully involved in care before separation, or there are parenting issues or logistical issues, like housing, it may be better for preschoolers to have a primary residence with one parent. In these situations, the child should still normally have regular significant time contact with the other parent, often on a schedule such as alternate weekends and some mid-week time.

Early School Age Children: 6 to 9 Years

Six to nine-year old children are becoming more independent, socially engaged, with more complex thinking and reasoning abilities. They can dress themselves, brush their hair and teeth, and wash with little help. Parents will want to ensure they are jointly promoting their child's physical health and independent self-care skills. Improvements in academic achievement during this period can provide children with a sense of competence and pride. They may be starting to get homework that will need to be managed consistently between two homes. It is helpful if both parents maintain a connection to their child's teacher and school to ensure that they remain on top of

schoolwork and academic progress or problems. If needed, early intervention for reading and other academic problems should occur during this period. Parental attendance at school events (e.g., meet the teacher, curriculum nights, seasonal concerts) will allow children to showcase their emerging skills and abilities to each parent. As discussed below, parents will need to resolve whether they will go to events together or separately.

Children in this age range are becoming more focused on the world outside their family. They benefit from experiences that help develop their sense of competence, such as participation in school, sports, art, music, and religious and cultural events as well as peer relationships. Expanding social connections and activities, along with a more developed understanding of time, can help children to tolerate longer blocks of time away from each parent as well as differences in parenting styles. Using a calendar to inform and remind children of the parenting schedule, along with other activities, is helpful for this age, as transitions can be anticipated and talked about ahead of time. Often school or an extra-curricular activity is a good neutral location for transitions to occur. Children may have ideas for reducing the stress that is a natural part of any transition (e.g., do they need quiet time, would a snack help, what is the best way to move their belongings). Parents can develop a transition plan with their children, and this plan might be different for each household.

Developmental research indicates that children in this age range are starting to take different perspectives and think more critically. At the same time, they are concrete and rule-bound in their judgements (e.g., good vs. bad and right vs. wrong) and lack nuance. They are sensitive to conflict between their parents and may experience loyalty conflicts. Children may feel guilty when a parent seems anxious or sad as they transition into the other parent's care. A child may seek to involve themselves in adult issues and feel anger if they judge a situation as unfair. It is not unusual for children to resist a parent from time to time during this period. Resistance can be resolved by validating the child's feelings (e.g., "transitions are hard") while reinforcing that the child is competent and able to be successful (e.g., "I know you can do this.") Importantly, each parent needs to demonstrate support for their child's relationship with the other parent, manage their own emotions, and refrain from verbal or nonverbal cues that might undermine the coparenting relationship and family dynamics. Resistance and distress in children is greatly reduced when parents are able to keep conflict between them low.

Schedules for children aged 6 to 9 years: At this age, children generally should have very significant involvement with both parents. However, parents should appreciate that as children grow older, they should be spending more time on school and community activities, which will mean less time with the family. Children in the higher end of this age range are likely to want to have some input into the parenting plan, and parents should discuss between themselves how to have children's input.

If both parents have had a substantially equal role in parenting and separation occurs when a child is in this stage of development, it will often be appropriate for them to have shared parenting time with their children of this age, provided that this is logistically feasible for them. A shared parenting time schedule could be based on 2 to 7 nights in a row with each parent, for example a 2-2-3 or a 5-5-2-2 or a 3-4-4-3 arrangement. For some children and parents, transitions can be challenging, and alternate weeks may be preferable. For younger children in this age range, a step-up plan that starts with a mid-week overnight with the other parent may be helpful to build tolerance for the alternating week schedule.

As more fully discussed below, children in this age range are often starting to be involved in extracurricular activities, playdates, and birthday parties. Ideally, there will be flexibility in the parenting time schedule that makes room for each child's activities and interests and allows for individual attention for each child in the family. If the parents do not both have the willingness and ability to facilitate involvement in a particular activity, it may be advisable to have a parenting schedule that gives the parent supporting that activity the care of the child on the same day that the activity is scheduled. It is important that the parenting schedule is focused on fostering the child's expanding interests and relationships. In other words, it is generally not desirable for a child to stop participating in an activity because it does not "fit" into a particular parenting schedule, though it is also important to recognize that the resources of parents will be stretched after separation, and some extracurricular activities that they participated in before separation may have to stop.

Early School Age Children, Ages 6-9 yrs.: Equal Time 2-2-3 Weekends Split

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Parent A	Parent B	Parent B	Parent A	Parent A	Parent A	Parent B
Parent B	Parent A	Parent A	Parent B	Parent B	Parent B	Parent A
Parent A	Parent B	Parent B	Parent A	Parent A	Parent A	Parent B
Parent B	Parent A	Parent A	Parent B	Parent B	Parent B	Parent A

Even if parents have been equally involved in childcare before separation, some children in this age group will still benefit from having a "home base" with one parent, with, for example, alternate weekends and a mid-week dinner with the other parent. It is very helpful for children this age to have a consistent routine, whatever the parenting plan. Any mid-week parenting time should occur on the same night each week, if possible.

Early School Age Children, Ages 6-9 Years: Primarily with Parent B & Expanded Weekend & Midweek

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		Dinner or Overnight with A		Parent A	Parent A	Parent A
		Dinner or Overnight with A				
		Dinner or Overnight with A		Parent A	Parent A	Parent A
		Dinner or Overnight with A				

It may be preferable to have as many exchanges of care as possible done by having one parent drop the child at school and the other pick up the child at the end of the school day. This plan requires that a child spend alternate weekends with each parent so that weekends are not split.

Early School Age Child, Ages 6 to 9 Years: Equal Time, 5-5-2-2 (Alternate Weekends)

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Parent A	Parent A	Parent B	Parent B	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent A	Parent A	Parent B	Parent B	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A

Later School Age Children: 10 to 12 Years

Children in their pre-teen years are becoming more independent from their parents as they prepare to make the leap into puberty and adolescence. They tend to have a greater capacity to understand time and to appreciate future plans and schedules. At this stage of development, children typically develop more advanced executive functioning skills (e.g., planning, organization, and emotional regulation), though these capacities remain inconsistent and require parental support. Many children in this age group are also focused on developing competence in activities, skills, and experiences that create confidence.

Though rule-bound like younger school-aged children, most are now contemplating moral issues and considering others' perspectives. They are also increasingly influenced by peer relationships and digital environments, which can shape identity, self-esteem, and social comparison.

Parenting plans for a child this age should take into consideration the child's activities and friendships, which can become increasingly important. Participation in sports, plays, religious and other regular activities should be maintained in both homes. Parents must follow the child's interests and make reasonable decisions accordingly. Consistency across households (e.g., expectations for homework, screen time, and routines) has been shown to support emotional security and academic success.

If there is a high level of interparental conflict, and one or both parents are not supporting the child's relationship with the other parent, this is an age when some children may strongly identify with one parent. Parents need to be particularly mindful of their own behaviour, as it may unintentionally impact the quality of the relationship between the child and their other parent.

It is not unusual for children of high-conflict parents in this age range to align with one parent and start to resist or refuse contact with the other parent. When strained relationships with parents occur, it's important to recognize that such alignment is often due to multifactorial causes and may reflect loyalty conflicts, stress, family violence, communication patterns, or the child's developmental need for stability, rather than a single cause.

Increasingly approaches to children resisting contact with a parent stress the value of early, non-adversarial intervention and differentiation between developmentally normative resistance and more entrenched relational disruptions. In the absence of family violence or safety concerns, it is important that the parent whom the child favours ensures the child continues to follow the agreed-upon schedule unless there is an agreement or order for variation. The support of a favoured parent for a strong relationship with the other parent is very important, and it is usually in the long-term interests of the child to have a good relationship with both parents. Research continues to show that children benefit from secure, low-conflict relationships with both parents whenever safely possible.

In extreme cases, one parent may engage in implicit or explicit attitudes and behaviours that undermine the relationship of the other parent and child. This can include denigrating the other parent, interfering with the child's relationship with the other parent or restricting the time the child spends with the other parent. In such cases, intervention by competent mental health professionals and the courts may be needed. Evidence-informed interventions (e.g., family therapy and parent-focused interventions) are increasingly recommended before or alongside legal remedies.

Schedules for children aged 10 to 12 years: Parenting plans for this age group should encourage children to develop social and intellectual skills, participate in extracurricular activities and develop peer relationships. Balancing all of these activities requires flexibility and support from both parents. Child-centred, developmentally responsive schedules are preferred when they adapt over time to the child's changing needs and commitments.

Children in this age group can do well with a range of different plans, but they should generally have frequent contact with both parents. Where possible, this should include overnights or dinners during the school week and some weekends with each parent. Maintaining meaningful, predictable contact with both parents is associated with better emotional and behavioural outcomes, provided that the child feels safe and supported in both homes.

Parents should allow children aged 10 to 12 years to express their views and feelings, recognizing that children this age want greater control. At the same time, parents should also make clear that they will make the final decisions together. It is important to support giving children a "voice but not the burden of decision-making," meaning their preferences should be heard and considered, but not made determinative. Children can have an important role in developing options to consider for helping to address problems.

Children in this age group may also do well with alternate weeks with each parent or a 5-5-2-2 arrangement. However, some children in this age range will prefer having a "home base" with alternate weekends and one overnight every week or two with the other parent. Children who express a preference for a "home base" model may do so because of practical concerns about school, extracurricular activities, peer relationships, or living arrangements in a blended family. Such a preference should not be confused with resistance to contact or alienation and should generally be respected. Stability in schooling, peer access, and daily routines are key factors influencing these preferences

Early Adolescents: 13 to 15 Years

The principal developmental task of the adolescent is to develop their own identity, separate from the family, while maintaining a healthy connection to their family. For the younger adolescent, 13 to 15 years, the family is still the main source of support and nurturance. While peers, school, and activities are often very important and the focus of day-to-day life, parents provide the guidance and support adolescents need to develop critical decision-making skills.

The task of parents during these adolescent years is to increasingly give up control and help the adolescent anticipate risks and practice good decision-making skills. At the same time, parents cannot give up monitoring their adolescent or negotiating and enforcing rules. Adolescents lack adult judgement and are prone to risk-taking.

Adolescents whose parents have separated may be at a higher risk of engaging in such activities as drug use and sexual relations at a younger age than children of intact families. Separated parents should communicate with each other how they will discuss issues like birth control, sexual orientation and gender identity with their children. Some parents find these issues contentious.

Although open communication between separated parents around these issues is generally important, adolescents often feel more comfortable discussing sensitive topics with one parent, without them being disclosed to the other. While an adolescent's privacy needs to be respected, safety concerns need to be a paramount consideration. Each parent should encourage their child to discuss sensitive issues with the other parent.

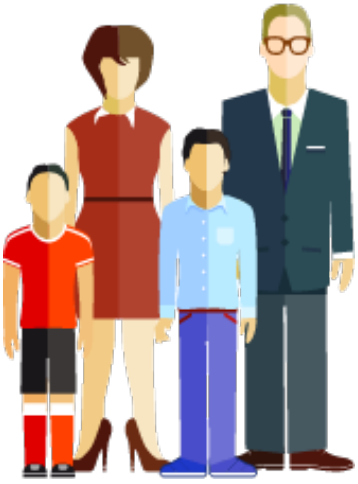
Preferably, children will receive consistent, age-appropriate, accurate messaging from both parents about their sexual health and risky behaviours. At the very least, each parent should be aware of the other parent's approach to these issues. For some families it may be helpful to seek guidance from a mental health professional with experience with child development and family dynamics after separation so that the parents can both help their children through adolescence, which is a period when some children may challenge the behavioural expectations of parents, teachers, or start to develop unhealthy patterns of behaviour.

Parents of adolescents have a particularly challenging job in maintaining flexibility while setting clear, enforceable limits. It is especially important for separated parents to avoid being manipulated by their children. Despite apparent resistance to parental rule setting, adolescents show better adjustment when parents who have separated can co-operate and show a "united front."

Parents must be mindful of the teen's social relationships and activities while balancing family time. As the adolescent gets older, their activities take greater priority. Parents must keep open lines of communication with their adolescent and each other, maintain clear rules about safety and respect, and be able to communicate with each other so that risks to their teen are minimized.

Cooperative coparents of teens model good problem solving and relationships. When parents are unable to effectively and respectfully communicate with each other as needed, vulnerable teens may be more susceptible to unsafe risk-taking or unhealthy behaviours and poor emotional adjustment.

Schedules for adolescents aged 13 to 15 years: While a variety of time-sharing schedules will work for adolescents, parents of early adolescents should consider the child's schedule and activities, the distance between their homes, parental work schedules, and the child's adjustment and preferences, while also recognizing the adolescent's need for unstructured time. Alternating weeks, with or without mid-week parenting time with the other parent, may work well for this age group.



More than with younger children, parents should consider respecting an adolescent's stated preference for a "home base," with alternating 3-day weekends and some mid-week time with the other parent. As children reach adolescence, their own social networks and outside activities are becoming more important and may be facilitated by having a "home base." However, parents who are not the child's "home base" may increase their contact and involvement by providing transport and attending their children's athletic, performance, cultural, religious and academic activities, and should not view the child's assertion of independence and preference for spending more time in one home as a rejection.

Late Adolescents: 16 to 18 Years

Parents of 16-to-18-year-olds should be encouraging and supportive of their children's gradual separation from both parents and development of an individual identity. As they move through this stage of development, most adolescents are spending less time with family and more time on school, extracurricular activities, part-time jobs, social media and peer relationships. Many adolescents in this age group are dating and have growing awareness of issues of gender identity and sexual orientation. They need to develop a healthy and safe understanding of sexual and other feelings in the context of dating relationships. Many older adolescents become focused on post-high school plans including education and careers, and many are becoming politically aware and engaged.

While older adolescents often emphasize their need for independence, and often have intense but changeable feelings, there is value in consistency, support and meaningful time with both parents. As teens reach age 16 years, they need to have more input into the parenting plan, and parents need to be flexible to accommodate the teenager's activities (including school, extra-curricular, and employment) as well as their social life. However, children in this age group continue to need parental support and engagement in their lives.

Parents should remain flexible while maintaining age-appropriate expectations regarding curfews, driving, dating and overnights away from both homes. It is especially important for parents who are not living together to communicate with each other, avoid being manipulated, and try to be consistent or at least aware of differences in their behavioural expectations.

Parents should be aware that older children need to be consulted, informed and involved when they are making parenting plans. The older the child, the more weight should be given to their views and opinions. Giving older children an opportunity to be

part of the decision-making process is important to their self-esteem and development, but minor children should never become a confidant for a parent, or a mediator or a messenger between parents. Many teenagers want to assert their independence, and they may “demand” changes in a parenting schedule, or other parental rules. Parents need to respond to such “demands” with both realism and respect for their child’s development, as well as respect for the role of both parents in the lives of their children.

There are many different parenting arrangements that can work with this age group. Some older adolescents need and request that they maintain a base in one home with an alternating weekend schedule with the other parent. Others want to divide their time with each parent alternating weeks or even two-week periods, to limit transitions and disruptions. This may be for employment, school or extra-curricular activities. In the context of a parental separation, children wanting to spend more time with one parent should not be seen as them rejecting the other parent. If there is a parenting plan with more than a week away from one parent and that parent does not see their teenager at events or activities, they may schedule a weekly dinner or other type of contact during their non-residential time. It is critical that the parents and adolescent are clear where and under whose supervision and authority the teen is at all times. Summer schedules need to be developed after the adolescent’s summer plans for employment, camp, and activities are established.

ISSUES THAT MAY BE ADDRESSED IN A PARENTING PLAN

Long Weekends, Vacations and Special Days

The “regular” parenting schedule will typically apply during the school year and may or may not continue during the summer. Most parents will want a holiday and vacation schedule to take precedence over the regular schedule for at least part of the summer break from school, as well as making some provisions for celebratory days. Plans should always be age and developmentally appropriate, and holiday schedules may need to be adjusted as children grow older and as parental commitments change.

Long weekends and PA days

Long weekends and PA days may be a contentious issue and should be addressed clearly in a parenting plan. Many parents, especially those with some form of alternating weekends schedule, choose to adjust the regular schedule for statutory holidays and PA days by adding 24 hours to the parent who has time with the children on the weekend immediately before or after the holiday, while some parents treat long weekends the same as other weekends. If there is a schedule with alternating weekends, the long weekends will roughly balance out over the course of a year.

Some parents choose to alternate some of the long weekends and special days on an “even year” or “odd year” arrangement, or they may instead decide to equalize the statutory holidays over the course of one year. However, this needs to be done with some care, or it will create a situation where one parent has three weekends in a row, unless an adjustment is made. If there is a variation of the regular schedule for specified long weekends, it may be desirable to also adjust the regular schedule to accommodate the long weekend so that each parent has two weekends in a row over a four-week period, which allows for a smooth transition back to a regular alternate weekend schedule. The *Template* offers some examples for different alternatives for dealing with long weekends.

School holiday periods

There are a variety of options that parents may wish to consider for one- or two-week school breaks (e.g. Winter Break, March Break or Passover Break). Some parents prefer for one parent to have the children the whole of the break on an “even or odd” arrangement, as this allows them to travel with the children every other year, but it is often better to preserve the other parent’s usual weekend at the start or end of the break. Other parents prefer to split the break by exchanging the children at the halfway point. For example, the exchange could occur on the Wednesday in the middle of a week-long school break so that each parent can have 5 days with the children including a weekend.

Dividing the Winter Break can be a challenge for those families who celebrate Christmas. One common arrangement is for one parent to have care of the children from the afternoon of Christmas Eve to Christmas mid-day, and the other will have care of the children for Christmas afternoon and Boxing Day. This may be alternated in an "even year" or "odd year" arrangement. Typically, the balance of the Winter school break (which is approximately two weeks) is shared equally, with an exchange in the middle of the break, being the Saturday or Sunday in the middle of the Winter Break.

Another option is to divide the Winter Break into the first week and the second week, without a special provision for Christmas or the New Year, perhaps on an alternating year basis, so that each parent has the children every second Christmas or New Year period.

In choosing between these options, parents should consider the child's age, extra-curricular activities, travel tolerance and other relevant factors.

Summer

Each parent will typically want some uninterrupted time with the children in the summer. For example, each parent may have one week in July and one week in August (or two uninterrupted weeks during the summer), with the balance of the summer following their regular schedule. Other parents choose to follow a one week on, one week off schedule during the summer, or even a one-month rotation schedule. The summer schedule will depend on the age and stage of development of the children, and whether the children are attending residential summer camp. The summer schedule may also be impacted by a parent's travel plans, particularly if they intend to visit family who live far away. However, an extended period of time away from either parent, especially if one is the primary caregiver, may be less appropriate if children are very young.

Where a child is enrolled in subsidized daycare, the parents should be aware of any requirement to take the child to daycare during the summer or other non-school days in order to avoid a penalty or lose their subsidy.

Religious holidays and other special days

To reduce tension, it is important for parents to make fair, child-focused holiday plans in advance, such as for Christmas, Hannukah or Eid. For some families, splitting a holiday like Christmas Day works well, but for other parents or children, a transition in a day such as that is difficult, and an annual rotation may be preferable. If, before parental separation, a child has looked forward to a holiday tradition like spending the whole of Christmas Day at one relative's home, it may be helpful for the child to continue that tradition, especially in the immediate aftermath of the separation. It is, however, also important to allow new holiday traditions to develop for the child.

Many parents expect that they will see their child on their birthday and the "honoured parent's day," Mother's Day or Father's Day, and most parenting plans make provision for such days. Parents who are the same gender may want to split the day or alternate years.

There is sometimes tension between parents about plans for holidays like Christmas and New Year's, or for events like Halloween or the child's birthday. Parents may place the same or different values on religious and other holidays, which can lead to conflict. To the extent possible, each parent should have the opportunity to spend time with the children on the days that parent considers important. However, some parents and their relatives may place greater significance on spending these "special days" with their children than the children do. While each parent may want to be with the child on a day like the child's birthday, and there may be a plan to divide the child's time that day, many children actually prefer to have two "special days," and are quite content to have "two birthdays" and even "two Christmases" each year.

Children are more likely to remember, and be distressed by, parental arguments around holidays, than to have strong positive memories of festive family events. Events when children receive gifts or are the center of attention, like a birthday, may be more anticipated than remembered, unless there are persistent negative memories of family arguments.

Changeovers & Transitions between Homes



The transition of children from one home to another is not merely a logistical event. For children, these changeovers may involve practical, emotional, and relational adjustments as they leave one household, move through an "in-between" space, and then settle into the other household. The experience of the transition may be affected by a number of related factors: the handover location; the time and distance involved; the people involved in the transition; the child's transition routines; the child's personal belongings, including any "transitional objects."

A parenting plan should be specific about changeovers. Depending upon the circumstances, the parenting plan may specify who is permitted to transport the child and whether advance notice is required if another adult will be involved, and, if so, whether that person must be known to the child, punctual and able to provide appropriate supervision and child-safety equipment, such as a child seat for a car. Restrictions may also be appropriate where there are concerns about impaired driving, unsafe driving, family violence, harassment, intimidation, substance misuse, or adult involvement of the child in parental conflict.

As uncomfortable as it may be at first, parents must adjust to new situations, including becoming acquainted with and civil toward “new” individuals who may now play a significant role in their children’s lives, such as the other parent's new partner. A parent’s discomfort with a new partner, relative, or friend should not justify excluding that person from pick-ups or drop-offs unless the discomfort relates to a child-focused safety or well-being concern. This also means that each parent should notify the other about who will be attending at the exchange, and each should be respectful towards the others involved in the presence of any children.

Adults involved in exchanges should also understand that their role at this time is limited: they should be calm, brief, respectful, and reliable; and they should not question the child, criticize either parent, discuss litigation, or use the exchange to send messages through the child. Recording of transitions by a parent is highly intrusive and should be avoided. If there are significant concerns about conflict during transitions, there should be supervision of the exchange by a family friend or relative or a neutral professional. As discussed below, transitions at daycare or school also minimize the potential for parental conflict and stress on the child.

The location of the exchange should also be considered. Some families can manage home-based exchanges in a calm and child-focused way. For other families, especially where there is conflict or a concern for safety, it would be preferable that exchanges take place at the start and end of school, day care, extra-curricular activities or camp. Public, neutral, and structured locations for exchanges serve to reduce direct contact between parents and limit children’s exposure to adult conflict. Parents should also consider, though, having regard to all of the circumstances whether the exchange location is comfortable, safe and age-appropriate for the child. Only in rare cases should a police station (or police station parking lot) be used to for the exchange of the children, given the implicit message that sends children that the situation is unsafe.

Parents should also consider the persons involved in the transitions. Grandparents, siblings, stepparents, new partners, relatives, or other trusted adults may help make exchanges easier, especially when they provide calm, continuity, and emotional support for the child. In appropriate cases where there are safety concerns, exchanges of the children can be arranged to take place through a supervised exchange service.

The parenting plan may also address transition routines and rituals. Children often manage changeovers better when they know in advance where they are going, who will be taking them, what time the exchange will occur, where they will be picked up, and which belongings they need. Younger children, neurodiverse children, and children with disabilities or complex needs may benefit from visual schedules, calm goodbyes and greeting routines, comfort items, extra time, and predictable settling-in activities. Older children and adolescents may need clarity about transportation, timing, school materials, sports equipment, technology, medication, curfews, and what to do if plans change.

Parents should also consider the child's transitional objects. A child's backpack, suitcase, school bag, sports bag, or other container can also become a visible symbol of moving between homes. Parents should try to avoid making children feel as if they are "living out of a bag" or carrying the burden of the separation. Where possible, each home should have basic clothing, toiletries, school supplies, and other regular items. At the same time, children should generally be allowed to take important belongings, comfort items, medication, devices, chargers, school materials, sports equipment, or special objects between homes when those items help them feel secure and settled.

Children often have favourite clothing, toys, or devices that they like to have with them, regardless of which parent's house they are spending time at. If these items are considered to belong to a child, the child should be permitted to take that item along, regardless of which parent bought them or is paying any ongoing costs for them. Both parents need to respect the child's connection to possessions that they may regard as their own. If there is potential for conflict on this issue, it is important for both parents and the children to be clear about the identification and expectations for these items.

This parental sharing of property could even extend to pets who might move residences with the children. However, it is important to be realistic about pet care and consider the welfare of the animal and each parent's connection to the pet, as well as a child's connection to the pet.

For older children and adolescents, parents should consider whether the young person can appropriately move between homes independently, including by walking, cycling, public transit, rideshare, or driving. This should depend on the young person's age, maturity, distance between homes, weather, time of day, safety of the route, and the parents' ability to agree on expectations. Even where an older adolescent manages their own transportation, parents should remain clear about where the adolescent is expected to be, who is responsible for supervision at each point, and what the adolescent should do if plans change.

The goal of any pick-up or drop-off arrangement is not simply to move the child from one household to another. The goal is to make the transition predictable, low-conflict, emotionally safe, and respectful of the child's sense of belonging in both homes. That means that new partners or anyone else picking up the child must also be informed about the process and to be helpful to the child during these transitions.

It is important that parents are on time for transitions. If there is unavoidable delay, the delayed parent should provide timely communication and updates.

Flexibility in Response to Unexpected Events and "Missed" Time

No matter how detailed their plans, parents will always need to be prepared to be flexible. There will inevitably be unexpected personal and family emergencies, such as the death of a relative, that will require flexibility and support from both parents. A good way to respond to situations when you are asked to accommodate an unexpected event or emergency faced by the other parent is to think about how you would want them to respond if you were faced with a similar situation or emergency.

Parents will also need to have flexibility to meet the needs of their children, such as due to medical events or unexpected school closings. There may also need to be re-scheduling if there is an out-of-town event related to sports or cultural activities, with participation in the activity being supported and arranged by one parent but occurring during the scheduled time of the other parent. Children appreciate parents who have the flexibility to meet their needs.

There may be an expectation that if one parent seeks a variation of the schedule, even for an unexpected event like a family funeral, that the other parent may have an equal amount of "make-up time" for the missed time. "Make-up time" is most likely to be a concern for a parent who has only limited time with a child. Most parents can resolve this type of situation on an informal basis as situations arise, and, if appropriate, arrangements can be made for the makeup time at the same time as the variation is being sought. But other parents may want to specifically address the issue of "missed time" in their parenting plan, including considering how it is to be arranged. For example, is a missed weekend to result in the next weekend being make-up time, or should the parent giving up time have the choice of when make-up time occurs?

Phone, Text & Video Calls: "Virtual Parenting Time"

The rapid increase in the use of communication technologies, such as text messages, email, video calls and social networking sites has created a greater number of ways for parents to maintain their relationships with their children and manage family responsibilities after separation and divorce. At the same time, the increased use of these methods has also created new areas of potential disagreement between separated parents. It is important to set out some ground rules for contact with one parent while the child is in the care of the other parent. If this is not clear, misunderstandings can arise about one parent "interfering" with the time of the other parent. Ground rules also help to ensure that virtual parenting time is not left to children to navigate on their own. Issues to address might be frequency and duration of calls, facilitation of the calls, privacy, management of missed calls, and tracking through use of devices.

Younger children are unlikely to have the time management skills and technical skills to arrange this type of contact, and they may feel guilt or sadness in the aftermath of having "forgotten" to call. Adolescents are more likely to enjoy greater independence in

The type of communication used will depend on many factors, including the child's age and stage of development. It is important to appreciate that most children, especially younger children, become bored or restless with conversations that are too long. Young children rarely enjoy long conversations, whether in person or on the phone or virtually. If there is conflict between the parents and the child is older, it may be beneficial to the child to have a form of communication that the child can use on their own and can use privately. Virtual parenting must be safe, but parent-child contact normally should also be private.



reaching out to each parent as it suits their schedule and needs. Parents should decide together if and how much phone, texting or other contact will meet the child's needs.

Plans for virtual parenting should be guided by the parents' ability to support younger children using technology, safely and respecting the privacy of both the child and parent-child relationships. Some children, especially younger ones, who are doing well spending time with a parent may become upset just by hearing the other parent's voice on the phone or seeing them virtually on the screen. Other children may want to be comforted by having regular communication with their other parent.

Sometimes, parents will only appreciate the importance of this for a child after a parenting plan has been put in place for some time, and a child has had time to feel comfortable and secure with the new parenting schedule. The amount of contact the child feels they need may also change based on age as well as external factors (e.g., stressful time at school, upcoming holiday). As such, parents should remain flexible and focused on the child's needs when evaluating how often the child contacts the other parent.

Screen Use

Screen-based digital media is now often embedded in childhood and is constantly evolving. These media include a broad range of services including social media, video games, Artificial Intelligence (AI) toys, and AI chatbots. Media content is "curated" for children and youth by purpose-driven algorithms for marketing and to capture attention, while technology and social media can be used to track a child or surveil a former partner.

This is an area of growing concern for parents and governments alike. Emerging research suggests that children's development and emotional well-being can be harmed by the content in their digital feeds and through the redirection of time and attention away from school, extra-curricular activities, and in-person social interaction. The permanence of a child's online presence means that it is more difficult for them to

recover from the inevitable mistakes they will make. Moreover, the reach of digital media is such that as long as children and youth have a device in their hands, they may not be able to escape or contain unhealthy peer interactions such as online bullying.

At the same time, digital media is a lifeline for some children, enabling them to connect with peers and form a healthy community, particularly if they are from a more rural area, or are an underserved or marginalized population. Children may also find themselves isolated if they are the only ones without access to digital media, if that is how their peer group is making plans and building relationships.

Screen use plans are becoming a part of daily life for children and parents, both in families where the parents live together and are separated. These plans may address such issues as:

- a definition of what constitutes "screen time"; (i.e., recreational use of iPad/tablets, phones, video games, streaming services, online video platforms);
- how much screen time is permitted per day on school days, weekends, and holidays;
- whether screen use for homework or educational purposes is included or treated separately;
- agreements regarding the use of social media platforms such as Instagram, TikTok, Snapchat, including age expectations, appropriate content, and communication rules;
- clarification of whether parents may "friend" or follow their child on social media, as well as rules about who the child may "friend" or follow and the types of content they may post;
- whether and how parents will have access to passwords and the extent of monitoring or supervision, considering the child's age and maturity;
- the use of parental controls and content filters to restrict access to inappropriate websites, monitor screen time, and oversee which applications may be downloaded;
- designated screen-free times or zones, such as during meals or before bedtime;
- expectations for respectful online behaviour and steps for addressing concerns such as cyberbullying; and
- guidelines for parental use of social media, including expectations that posts involving the children are respectful, protect the child's privacy, and, where appropriate, are made with the child's consent.

For separated parents there may be added issues to address, such as:

- logistical considerations such as whether devices such as an iPad will be present with the same apps in each home rather than travel back and forth with the child; and
- any limits on parental posting images or information about the children or the other parent online.

It is important to remember that children are learning to engage with friends online appropriately, and dialogue with children over the terms of a screen use plan will improve parent child relations and increase buy-in from the children. Teaching about social media, restrictions, and parental supervision will need to be adjusted over time as children get older and learn to use digital media responsibly.

Having a screen use plan adds an extra layer of complexity when coparenting. Coparenting includes working together to set appropriate screen time boundaries that align with a child's needs and best interests. It is necessary for coparents to have proactive discussions and clearly preferable to have a shared screen use plan. Generally, parents will want to be calm and approachable around their children's digital media usage to encourage open discussion. It is ideal when older children seek out their parents to problem-solve collaboratively about how to move forward in a positive way when issues arise.

As children get older, it is appropriate to ask their permission before posting anything about them online, and they are likely to start to use social media to communicate with family, friends, acquaintances and the wider world. It is preferable for parents to discuss and have shared rules about their children's use of social media, but if that is not possible, it is at least important for each to be aware of the approach of the other parent when the child is in the care of that person. It is also important to involve children in discussions about social media issues. The reality is that parents of adolescents often find that education and discussion with their children are the only effective ways to influence their children's use of social media.

In an ever-changing digital world, parents will need to continuously seek guidance from reputable sources when devising and updating screen use plans for their children.

If use of social media is addressed in a parenting plan, parents should consider whether this is to be based on an "honour system" (with violations coming to the attention of the parents to be addressed in some way), or whether there is an expectation of some type of monitoring.

A Right of "First Refusal" (or Assuring Priority of Parental Care)

A "right of first refusal" refers to whether a parent who is scheduled to care for the children can be absent (on account of work commitments, social engagements, and so forth) for a certain period of time before that parent is obliged to offer the other parent the right to have the children instead of having a third-party care for the children.

Right of first refusal provisions can become flashpoints for parents in negotiating and implementing a parenting plan. At one extreme, some parents seek an unreasonably short period of time before a right of first refusal must be offered to the other parent, such that it would be triggered after the elapse of only a few hours of a parent's absence, which may be impractical and very intrusive. In other cases, parents seek an unreasonably long period of time before a right of first refusal must be offered to the other parent, with the result that the residential arrangements for the children may be undermined by the over-reliance on third party caregivers. Many parents decide not to have a right of first refusal clause at all.

Arriving at an appropriate right of first refusal arrangement involves focussing on the best interests of the children rather than on the parents' interests. Consideration should be given to the children's ages and development; the parents' employment and other obligations; the possibility (and, perhaps, desirability) of the children being cared for by other important persons in their lives (for example: grandparents or stepparents); and the general desirability of avoiding children having to transition too frequently between residences, which is disruptive to them since then they are unable to "settle in" and get on with the business of living their lives.



Time with Other Significant Adults

Children may have significant relationships with adults other than their parents, such as grandparents or other family members or individuals who hold important cultural information, with each parent having the right and responsibility to decide who else to involve with the children "on their time."

But in some cases, parents may decide to include a provision in their 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 is important to the children to maintain that relationship by setting up regular contact.

When thinking about this type of provision, it's important to keep in mind the child's overall schedule as well as their involvement in other activities.

Time with Siblings

As discussed above, for both psychological and practical reasons, it is usually preferable to have a parenting time schedule that keeps siblings together. However, in some cases there may be different parenting time schedules for different children or occasional variations for one child, especially as children get older and can travel without either parent.

If one or both parents have new partners who have children, the parents should also consider whether schedules should be aligned to ensure some time with step or half-siblings.

Attendance at child-related events

It is important for parents to decide whether they will both together attend parent-teacher meetings and extra-curricular activities like sporting events, or certain medical or dental appointments. If parents can maintain a civil attitude towards each other, it is preferable for them to both attend at parent-teacher meeting and significant events, like school graduations.

If the child is in the care of one parent, for example at a sporting event, it is appropriate for the child to greet and interact with the other parent if that parent attends. This should be supported by the parent with care of the child at that time.

Parents with new partners should be sensitive about bringing them to events with the children where the former partner is also in attendance. This should generally not be done until the new relationship is stable, and the former partner should be informed in advance rather than surprised. It is preferable for children if their parents can be civil and attend some events together. However, it is important to be realistic, and if there may be unpleasantness or a confrontation, then it may be necessary for the parents to take turns attending. If there is potential for conflict on this issue, it is important to be clear about how this will be approached.

Provisions of a plan dealing with attendance at events should also include providing notice about outside activities or special events that the child may have (e.g. graduation from school or a medical or dental issue) to allow for joint attendance or at least ensuring that both parents are informed about the event.

Some questions to address may include:

- Will the parents take turns attending events?
- Will each parent be entitled to attend specific types of events (i.e. hockey games vs. school performances)?
- Seating arrangements?
- How will information about the events be shared in advance?

DECISION-MAKING RESPONSIBILITIES

Many decisions have to be made about children. Some are major decisions, perhaps affecting the child's life for years (e.g. deciding what high school a child will attend) or that may permanently affect the child's future (e.g. medical treatment). There are also a host of smaller day-to-day decisions that need to be made.

"Significant" Decisions

Typically, the "significant" decisions include:

- choice of school and educational needs, such as psychological or psychoeducational testing, remediation, enrichment, tutoring, or special class placement;
- medical treatment, including any dental care, special dietary needs, long term medications, and other health care needs such as therapy, counselling or vaccinations;
- participation in extracurricular activities, particularly if there is an expectation that both parents will be responsible for supporting the child's engagement; and
- decisions about faith, religious observances, spirituality, and cultural or ethnic heritage, and the languages that they will learn.

Parents may agree to make these major decisions jointly, have them made by one parent after consulting the other, or divide different areas of decision-making between them. If there is an agreement that decisions are to be made jointly, the plan should have some mechanism, such as mediation, for resolving disputes if they are unable to agree. Provisions in a parenting plan that may be used to resolve disagreements, such as mediation, are discussed below.

Although it is preferable for children if parents consult with each other and make major decisions jointly, it is important for parents to be realistic about whether they are to compromise to make joint decisions. Sometimes making joint decisions is not possible when parents have separated. An alternative is a provision that the parents are expected to consult about major decisions, but with one parent to have the final say. It is possible to have a division of responsibilities so that the parents are required to consult for all major decisions, but one parent will have the final responsibility for decisions in some domains, such as health care and religion, while the other parent will make the final decision about other matters, such as education and extracurricular activities.

Or, for example, parents may agree that each parent will select and pay for one extracurricular activity for a child, and that both parents will co-operate with the other's choice and take the child to the activities scheduled when they have care of the child.

If there is high conflict and poor communication, and it seems unlikely that parents will be able to consult in a productive way, a parenting plan specify that one parent alone will make some or all major decisions and will inform the other parent about them.

In considering how major decisions about aspects of the child's life will be made, it is important to appreciate that children should have a role in making some decisions, and in some contexts older children have the right to make some decisions.

Once a decision about a particular matter is made, generally both parents will need to cooperate in order to effectively implement the decision. This is especially true with decisions about ***education***, as it is likely under any parenting schedule that both parents will have some role in taking the child to or from school, assisting with homework, and meeting with teachers. ***Medical*** decisions often require both parents to ensure that medication or other aspects of a treatment plan are followed. ***Extracurricular activities*** will typically involve some support and transportation by both parents, particularly when the activity occurs during the parenting time of both parents. The implications of implementing decisions should be considered when a plan is made about the decision-making process.

"Day-to-Day" Decisions

While major, foreseeable decisions should be discussed in advance, in contrast, day-to-day and emergency decisions are usually made by the parent who is with the child at any given time.

The parent with care of a child will normally be permitted to make day-to-day decisions that concern their time with the child regarding issues such as doing homework, bedtime routines, meals, discipline and chores. Even for these decisions and routines, it is preferable for parents to consult and communicate with each other provided that it is safe to do so. While it must be recognized that each parent has the right to set their own "house rules", it is helpful for children to have consistency and stability. As well, for some issues, the health of a child may require certain standards of care.

While each parent is responsible for care and day-to-day decisions in their own home, it is especially important for parents to appreciate that the healthy development of infants and pre-school age children requires consistency in routines for bedtime, sleeping and diet.

Emergencies

In medical emergency situations, the parent with care of the child should try to immediately contact the other parent about the situation and involve them in decision-making consistent with the parenting plan. At a minimum, unless special circumstances exist, both parents should know about medical emergencies.

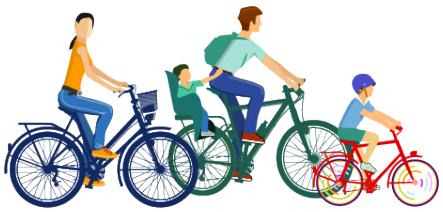
If a parent and child are involved in an accident or other urgent situation, the other parent should be informed as soon as possible and consulted as appropriate.

Implementing Plans—Expenses

Parenting plans do not typically address child support arrangements or incurring expenses for care of children, and advice regarding child support is beyond the scope of this *Guide*. Parents are, however, encouraged to inform themselves or seek advice regarding child support and the sharing of expenses for children to assist them in the implementation of their parenting plan. Specifically, in addition to understanding and addressing what child support obligations each parent may have to the other, parents may wish to address issues such as which parent will buy the children's clothing, toys and sports equipment, and pay fees for extra-curricular activities and whether both parents will be involved, or divide these responsibilities in some way.

Many parents address these issues on an ongoing and informal basis while others choose to implement a more formal arrangement, often as part of a comprehensive Separation Agreement. The latter arrangement provides certainty for both parents and may be particularly important if there is likely to be conflict over financial issues or the paying of expenses for the children.

To determine the child support that is payable in different circumstances, review the material of the Community Legal Education Ontario (CLEO) on Child Support and consult the federal child support guidelines and worksheets.



COMMUNICATING, PLANNING AND IMPLEMENTING

Good communication between parents is necessary for a positive coparenting relationship, though in some cases communication may need to be structured and limited.

It is important for a parenting plan to have ground rules about *what* information parents are required to share with each other about the children and protocols for *how* this will be done (e.g., app-based communication platform, frequency, reply time, etc.). It is also a good idea to decide how parents will discuss the child-related issues that will come up from time to time.

Information Sharing

Under both the *Divorce Act* and Ontario's *Children's Law Reform Act,* parents are presumptively entitled to obtain information about their children's health, education and well-being from the other parent and directly from any person or agency likely to have such information, like doctors and schools, even if these parents are not entitled to participate in or make major decisions about their children. Despite these presumptive legal rights, parents may want to include provisions in their parenting plan that recognize these rights (or that limit them), as this can help ensure that third party professionals are clear about whom they can provide with information. It may also be useful to add provisions reflecting the commitment of both parents to sign any consent forms for information release that professionals may require.

Parents should also be aware that older children may have the legal right to seek confidential treatment or counselling without either parent being informed. As a result, parents may wish to include provisions in their parenting plan that specify that a parent's right to access information is subject to their child's right to confidentiality.

Extracurricular Activities

It is valuable for children to participate in extracurricular activities, to the extent consistent with the children's age, interests and abilities, and the resources of the parents. If possible, parents should develop a joint plan for deciding which extracurricular activities the children will undertake.

One parent should only plan extracurricular activities that will occur during the other parent's scheduled time with a child with the advance agreement of the other parent. If nothing is agreed upon or court-ordered, the parent with parenting time when the activity is scheduled has the right to decide whether or not the child attends that activity.

Planning activities that will take place during the other parent's time without that parent's consent may be unfair to both the other parent and the child.

Religion, Spirituality, Culture, Language and Ethnicity

The *Divorce Act* and provincial legislation recognize that for many parents their religion, spirituality, culture, heritage, Indigeneity, language and ethnicity are very important, and it will promote their children's best interests if they can share their faith and heritage with their children, though for other parents these may be less significant matters.

If the parents have different faiths, cultural or ethnic identities, addressing these issues will be especially important, but can be challenging.

If these issues such as religious, ethnic and cultural practices are important to parents and likely to be contentious, the parenting plan should address them. Children and parents may have to adjust to the fact that a child has a dual heritage and will be exposed to both heritages. For some matters, like religion, there will need to be an expectation that at some point the child will have sufficient maturity to make his or her own decisions.

Indigenous Heritage

If one or both parents have Indigenous heritage (settlement/community, language, traditions or cultures), First Nation membership (status or eligible for status), there may be specific issues to be addressed in a parenting plan. These issues might relate to involvement and attendance at community events that may occur without a fixed calendar schedule (e.g. community feasts, programs, workshops or pow wows). Additionally, there are fixed date observances on May 5 (National Day of Awareness, Remembrance and Action Honoring Missing and Murdered Indigenous Women, Girls and Two-Spirit People), June 21 (National Indigenous Peoples Day) and September 30 (National Day for Truth & Reconciliation) which have community events and are important for many Indigenous families.

If the parents are from a different First Nation or Indigenous community, the child's registration should be addressed in their parenting plan.

The parents may also wish to explore the availability of alternative dispute resolution within their Indigenous community or First Nation community.

Documents

It is important to decide who will obtain and have primary responsibility for the care of important documents for children, like health cards and immunization records, SIN cards, birth certificates and passports. There should be consideration of inclusion of provisions for renewal of these documents prior to expiration.

Normally both parents should have copies of all of the important documents.

Vacations and Travel

It is important for parents to consider whether one parent will be travelling with the children, especially on long or faraway trips. If so, there should be provisions in the parenting plan to give the other parent prior notice so they know:

- where the children are going and staying, including specific addresses;
- which method of transportation they will be using, including specific details such as flight number and other similar details;
- how to contact the children while they are away; and
- when the children are returning.

The Government of Canada strongly recommends that children travelling across international borders 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. Parents may decide to include a provision in their parenting plan that deals with consent letters and may also want to use federal government recommended consent letters for children travelling abroad.

Passports

When parents are separated or divorced, Canadian Passport officials have rules about which parents' signatures are needed on passport applications and renewals. These officials are expected to ensure that the parent who applies has the legal right to apply and that there are no restrictions on travel.

For separated and divorced parents, there is a requirement that generally both parents need to sign the passport application for the child. However, a parenting plan, separation agreement, or court crder may specify that the one parent alone can obtain a passport without the other parent's consent. Parents should consult Passport Canada about their requirements, as this Office is generally quite strict about wanting clear documentation to allow one parent to obtain a passport.

Restrictions on Travel

Sometimes, a parent may be concerned about letting children leave the province or country. This may happen, for example, where one parent is worried that the other parent may try to take the children to live in another country. If a parent is concerned that the other parent may try to take the children to another country without their consent, it's very important to consult with a lawyer to make sure the parenting plan protects the children.

Placing a restriction on a child's travel can affect passport applications. If a parenting plan says that the children cannot be removed from Canada, passport officials may decide that they will not issue a passport for the child.

REVIEW AND MODIFICATION OF PLANS

Monitoring and Changing the Parenting Plan

A parenting plan should be developed with the expectation that it is likely to be modified as the children's needs and life circumstances change. There may also need to be modification due to changes in a parent's life circumstances such as health, employment or relocation. In developing the initial plan, it is useful to establish a process for making changes to the schedule or other parts of the parenting plan.

If a parent is thinking about making significant changes, especially related to the children's living arrangements or child support, it's advisable to discuss the issues and draft an amended parenting plan with a lawyer before it is signed to ensure legal rights, consequences and responsibilities are understood. A significant change in parenting time may affect child support obligations. Legal advice is particularly important if the change in the parenting plan is significant and the terms of your parenting plan are a part of a formal separation agreement or have been included in a court order, and there is an expectation that the revised parenting plan will be legally enforceable.

It may be advisable to have a dispute resolution provision related to possible modification, such as resort to mediation, if the parents cannot agree about modification.

ANTICIPATING FUTURE CHANGES

Children need different things from their parents at different ages and stages of development, and their schedules will change as they grow. This is especially true as children become more involved in activities and are increasingly developing independent lives. The younger the child is at the time of parental separation, the more their needs will change over time, which will require modifications to the parenting plan.

Parent Meetings

Parenting plans may have provisions for meetings between the parents at specified intervals to discuss parenting issues and the well-being of their children and consider plans for the future.

"Review" Clause

It is not uncommon to include a provision for meetings to review the parenting plan. This sets a time for the parents to meet to discuss the parenting plan and how it's working for their children. Preparation for such a meeting should normally involve some consultation with the children, unless they are very young, and children should be informed about any changes that may impact them. A provision for a first review meeting should be after a sufficient period for the parents and children to try out the parenting

arrangement. For example, there might be an initial meeting after three months, and then possibly meetings every 6 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, or the end of the summer or major school breaks are good times to make changes.

Parents should be aware that if they cannot agree to a revised plan and end up in court, the judge may be reluctant to order a change to a parenting arrangement that appears to be working to the child'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.

Unanticipated Changes

Sometimes, parents and children experience changes in their lives that were not expected when the parents made the parenting plan, and that may require discussion. For example, one parent may have a new work schedule or job that requires a change to the parenting plan. It's often a good idea to have provision for discussion of unexpected changes.

Local Moves

If one parent moves within a local area, it's important to give prior notice to the other parent, because it can affect the parenting arrangement and other arrangements such as school and extracurricular activities. The *Divorce Act* and the *Children's Law Reform Act* generally require each parent to give the other parent written notice of a local change in residence, providing the new address and contact information, and the date of the move, and the federal government has a form that can be used for this purpose.

Relocation

Moves of even relatively short distances can have a significant impact on children and their relationship with their parents, especially if children are going back and forth between the homes on their own, or the parents rely on public transit for moving the child. It's important to think about how to deal with this issue in a parenting plan, even if neither parent anticipates relocating.

Courts scrutinize contested child relocation requests, and proposed moves may be disallowed, especially if both parents have had significant involvement in the care of the children, and the relocation will negatively affect the child's relationship to the non-moving parent. Courts take a negative view of parents who relocate unilaterally, without notice or over the objections of the other parent, and such unilateral action may make ultimate judicial approval for a proposed relocation with a child less likely.



The *Divorce Act* and Ontario legislation define "relocation" as a move with a child that will have a "significant impact on the child's relationship" with the other parent. A person who plans to relocate with the child is required to give 60 days' written notice to the other parent of the intended move. This may give the parents time to discuss issues related to the relocation. If the other parent objects to the relocation with the child, the parent who wishes to relocate with a child is expected to obtain a court order before moving with the child.

If a parent plans to relocate, parents should be discussing such issues as changes in parenting schedules, communications, arrangements and cost sharing to allow a child to maintain a strong relationship with both parents. It is generally desirable for parents to resolve these issues by discussion or mediation, but they can go to court if they cannot be resolved. A significant factor in a court hearing will be whether the parent seeking to relocate with the child has been supportive of the relationship with the other parent and has a good plan for maintaining that relationship despite the move.

Family Dispute Resolution

An important reason for developing a parenting plan is to limit future conflicts. However, as children grow older and lives change, there may be a need to modify a parenting plan. Preferably parents can agree to a child-focused modification, but sometimes they will be unable to agree. Also, as discussed above in the section on Decision-making, if the parenting plan provides that parents will make some decisions jointly, for example about schooling, they may not always agree.

It's valuable to include a provision in a parenting plan that specifies how to resolve disagreements. While it is always possible to take a dispute to court, this is a slow, costly and adversarial method of resolving disputes. Parenting plans often include provision for some form of non-court family dispute resolution process such as mediation, collaborative family law, parenting coordination or arbitration, or consultation with a respected community member or parenting coach before either parent resorts to the courts to resolve a dispute. The agreement may include provisions for the payment of the costs of using such dispute resolution processes.

SPECIAL CONSIDERATIONS IN MAKING A PARENTING PLAN

Each situation is unique but there are some special considerations when making parenting plans and schedules in specific contexts.

Parents Who Never Lived Together



Absent the involvement of child protection authorities or surrogacy, if the parents are not living together, the birthing parent (mother) has the right to make immediate medical decisions and take the child home. However, the child's other parent also has rights. When a child is born and the parents are not living together in a spousal relationship, if the parents do not agree about parentage, it may be necessary for legal parentage to be established. This process usually involves DNA testing.

As soon as parentage is established, and even before that, the birthing parent should be encouraging the development of a strong relationship with the other parent, unless there are concerns about abuse or a lack of capacity to provide adequate care. As discussed in the section above on infants, there should be short, frequent visits as a relationship is established and the other parent gains experience with the child.

In some cases, the other parent will not be involved, and perhaps was not even acknowledged at birth, and will have little or no contact with a child until later in life. In such cases, there should be a gradual increase in the time between the absent parent and child until the child feels comfortable with the parent and the parent has acquired the necessary parenting skills to care for the child. It is important that the parents maintain flexibility considering the child's age, development, and ability to transition when creating a parenting plan, especially if the length of absence has been great. The child's emotional needs in adjusting to having a new parent involved in their life should be paramount in determining an appropriate parenting plan. An older child should also have some input into whether, when and how a formerly uninvolved parent should be introduced into the child's life, and whether contact should be maintained.

In some places there are parenting classes that can assist a parent without experience in childcare by teaching the skills and knowledge needed to become an involved parent.

Long-Distance Parenting

Children benefit when parents reside within a reasonable distance of one another in order to ensure regular contact between the children and both parents. Long distance parenting is challenging and requires both parents to plan, be creative and be flexible to lessen the impact of the distance on the parent-child relationship.

When parents live a significant distance apart, children (at least those attending school) will inevitably have a primary residence where they attend school, but they should also generally have significant time in the care of the other parent.

The nature of the parenting schedule in these situations will depend on many factors, including the age of the children, the children's temperament, the financial resources of the parents, and the distance between the parents' homes. To the extent possible, parenting time at the other parent's home should be at times that don't significantly interfere with a child's school and important activities. Despite the distance between homes, and to the extent it is feasible, parenting time should occur in both locales so the parent who does not have the child's primary residence can be involved with a child's extracurricular activities and school life.

Opportunities for virtual parenting can help enhance the opportunities for the parent without primary residence to also have a meaningful role in the child's life, assist in establishing routines, and enable relationship-building activities such as reading stories, singing songs and playing games. For older children, internet-based communication may allow a distant parent to assist with homework and discuss daily activities with the child. When one parent lives at a distance, it is important for the primary residential parent to not only facilitate this type of contact with the other parent, but also to send regular updates about the child's school performance, activities and development. When these types of contacts occur, it would be beneficial for the child to have adequate privacy to meaningfully engage with the other parent (unless supervision is considered necessary due to safety concerns).

Parents in the Armed Forces

There will be special issues in developing a parenting plan if one or both parents are members of the armed forces and are subject to extended training cycles, transfer within the country or deployment out of Canada.

If one parent is being deployed, the parenting plan, more than any other, requires the cooperation of the other parent in assisting with the many different feelings that a child may experience upon the deployed parent's return. To the greatest extent possible, the child should be encouraged to maintain consistent contact with the military parent through virtual parenting during periods of deployment. Where possible the child should also have regular connection with the military parent's extended family in order to ease with reintegration upon their return.

Unless there are child saftety concerns, the parenting plan should normally provide for extended parenting time when the parent who has been absent becomes available for the child, after a period of transition or a step-up into their parenting time so that the child becomes comfortable with the parent who has been absent. The length of the step-up period will vary depending upon the age and stage of development of the child, their specific needs, the extent of the parent's absence and the nature of their

relationship before their deployment. Returning parents should be patient, gentle and welcoming and maintain an age or developmentally appropriate structure for the child.

The Canadian Armed Forces has significant resources for helping members (and their families and professional advisors) on understanding the impact on the child, the deployed parent and the adult at home of deployment, which should be consulted to assist in developing an age-appropriate parenting plan.

Children with Special Needs

If a child has behavioural, learning, communication, or intellectual disabilities, such as a neurodivergent, intellectually gifted child, or a disability or physical limitation, parenting arrangements require special attention, and schedules may vary according to what the child requires. Parents need to consider having assistive devices or technology and medication in both homes. Specialized medical and educational care requires time and financial planning as well as consideration for respite support for each parent.

Both parents should understand and be sensitive to the health, mental health, learning disabilities or other special needs of the child and agree upon the appropriate interventions including doctors, therapists, treatment providers and special education services. This may require agreement about whether the child has special needs.

It is imperative the child is not the messenger regarding their diagnosis and treatment. The parents must agree to a plan to manage the treatment; while the treatment provider can provide advice to both parents, it is not appropriate to expect this person to mediate parental disagreements. Parents must communicate about the sharing of medication and other equipment required to assist in the child's care. When parents are able to cooperate regarding their child's special needs, both parents should participate in doctor appointments, the treatment plan and school meetings regarding care.

Parenting time must accommodate for the child's special needs. Some children with special needs face significant challenges with transitions or need especially stable and consistent routines. Equal time regimes and frequent transitions may be less appropriate with some children with special needs. When in doubt, consultation with a health professional is highly recommended. It will, however, often be valuable for both parents to be able to provide care to allow respite for the parent with the primary residence of a child with special needs.

Family Violence

In some families, there has been violence between the parents. Violence between the spouses, even if not seen or heard by the child, exposes a child to emotional risk, and parents who are violent towards their partners may also abuse their children. Parenting plans in these families should include provisions to protect the child and parents, including transitions in neutral places and limited contact between the parents. In some

cases, contact with a violent or abusive parent may need to be supervised or suspended. Additionally, such parenting plans may include a counselling or treatment plan for the child and parents to address the effects of the family violence on the children.

In some situations where one parent is engaging in a pattern of coercive, controlling behaviour towards the other parent, dominating their partner or instilling fear, the parents should not be developing their plan without assistance. In many such cases, parenting plans should be court-mandated, and the court should consider including provisions for support services for the victim and child, interventions for the parent who has engaged in abusive acts, conditions to be met regarding their contact with the child, and consequences for violating orders. It is especially important for those who have been victims of violence to obtain legal assistance. Legal Aid Ontario provides some free legal assistance for victims of family violence to help them understand their position and rights, including related to domestic violence and immigration status. If parents are involved in criminal, child protection or other proceedings that raise family violence issues, this may affect participation in mediation or other family dispute resolution processes and may limit the nature of a parenting plan.

It should, however, also be appreciated that even if one parent has been abusive, children will often want, and benefit from, a relationship with that parent, provided that person has acknowledged and addressed their abusive behaviour, and taken steps to ensure that the safety and well-being of the child and other parent are protected.

In some cases, one of the parents will be facing criminal charges and subject to bail or probation conditions that restrict their ability to contact the other parent and/or children. There are potentially complex issues that need to be addressed in the criminal court, and it will be necessary to talk to a criminal lawyer or attend at the criminal court to change conditions to permit a parenting plan to be negotiated or to arrange for visits with the children.

Immigration Status and Intersectional Vulnerability

In some families one or both parents may be immigrants, refugees, or in Canada with a temporary status or no immigration status. These parents, and their children, often face economic, social and emotional stresses. In some cases, there may have been trauma-related experiences before coming to Canada, and there is also the potential for family violence or abuse that may be occurring in Canada. In some cases, community members or relatives may be pressuring vulnerable parents, especially mothers, to stay in relationships that may be abusive.

Parents in these cases often have “intersectional vulnerability,” facing complex, interacting disadvantages or discrimination due to race, gender, economic position, immigration status, language and other factors that make them especially vulnerable in trying to make post-separation parenting plans and economic arrangements. It is

especially important for vulnerable parents facing intersectional challenges to have appropriate supports when making parenting plans, from agencies like shelters and organizations that support newcomers to Canada, as well as from lawyers. Legal Aid Ontario provides some free legal assistance for victims of family violence to help them understand their position and rights, including related to family violence and immigration status.

Parents who are immigrants, refugees or lack immigration status often have ties with other countries. Plans about parenting for these families may require consideration not only of Canadian law, but also of international treaties, particularly when making provisions about travel or relocation. Parents and service providers are urged to exercise caution and to obtain professional and legal advice before finalizing agreements. These issues are beyond the scope of this *Guide*.

Parental Substance Misuse or Mental Health Issues

Mental health or substance misuse problems may adversely affect parenting if a parent is emotionally unavailable, is unable to adequately discipline and set limits, or is unable to provide a safe environment for the children. In such cases, it may be necessary to consider alternative parenting arrangements such as therapeutic intervention, supervised parenting time, or limited parenting time until the concerns have been satisfactorily addressed. Protocols may need to be put in place for ongoing or periodic monitoring and for a resumption or gradual increase in parenting time.

To the extent that parents with mental health or substance misuse issues are compliant with their treatment plan, or parenting is not affected, regular parenting time can be established or resumed. In many cases, it will be beneficial to proactively plan for a relapse, with provisions to address the affected parent's responsibility to communicate the relapse and the arrangements that will be in place to ensure the children's safety (e.g., supervisory arrangements, switch to virtual parenting time, temporary suspension of contact) while the parent takes steps to address their situation. Parents should also consider whether their children may benefit from counselling or educational programs to assist them in understanding the issue their parent is experiencing; in many situations, this may be an important element of safety planning.

Unless a parent with mental health or substance misuse issues acknowledges their condition and its effect on parenting, it may be necessary for the courts to be involved in making a parenting plan. It should, however, also be appreciated that even if a parent has substance misuse or mental health issues, if those are properly addressed, children will often want and benefit from a relationship with that parent.

Incarcerated Parents

There are many children who have experienced one or both parents being incarcerated at some point during their childhood. An incarcerated parent is still a parent to a child, and in many cases the child has a legal right and an emotional need to remain in contact with the parent, especially if the parent-child relationship was strong prior to the incarceration.

While a child may benefit from having some contact with an incarcerated parent, unless ordered by a court, a non-incarcerated parent is generally not obliged to take the child on visits in prison. If parents are separated, a parenting plan needs to be established that takes into account the length of the prison term, the nature of the parent-child relationship before incarceration, the distance from the child's home to the prison, the security restrictions at the prison, as well as the age, developmental needs and comfort level of the child, and the availability of relatives or others who are willing to facilitate contact. In-person visits may be appropriate, perhaps facilitated by a grandparent or other relative. Parents should continue to encourage written and telephone contact when an in-person visit is not appropriate.

Work Schedules That Are Not Standard

A "non-standard work schedule" refers to a situation where the majority of the work falls outside the typical weekday schedule. This includes occupations where shifts are longer than 8 hours, take place outside Monday to Friday between 9 a.m. to 5 p.m. Common examples include shift work with 12 or 24-hour rotations, evening or overnight shifts, weekend hours, rotating shifts, and/or on-call schedules. When separated parents plan for parenting time, a non-standard work schedule can add a layer of complexity to the parenting time schedule.

While a parent should not be penalized for their work schedule, the schedule should be realistic and reasonable considering the sleep/wake schedules of a parent. The schedule should prioritize the child's best interests, and not the parent's occupation.

Families where at least one parent has a non-standard schedule should focus on the importance of consistency and predictability over sameness and rigidity. Consistency and predictability follow a general sequence and have roughly the same structure, while accounting for the inconsistencies of work schedules. When a parent's schedule is atypical or changes regularly, the parenting plan may have a "time allocated" structure rather than the more common "set time" schedule used when parents have standard work weeks. The "time allocated" model is based on providing for flexible parental caregiving time over a defined period, rather than having a fixed calendar-based weekly schedule and measuring parenting time through various parental care activities such as overnights, weekends and after-school dinners, or a percentage of total time.

The following approaches might be considered when preparing a parenting time schedule where one or both parents have non-standard schedules:

- A schedule is based on “time allocated,” determined by the number of weekends, overnights, and after-school dinner parenting time per scheduling cycle. The cycle can be a month or based on the changing nature of the atypical schedule (e.g., cycling schedules on a 6-week rotation).
    - For instance, it can be agreed that “each four weeks the child will spend one full weekend (Friday to Monday) with the parent who has a non-standard schedule, in addition to six overnights (consecutive or not) and two dinners.”
- A “time allocated” schedule may need to be readjusted when the parent with the non-standard schedule receives their new work schedule.
    - For instance, in a case where the father has a non-standardl work schedule that changes every four weeks and a mother who has primary care, a clause might provide: “Within 48 hours of receiving his monthly work schedule from his employer, the father will provide a copy of his schedule to the mother by email/OFW and shall designate his periods of parenting time in accordance with the time allocated (one weekend – Friday to Monday – 6 other overnights and two afterschool dinners, 3pm – 8pm). Upon receipt of the father’s schedule and his designation of periods of care, the mother will promptly notify the father of any conflict in scheduling, and both parties will work together to resolve any such conflict. In the event the father agrees to modify his designation of periods of care in response to the mother’s notification, the father will have care of the child during the alternate periods of care that they agree to.”
    - Or parents can alternate “first pick” once the schedule is available.
- Have alternate parenting schedules based on the non-standard schedule.
    - For instance, Schedule A when the parent with the non-standard schedule is on night shifts, and Schedule B when not on night shifts.
- These parenting agreements may include a clause where parents agree to revisit and adjust the parenting plan if the parent no longer has a non-standard schedule.
- As in any parenting plan (and as discussed above), the parents should consider whether there will be a "right of first refusal” or provision for care by a third-party such as a family member, nanny, or other caregiver if a parent is unable to exercise their scheduled parenting time. This may be more significant if one parent has significant periods when they cannot exercise parenting time.
- For families where one parent holds seasonal employment or is regularly travelling, the family might have two schedules: one for seasonal work/deployment periods and one for when the parent is at home. It is wise to

include a gradual buffering period when shifting between the two schedules and to include plans for contact with the parent who is away in the parenting plan.

Not all children need to have the exact same schedule every week, as long as the overarching plan is consistent and clear. This process requires more creativity and flexibility from the parents, as well as a commitment to share the information with the child in an age-appropriate and clear manner. It is important for both parents to communicate the family's schedule to the child in an age-appropriate and normalizing manner (e.g., "This is just how our family's schedule works.").

Additionally, the parent with a non-standard schedule can take the following steps to maximize their involvement with the child:

- Conduct a realistic audit of their schedule and availability and determine how much flexibility and predictability the schedule and workplace can offer.
- As much as possible, schedule parenting time to regularly attend:
    - Evening routine time (dinner, homework);
    - School drop-off/pick-up;
    - Activities (classes, practices) and playdates scheduled for the child;
    - PD days; and
    - Be available for illness and emergencies
- Set clear workplace boundaries regarding workload and schedule.
- Any special work schedule accommodations (e.g., flexible start/end time; work from home agreements) should be put in writing.

It is equally important for the parent with the standard schedule to support the parenting time and involvement of the parent with the non-standard schedule.

- Be mindful of the other parent's schedule when planning the child's extracurricular and social activities.
- Communicate proactively about events that affect the child's schedule (e.g., school events, birthday parties).
- Be flexible and open about offering parenting time to the parent with the non-standard schedule (e.g., school pickups).

Child Support

Children need the financial support of both parents, even after separation or divorce, and all parents have the joint obligation to provide that support according to their ability to do so. The term “child support” refers to an amount that one parent pays to another for the financial support of a child.

The parenting schedule and parenting plan should be made based on an assessment of the needs and best interests of the children. However, parents should be aware that some parenting arrangements will affect child support obligations and entitlement to some government benefits. In particular, if a parenting schedule results in both parents having the child at least 40% of the time, that may result in a situation of “shared parenting time” for the purposes of the *Child Support Guidelines* and may affect entitlement to the Canada Child Benefit and the Eligible Dependent Credit for tax purposes.

Although a discussion of child support is beyond the scope of this *Parenting Plan Guide,* some of the issues addressed in a parenting plan may affect the amount of child support that is payable, and the payment of child support may affect the ability of parents and children to participate in some activities related to a parenting plan. Some parents decide also to address some or all child support issues in a parenting plan.

To determine the child support that is payable in different circumstances, review the material of the Community Legal Education Ontario (CLEO) on Child Support and consult the federal child support guidelines and worksheets.

Additional Resources For Parents

Federal government resources on post-separation parenting plans

Ontario Steps to Justice (Community Legal Information Ontario): Child custody,

TERMINOLOGY

These definitions may help you understand legal terms related to parenting. They are not legal definitions. For a legal definition of these terms, you may wish to consult a family lawyer or a government-supported web-site.

access (or visitation time)

This was the term used prior to March 2021 under the *Divorce Act* and provincial legislation to describe the time or right of a parent without "custody" (or primary care) of a child to spend time with the child; an access parent was also entitled to request and receive information about the health, education and welfare of the child. Although the terms "access" and "visitation rights" continue to be used by some, it is preferable to use the term "parenting time" to describe the time that a child spends with a parent.

alternative dispute resolution (ADR)

See family dispute resolution below

arbitration

Both parents agree that they will select a neutral person—the arbitrator — will decide issues related to parenting, after having some type of hearing, and that they will be legally bound by the arbitrator's decision, just as they would be by the decision of a judge. The arbitrator acts somewhat like a judge, but the process is less formal than court and may be resolved faster. Parents have to pay for arbitration. Arbitrators are often family lawyers or experienced mental health professionals.

assessment (or court-ordered parenting plan evaluation)

A process in which a social worker, psychologist, or psychiatrist is appointed by the court to gather information and make recommendations about a parenting plan to the judge and the parents. The assessment is a professional evaluation about the best interests of the children. The assessor will speak with the children to find out their views and will likely observe the children interact with each of the parents, as well as interview parents; depending on the assessor's qualifications, there may be psychological testing as part of this process. In Ontario, assessments are undertaken under the *Children's Law Reform Act* s. 30, and are paid for by the parents. (See also discussion below of Office of the Children's Lawyer, which includes provision of a clinician's report.)

best interests of the child

Where parenting arrangements are made under the *Divorce Act* or the Ontario *Children's Law Reform Act,* they must be in the best interests of the child. This means an arrangement that will best encourage the child's development, happiness and success. There are many factors to consider in determining the child's best interests, such as:

- the age and stage of development of the child;
- any special needs of the child;
- the child's relationship with each parent;
- the child's relationship with siblings, grandparents and other extended family;
- care arrangements before the separation;
- the child's wishes;
- each parent's ability to care for the child;
- the ability of the parents to cooperate and communicate about parenting issues;
- the willingness of each parent to support the child's relationship with the other parent;
- the child's cultural, linguistic and religious upbringing, including indigenous heritage; and
- issues that may affect the child's safety and either parent's parenting abilities such as family violence, substance abuse, or serious mental health issues.

blended family

A family with two parents who have children from different relationships, and may include a child of the current relationship.

Child Support Guidelines

The regulations under the *Divorce Act* and the *Family Law Act* that apply when setting child support amounts that are to be paid from one parent to the other. The *Guidelines* consist of a set of rules and tables that must be followed by the courts when judges are setting the amount of child support. There is information on the internet about determination of child support under the *Guidelines.*

Children's Law Reform Act (CLRA)

The Ontario law that deals with post-separation parenting. It generally applies to parents who cohabited and were non-married. Its provisions are identical to those that apply to parents who were married and are divorcing, but the *CLRA* has some added provisions that deal with procedural issues for all parenting cases, for example to allow the court to order an assessment.

Coercive control

Coercive control is a pattern of abusive behaviour through which one partner uses threats, intimidation, manipulation, or other tactics to restrict the other person's life and freedom and reduce their sense of independence and autonomy. It is a form of family violence, even if there is no physical violence. If there are concerns about coercive control, a judge may consider its impact when making parenting decisions based on the child's best interests. In its 2026 decision in *Ahluwalia v Ahluwalia,* the Supreme Court of Canada discussed the concept of coercive control and explained its significance for family law cases.

collaborative law

Both parents, their lawyers and potentially other professionals, agree to work cooperatively to come to an agreement. During the collaborative process, both parents agree not to bring any court applications. There is an incentive to come to an agreement for if the collaborative process does not result in an agreement, the collaborative lawyers cannot represent them in court, and both parents would have to hire new lawyers or proceed as self-represented litigants.

contact

A term used in the *Divorce Act* and *Children's Law Reform Act* to refer to a provision of a parenting plan or court order that allows a person who is not a parent, such as a grandparent, to have visits with a child or regularly communicate with the child.

counsellor

A person who is trained to provide advice or guidance on personal issues such as parenting after separation or divorce. Counsellors may have different backgrounds such as social work or psychology.

consent order

Means that both parents agree on certain issues, and a judge will make an order based on the agreement.

coparenting relationship

The type of relationship between parents who are separated or divorced where parents intend to jointly meet the needs of the child for whom they share responsibility. There are many types of coparenting relationships and a range of ways in which parenting time and responsibilities are shared between parents.

court order

A decision by a judge that is written down. Parents must follow what the court order says. Court orders can be changed by going back to the court and asking for a change, but only if there is a good reason or the parents agree to a change.

custody

The term traditionally used to describe the right of a parent to make all major decisions about the child and have the child primarily reside with that parent. This was also called “sole custody.” The concept evolved to include arrangements for joint custody, shared custody and split custody. Although orders and agreements made prior to March 2021 continue to use this term, present legislation uses more child-focused and nuanced concepts like parenting time and decision-making responsibility.

decision-making responsibility

Parental decision-making responsibility means the responsibility for making important decisions about their children’s well-being. This includes decisions about their children's:

- health care
- education
- culture, language, religion or spirituality
- significant extra-curricular activities

Important decisions can be made in a number of different ways, including:

- *Joint decision-making responsibility:* The parents will consult each other and make the decisions together.
- *Consultative decision-making responsibility:* One parent will be responsible for final decisions, but must consult the other before making a decision, and must inform the other parent of the decision.
- *Sole decision-making responsibility*: One parent makes the decisions and informs the other.
- *Divided (parallel) decision-making responsibility*: The parents divide responsibility for decisions (for example, one parent will make decisions about health and religion, and the other parent is responsible for other decisions, for example, on education).

Divorce Act

The federal law that sets out the rules for divorce, legally ending a marriage. For those getting a divorce, it also governs parenting and support issues. There were significant amendments to the parenting provisions of the *Divorce Act* that came into effect March 1, 2021 (Bill C-78).

family dispute resolution

This refers to various ways of resolving disputes rather than having a judge make a plan for the parents. There are a number of different types of dispute resolution that occur outside of the courts, including: negotiation, parenting co-ordination, collaborative law, and arbitration. Mediation is a form of dispute resolution that occurs outside the courtroom, but in Ontario there are mediation services affiliated with the Family Courts, and there are also private mediators.
The term "alternative dispute resolution" (ADR) is also used to refer to resolution outside of court as in mediation, collaborative law, parenting co-ordination or arbitration.

family justice services and programs

Programs or services intended to assist families in dealing with separation and divorce. Examples include: mediation, parent information programs, supervised access programs, and maintenance enforcement programs.

family violence

Abuse against children or adults in a family. The abuse can be physical, sexual, financial or psychological, and includes coercive control. Neglect can also be a form of family violence.

good enough parenting

A term used to describe a parent who is able to keep their child physically safe, and, most of the time, is able to meet their child's emotional needs. Good enough parenting emphasizes the notion that parents do not need to be perfect, and also do not expect perfection from their children or from the other parent.

intersectionality

A concept originally developed by the Black legal scholar, Kimberlé Crenshaw, that has now been theorized by others and come to have a range of meanings. For the purposes of this *Guide*, it can be understood as referring to the reality that people have different social identities, which taken together, result in increased challenges, discrimination or oppression. A person's social identities include their race, economic status, gender, age, ability, sexual orientation, ethnicity, immigration status, ability to speak English or French, and culture. A person's experience in the family justice process may be negatively affected by their social identities. For instance, a person can be Black, a woman, and living on social assistance. This means she may face challenges in dealing with intimate partner violence and the family justice system that are greater than other, wealthier women, or even other wealthier Black women.

joint parenting (formerly known as joint custody,often called shared parenting)

Both parents have shared legal responsibility for the child and make major decisions about the child together.

mediation

A process in which a neutral third party helps parents come to an agreement about issues related to separation and divorce, such as their parenting arrangement. Mediators are not marriage counsellors and cannot impose a decision on the parents. In Ontario there are mediation services that provide free or geared to income mediation to separating parents. Some family lawyers also have a private mediation practice, but a lawyer who is acting as a mediator cannot provide legal advice to either party to a mediation.

mental health professional (MHP)

A professional to provide mental health services, including a social worker, a psychologist or a psychiatrist. Some of these professionals have particular expertise in cases of separation and divorce, and may be well suited to providing assessment, mediation or counselling services for separating parents and their children.

negotiation

Discussions to try and come up with a compromise or agreement about parenting issues. Parents may negotiate themselves, or they may negotiate with the assistance of their lawyers.

Office of the Children's Lawyer (OCL)

An independent office of the Ontario government that may become involved in a parenting dispute at the request of the court or parents and the Office can: prepare a clinician's report (on family functioning and child's responses to separation, perhaps including recommendations about a parenting plan): prepare a Voice of the Child Report (a report on two interviews with the child); or appoint a lawyer for the child (sometimes assisted by a clinician). There is no charge to parents for its services, but the Office has a discretion as to whether or how to get involved in a case. The Office is staffed with both lawyers and clinicians and maintains a panel of lawyers and clinicians in private practice across the province who provide these services to children and families on behalf of the Office.

parenting arrangements

The arrangements parents make for the care of their children after a separation or divorce. This includes arrangements about how much time children will spend with each parent, and who will be responsible for making major decisions about issues such as where the children will go to school, their religious education, their medical care, their after-school activities and so on. Parenting arrangements were historically referred to as "custody" and "access," though these terms, with their property-like connotations, are no longer being used in courts or legal documents.

parenting coach

A person who helps parents adopt new strategies, ideas and attitudes to parenting. Parenting coaches focus on the future and help parents adopt problem-solving skills.

parenting coordinator

A professional, usually a social worker or family lawyer, who meets with parents to facilitate and resolve disputes about the implementation of their parenting plan.

parenting plan

A written document that sets out how parents will care for their children after separation or divorce.

parenting time

The time that a parent (or other person) spends with care of a child under an agreement or court order. The person with parenting time has the responsibility for making day-to-day decisions related to their caring for the child during that time, such as related to feeding and discipline. Parenting time is usually divided between the parents based on a parenting schedule.

primary caregiver

If the child spends a substantial majority of time with one parent, that person may be referred to as the primary caregiver or residential parent. The other parent may still have shared parental decision-making responsibility.

separation agreement

A written document that reflects an agreement between separated or divorcing parents about the legal issues that face them, including division of property and support, and usually parenting. It has legal effect and is often also incorporated in a consent Court order. A parenting plan may be incorporated into a separation agreement, or be attached to it, or can be a complete separate document.

shared parenting

The concept of shared parenting has a range of meanings but generally refers to a parenting arrangement where there is both shared parenting time and joint or shared decision-making.

shared parenting time (formerly called shared custody)

A child lives at least 40% of the time with each parent. This may affect the amount of child support payable under the *Child Support Guidelines* s.9.

sole custody

A term traditionally used when one parent had the right to make the major decisions about matters such as the child's education, religion and health care; the child would primarily reside with that parent. Although this term appears in orders and agreements made before March 1, 2021, it does not appear in current Canadian legislation.

split parenting time (previously known as split custody)

An arrangement where at least one or more children reside most of the time (at least 60%) with one parent, and one or more children live primarily with the other parent. This splitting of siblings occurs in about one case in twenty in Canada.

step-family

A family where at least one of the parents has a child from a previous relationship.

step-up parenting plan

This refers to a parenting plan that may be envisioned like a staircase, with a parent with a history of less involvement in the care of a child gradually increasing time with the child as that parent gains experience and the parent and child become more comfortable spending longer periods together. This also gives the child time to gradually adjust to spending longer periods away from a parent who may have been a primary attachment figure.

Voice of the Child Report (also called a Views of the Child Report)

A report, usually prepared by a social worker, summarizing the results of two interviews with a child, with the child brought to each interview by a different parent. The child meets alone with the social worker. The report focusses on the child's perspectives and preferences, and does not include a recommendation about parenting by a mental health professional or other appropriately trained family justice system professional.

