

Parenting After Separation

Parents' Guide



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Introduction

Parenting After Separation (PAS) is a course, offered by the Government of Saskatchewan, for parents and guardians who are separating or divorcing. The purpose of the course is to help you understand the legal process of separation (or divorce), the way your children are likely to feel and behave, and what you need to know so you can make positive choices on how you will continue to parent your children, both separately and together. The course explains how you can stay focused on what your children need even when it is difficult to do so.

The PAS course will help you to:

- Learn parenting and co-parenting skills that help children adjust after parental separation or divorce.
- Understand how children at different ages respond to separation or divorce, warning signs of stress at each age, and what you can do to help your children cope.
- Learn about dispute resolution options that are available to you.
- Know more about the legal process of separation or divorce.
- Prepare a parenting plan – an agreement between parents about how they will raise their children going forward.

The PAS course is composed of four sections:

1. Relationship Building Blocks
2. Children Can Cope with Separation and Divorce
3. Learning Your Way Around The Legal System
4. Parenting Plans That Work For Your Family

Information in this parent's guide is organized by these four topics with worksheets and fact sheets to help you as you move through the course. There is also a section called **Important Information** that contains more information about child support, recommended reading lists for parents and children, recommended websites, etc. As you move through your process of separation or divorce, it will be helpful to refer to these materials as different questions come up.

To access this manual online along with additional information, visit:

www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/parenting-after-separation-and-divorce-program.

Sources of Information and Expertise

The 2011 Parenting After Separation curriculum was revised and adapted by Marsha Kline Pruett, Ph.D. and Rachel Ebling, Ph.D. from the original PAS curriculum, which was developed in 2007. Funding for revisions was provided by the Palix Foundation, Inc.

This manual was further revised and adapted from the Government of Alberta's Parenting After Separation (PAS) course in September 2022.

Section 1 – Relationship Building Blocks

Key Points

Parental separation and divorce can be an especially stressful time for children because children lose some amount of time with at least one of their parents and many changes occur in their family all at once. When children feel secure that their parents love them, will continue to care for them and be available to them in a consistent way, this creates a healthy attachment to parents (or other caregivers) who are of primary importance in a child's life. The children who appear most vulnerable to developing problems are those who experience many changes and transitions during childhood (e. g., separations, divorces, remarriages, blended families, moves, and changing schools).

There are ways parents can co-parent together and parent individually that are especially important in helping children cope with the stresses of parental separation or divorce. This class will teach you about attitudes and behaviors that you can adopt in the here and now.

Co-parenting means that both parents maintain a shared focus on their child's well-being and encourage a respectful view of the other parent. It also means that each parent actively supports the other parent's time and involvement with their child – “opening the gate” to the other parent, so that children don't feel they have to choose and lose.

While many children have difficulties following their parents' separation or divorce – including sad, angry, confused, worried, and scared feelings and behaviors that get them into trouble – most children learn to deal with the changes in their family. With time and continued support from their parents, they can grow up to be as happy and healthy as children whose parents did not separate or divorce.



Relationship Building Blocks

1. Attachment and Relationships

Attachment refers to the strong emotional bonds or connections that develop first between parent and child, and later in relationships with friends and romantic partners. The emotional life of each child is dependent on early attachment relationships with caregivers, especially those who assume primary responsibility for the child's care on a daily or regular basis; the security these relationships provide carries over into adulthood.

A. Parents Influence Attachment

Your child's secure attachment is largely shaped by both parents' behavior. To foster secure attachments in your children:

- Show warmth, sensitivity and responsiveness to your child's needs.
- Keep your child's developmental level (or age-appropriate abilities) in mind when you respond to your child and try to understand your child's feelings.
- Listen carefully and respectfully, to show your child that you accept whatever they are feeling (even when your child's behavior is unacceptable).
- Act consistently day-to-day when caring for your child. With toddlers and older children, try to be clear and follow-through in your expectations for your child's behavior. By acting in ways your child learns to count on and by making promises you really can deliver on, your child will view you as trustworthy.
- Nurturing environments, particularly from pre-natal to six years of age, are essential for healthy brain development. The basic architecture of the human brain is constructed through an ongoing process that begins before birth and continues into adulthood. www.albertafamilywellness.org

B. Separation/Divorce as a Risk Factor

Research has shown that, on average, children whose parents have separated or divorced are more likely to have difficulty growing up and potentially have more problems – including attachment problems (such as, problems trusting adults) – and that this is true for both boys and girls.

- **The children and adolescents who appear to be most vulnerable, socially and emotionally, are those who experience a number of changes in parenting arrangements throughout their childhood.**

Encourage children's time with their other parent and extended family.

As the number of changes (e. g., separations, divorces, remarriages, blended families, moves, changing schools) increases, children's well being generally decreases. For example, every move to a new house places children at higher risk for developing problems when children's parents live separately.

Equally important, however, is the fact that most children cope well after their parents' separation and go on to develop healthy relationships in childhood and adulthood.

What makes it more or less difficult for children to adjust?

- **Children's temperament** (traits that children are born with, such as their adaptability and how strongly they usually react to situations).
- **The family's economic situation** (e.g., whether the children have to move to homes in less pleasant neighborhoods, attend schools that are less supportive, or decrease their favorite activities).
- **How well parents co-parent together** and how well they parent individually have great potential to help children adapt to life after their parents' separation/divorce.

2. Healthy Parenting

How each of you provides care for your children can help protect them from the more hurtful impact of parental separation. There are many parenting behaviors that benefit children of all ages, including:

- Showing sensitivity to your children's needs.
 - o The way you physically handle and relate to your children, especially when they are young, can help them learn to feel good about themselves. This is known as developing self-esteem. Physical forms of comfort (e.g., a good cuddle) often beat a good talk. When parents stay emotionally available and warm, they are more responsive to their children's ways of showing what they want and need from the grownups in their lives.
 - o Showing care for your children by remembering what matters to them.
 - o Remember the names of their stuffed animals and their friends or teammates. Mention the funny, clever and loving things they've done or said in the last few days. Share their most recent activities and accomplishments with their other parent, grandparents and others.
- Making your children feel adored and valued.
 - o Tell your children regularly what you love and admire about them. Praise children for all that they do well, and encourage them to keep trying to learn skills or behaviors that come harder or more slowly to them, reminding them always that you think they are wonderful human beings.
- Managing your own anger.
 - o It is difficult to take care of your children when you are feeling angry or distressed. Recognize that anger and grief usually are natural parts of the divorce process. Get help dealing with your anger, so that your children are not the targets. Find adults to talk to, read self-help books, or get professional help, but keep your anger out of your relationship with your children.
- Sharing excitement about whatever your child is tuned into.
 - o Talk to your children and ask questions about what they enjoy, especially music, books, friends, sports, pets and activities.
- Disciplining as a form of teaching.
 - o The term discipline means "to teach," although it is assumed to be the same thing as punishment. Punishment tells children what not to do, but it doesn't teach them how to act next time. The most effective way to change children's behavior is by rewarding good behavior.
- Promoting education as a process.
 - o Take care not to emphasize achievement over delight in learning. It is the effort made over the grade received that matters over time. Also take care in what you encourage your child to do or learn at each age; avoid rushing your children into "too much, too soon." They don't have to ride a bike without training wheels at age four, unless they are pushing to do so. Nor do they need to read books or see movies that have content in them that you think is "too old"; they will learn about it soon enough, and it may promote fears and nightmares if introduced too young.
- Safeguarding rituals and routines.
 - o Children of all ages feel more comfortable and safer when routines are followed and family traditions are maintained. Rituals and routines allow children to know and trust what's coming next; they work like anchors in a rising sea.



Take care not to emphasize achievement over delight in learning. It is the effort made over the grade received that matters over time.



Gatekeeping occurs when one parent supports or hinders the other parent's time/relationship with their child.

3. Healthy Co-parenting

Co-parenting in a positive way means that you as parents maintain a shared focus on your child's well-being and talk to and about each other in a respectful tone in front of your child. Positive co-parenting is not the same as being two independent positive parents. You may be highly responsive and nurturing to your child, but still criticize or blame the other parent when your child can hear.

In the best-case scenario, parents are able to share their parenting problems with each other without fear that the other parent will use that information to get an advantage in court. If parents don't share their parenting problems with one another, they build the stage for their child to play them off one another. Children will take advantage if they see holes in parents' co-parenting armor that they might wiggle around or through, especially if they are pre-adolescents or adolescents. All children do this, it is part of their experimenting with rules and behaviors; they may be more effective at wiggling through separated parents if the parents are not communicating well. Stay ahead of them!

Gatekeeping occurs when one parent helps or blocks the other parent in their parenting role – essentially “opening” or “closing” the other's access to their children. “Closing the gate” on the other parent interferes with the development of a positive co-parenting relationship and hurts children and parent-child relationships. Research shows that when children get along better with both parents, they have closer relationships to each parent. The competitive approach doesn't play out so well for any family member when it comes to co-parenting.

Positive Co-parenting Do's and Don'ts

DO

- Encourage children's time with their other parent, as well as visits with grandparents and members of the other parent's family.
- Encourage phone contact with the other parent and other parent's family members.
- Have your child ready for pick-up (or help with transportation) when it is time to see the other parent.
- Reassure your child that they will be able to see the other parent.
- Speak positively (or at least neutrally) about a parent your child sees less often. Keep that parent's presence alive in the child when they are not together (e. g., "Oh you have to remember to show Daddy this picture you drew when you see him in a few days. He'd love this one.").
- Forward all emails concerning your children's activities, including changes and cancellations, to the other parent.
- Inform the other parent about school and daycare conferences, and if you get along well enough, schedule them at a time you can both attend.
- Allow extra time for your child to be with the other parent on special occasions.
- Be supportive to the other parent, especially in times of crisis.

DON'T

- Choose to carry the weight of parenting by yourself; get help to make it work better for both of you.
- Insist on primary responsibility for childrearing as if no other parent exists.
- Criticize the other parent's behavior to your child or to another grownup when your child is listening.
- Undermine or refuse to comply with the other parent's time with the child or care giving plans.
- Forget or refuse to inform the other parent of significant events in your child's life.
- Give up on finding a way to support the other parent's ability to work with you regarding your child's developmental needs or extra support that they may require.
- Change schedules at the last minute, so that the other parent cannot maintain plans to see the child, or refuse requests for changes that allow the other parent to see the children at another time when work or other events interfere with regular parenting schedules.

4. Keeping Both Parents Involved

Involved and caring parents play a visible and nurturing role in their children's lives, and they are essential to healthy development and positive well-being.

Sometimes parent-child relationships are more difficult to maintain after separation. Research shows that the more caring adults there are in a child's life increases the likelihood that they will flourish and become productive adults.

Quality is more important to the relationship than the absolute quantity of time spent together.

Quality means spending time together paying attention to who your child is and what they need at this point in time.

An involved parent:

- is responsible for and behaves responsibly toward their child;
- is emotionally engaged;
- is physically present;
- is physically and emotionally involved in hands-on childcare;
- is involved in childrearing decisions; and
- provides financial support.

Parents have their own personalities, temperaments and parenting styles that offer something different to children's development.

Children learn from all interactions with their parents.

Warm and consistent parenting aids children in engaging in positive, healthy relationships with others throughout life-friendships, adult romantic relationships, etc.

Predictability can be a soothing influence that can help children stay calm and self-regulated.

Unpredictability can make interactions between a parent and child fun and stimulating.

Discipline styles can have a different emphasis. Real-world implications, such as "You will not be allowed to come back in this store if you behave like that," emphasizes the consequence of a behavior. Alternatively, a parent may put the emphasis on the implications for relationships, for instance "The cashier is trying to do her job, and you're making this very hard for her."

Ways of learning can also differ. One parent may allow higher levels of frustration to build as their child works at a task because of the problem-solving value. Another parent may offer help sooner, so their child feels competent and confident.

A lot of research continues to be conducted on the roles of mothers, fathers and parents in general. Look online or in your local library for more information.

Frequently Asked Questions About Relationship Building

What if one parent behaves positively to the children and the other doesn't?

First, take a step back and ask yourself if the other parent's behaviors are really unhealthy or harmful, or if they are just different from your own. Remember that parenting is not a competition. Each parent will be better than the other parent at certain things. If the other parent's shortcomings do not pose a danger to your children, focusing on these imperfections may not be the best use of your energy.

Often, it is much more useful to focus on working together as co-parents and on improving your own relationship with your child, even if it means overlooking the other parent's shortcomings.

However, behaviors that fall in the category of child abuse or neglect should never be overlooked.

What if I'm too hurt/angry/exhausted/etc. to show either healthy parenting or healthy co-parenting to my children?

Going through separation and divorce provokes strong emotions in adults (and in children, too). The end of a relationship leads to many changes and losses; each one takes some time for you to adjust. Some parents try to ignore their distress so it doesn't slow them down, but the more you understand and face the losses and the grief, the better you can cope with it. You may choose to learn about separation and grief by reading books or talking to others who have been through a similar situation, or you may choose to join a support group or seek counselling. Information and support from people who are not so closely involved offers a sense of control over a situation that seems overwhelming.

Remember, this journey is the same for your children, except they may not be able to understand their emotions or arrange for the supports they need. They need their parents and other caring adults help to arrange that for them. Take care of yourself, so that you can start being the kind of parent you want to be.

What if we have one of those distorted family relationship triangles?

- Educate yourself: read books and articles to understand what parents feel and do that results in a distorted triangle, and what they can do differently to straighten it out. There are a lot of self-help books about separation and divorce; a list is part of your "Important Information" section for this course.
- Recognize the difference between your needs and your children's needs. Separation involves intense feelings between adults – such as rage, humiliation, grief, sexual attraction and loyalty – that doesn't always end when the relationship or marriage does. Children can feel their own anger, sadness, loyalty conflicts, and so on. However, each child and each parent has their own relationship that may not be the same as any other in the family. Let there be room for each relationship, even if it is difficult to understand how your child can feel so differently about the other parent than you do.
- Understand the value of having both parents involved in your children's lives.
- Contact a clinician or therapy group. Understanding your own emotions or sharing your experience with others who know how the separation process feels, may help you deal with your situation in a more positive way.
- Try to reduce conflict between family members, even if it means having no direct contact with the other parent for a while; try communicating by email, instead.

What can I do if the other parent keeps “closing the gate” on my access to our children?

First, keep in mind that addressing such issues is a parental responsibility. Children should never be used as message-carriers or threats to address the problem. If you are unable to discuss the situation with the other parent in a productive way, get help from a lawyer, mediator or counsellor. You may choose to take legal action. The courts are increasingly emphasizing that – barring situations of abusive or addictive parental behaviors in which certain protections apply – children have a right to have a relationship with both parents. This relationship includes *reasonable parenting time* between parents and children.

What if the other parent is unable or unwilling to be involved with the children?

- Support your child in expressing disappointments without criticizing the other parent.
- Inform the other parent of the child’s activities. If there is a history of disappointments, do not tell the child to inform the other parent. Inform them yourself.
- Do not push the child to involve their other parent. If the child wants to phone or write, then support that choice.
- Focus on what you can control. That is, focus on your relationship with your child. Sympathize with your child’s feelings. Remind yourself that this lack of involvement may have been part of the reason you separated in the first place, and it isn’t necessarily going to change now. However, sometimes after separation an uninvolved parent feels free to become more involved. Make room for it when it happens.
- If possible, keep in contact with some people from the other parent’s side of the family.

What if I am a parent who wants to see my children, but they don’t want to see me?

- No matter what, don’t give up. Drop your child little notes. Send cards on their birthdays. Stop by their activities if it doesn’t upset them. Keep saying “I love you, and I hope we can talk sometime soon.”
- At the same time, don’t be pushy. If you did hurtful things in the marriage or were not always involved when you were living with them, they will need some time to heal and decide if it is emotionally safe to be with you. If you are ready to be a positive presence in their life, keep letting them know that. Show them that you will not try to force the issue, but that you will stay steady.
- If you need help with your former spouse, try mediation with someone who is familiar with handling higher conflict situations and understands about changes in the parent’s role post-separation or divorce.

If a child spends more time with their other parent, will they become less attached to me?

There are a lot of confusing beliefs about attachment that are discussed in the legal process of separation and divorce. It is true that children need regular and consistent time with their primary caregiver(s), especially as babies. When children do not have enough access to the caregiver who they know best and who knows them best, they will express their distress. If the separations are long and filled with conflict, the child may express some attachment difficulties.

However, children can become securely attached to more than one person at the same time. If they have relationships with a second or even third person who sensitively and consistently cares for them and provides for their needs (when hungry, tired, anxious or upset), they will develop close connections. These close connections should not cost them in their relationship with their primary caregiver.

What is most important is that the parent who is less used to spending time with the child is very familiar with the child’s routines, that the parents communicate about the child’s needs, pass treasured objects (such as blankets or stuffed animals) between one another, and that the time spent with each parent is built around the child’s eating and sleeping routines, not the parents’ work schedules or desires.

Such sharing can occur at any age, but it must be introduced gradually, with careful monitoring of the child’s reactions and comfort levels.

Section 1 – Worksheet

Recognizing High Conflict Coparental Relationships

Please circle the number that best describes your relationship with your children's other parent.

	Almost Never	Some of the Time	Much of the Time	Almost Always
1. My children's other parent says things about me to the children that I don't want them to hear.	1	2	3	4
2. I say things about my children's other parent that they wouldn't want the children to hear.	1	2	3	4
3. I have angry disagreements with my children's other parent.	1	2	3	4
4. My children's other parent and I disagree in front of them.	1	2	3	4
5. My children often get caught in the middle of conflicts between their other parent and myself.	1	2	3	4
6. Discussions between me and my children's other parent about parenting issues often results in an argument.	1	2	3	4
7. There is an underlying atmosphere of hostility or anger between me and my children's other parent.	1	2	3	4
8. The other parent threatens or cuts off children's visits or money because of disputes.	1	2	3	4
9. The other parent is trying to cut me out of the children's lives.	1	2	3	4
10. I think it would be better for the children to see the other parent a lot less.	1	2	3	4
11. I do not trust that my children's other parent will do what is best for them.	1	2	3	4
12. I fear that my children's other parent will place them in harm's way while they are in his/her care.	1	2	3	4

Now add up the number of times you circled a "3" or "4." If you circled one of these numbers 3 times or more, we recommend that you participate in "Parenting After Separation for Families in High Conflict. If you have even one "3" or "4", you could benefit from the High Conflict course and might wish to get further information about its usefulness for you and your family. Contact information for Family Justice Services can be found at the end of this manual.

*Adapted from questionnaire items by (a) Emery, 1997; (b) Ahrons, (1981); (c) Johnston, 1996.

Recognizing Abusive Relationships

Family violence is a problem that affects every community across the country. It crosses all races and ethnicities, social and economic backgrounds, cultures, religions, ages, genders and relationship types. Parents who are being abused are stressed and sometimes in danger, as are their children.

Family Violence (also known as Intimate Partner Violence or Domestic Abuse) is abuse that occurs between two people during or after a close relationship, including current and former spouses and dating partners. Many people first think about abuse as physical aggression. However, abuse can be physical, verbal, emotional, financial or sexual. It can also involve threats, destruction of property, and harm to pets. Abuse can range from a single event to ongoing episodes.

To determine whether your relationship is abusive, answer the questions below. The more boxes you check, the more likely it is that you're in an abusive relationship. Keep in mind that this is not a complete list of every sign of an abusive relationship, but rather a list of examples of how people may feel and behave when in an abusive relationship.

If these statements apply to you or your family, you can:

- call 911 if you are in immediate danger;
- call or text 211 for information on programs, services and supports available in Saskatchewan; or
- visit <https://abuse.sk.211.ca>.

Your Inner Thoughts and Feelings <i>Do you:</i>	Your Partner's Belittling Behaviour <i>Does your partner:</i>
<input type="checkbox"/> Feel afraid of your (former) partner?	<input type="checkbox"/> Humiliate, criticize or yell at you or your children?
<input type="checkbox"/> Fear for your children's safety?	<input type="checkbox"/> Treat you so badly that you're embarrassed for your friends or family to see?
<input type="checkbox"/> Avoid certain topics out of fear of angering your partner and what they may do when they're angry?	<input type="checkbox"/> Ignore or put down your opinions or accomplishments?
<input type="checkbox"/> Feel you can't do anything right for your partner and are punished by them for it?	<input type="checkbox"/> Blame you for their own abusive behaviour?
<input type="checkbox"/> Believe that you deserve to be hurt or mistreated?	<input type="checkbox"/> Treat you as property or a sex object, rather than as a person?
<input type="checkbox"/> Wonder if you're the one who is crazy?	<input type="checkbox"/> Punish (or threaten to punish) your children physically for behaviours that are typical for their age?

Your Partner's Violent Behaviour or Threats <i>Does your (former) partner:</i>	Your Partner's Controlling Behaviour <i>Does your (former) partner:</i>
<input type="checkbox"/> Have a bad and unpredictable temper?	<input type="checkbox"/> Act excessively jealous and possessive?
<input type="checkbox"/> Hurt you or threaten to hurt or kill you or your children?	<input type="checkbox"/> Control where you go or what you do?
<input type="checkbox"/> Threaten to take your children away or harm them?	<input type="checkbox"/> Keep you from seeing your friends or family?
<input type="checkbox"/> Threaten to commit suicide if you leave?	<input type="checkbox"/> Limit your access to money, the phone, the car or the Internet?
<input type="checkbox"/> Force you to have sex against your will?	<input type="checkbox"/> Watch your movements or constantly check up on you?
<input type="checkbox"/> Destroy your belongings?	
<input type="checkbox"/> Get drunk or high on drugs and threaten to harm you or your children?	

Your Children <i>Have your child(ren):</i>	Your Own Behaviour <i>Have you:</i>
<input type="checkbox"/> Heard or seen very angry disagreements or violence at home?	<input type="checkbox"/> Threatened or hurt your (former) partner or your children, such as in the ways described on the previous page?
<input type="checkbox"/> Heard or seen very harsh behaviour by either parent toward the other or toward a pet?	<input type="checkbox"/> Felt you needed to control your (former) partner's behaviours, friendships, activities, money, etc.?
<input type="checkbox"/> Been treated very harshly by you or their other parent?	<input type="checkbox"/> Felt you couldn't stop your anger toward either your child or (former) partner?
<input type="checkbox"/> Been afraid of either parent or about misbehaving and making either parent very angry?	<input type="checkbox"/> Heard others (whom you respect) express concern about the way you treat your children or (former) partner?

Remember that this list **does not** include every possible example of abuse. Consider if anything else (besides what is listed) has occurred that makes you worry that you may be in an abusive relationship. If so, it is better to take action than to risk increasing danger or abuse to either yourself or your children.

Call or text 211 to reach the Family Violence Info line or visit <https://abuse.sk.211.ca>.

This questionnaire was adapted from Help guide.org. We wish to acknowledge Amy Holtzworth-Munroe, Ph.D. and Jennifer McIntosh, Ph.D. for their suggestions and advice regarding use of the adapted checklist for PAS.

Reflective Questions

Based on the information you have been given about relationships during separation and divorce consider the following questions:

- 1. Are there areas of conflict between you and the other parent that are based in your spousal relationship as opposed to your parenting relationship? If so, what will you do to change those interactions?**

- 2. What can you do to support your children's relationship with the other parent?**

- 3. What would you hope the other parent would do to support your relationship with the children?**

- 4. How will you share information about the children with the other parent?**

Section 2 – Children Can Cope with Separation and Divorce



Key Points

Children often feel a great deal of stress when parents separate and it's up to the parents to make it as painless as possible for them. Try not to put your children in the middle of adult conflicts or expect your child to be a friend or caretaker of you.

Anticipate what will be most difficult for your child based on your knowledge of their temperament – the traits and sensitivities with which they were born. Some children are easygoing about most things, and they adjust quickly; other children are more shy, cautious, or slow to warm up, and they make changes more slowly. Parents who keep their child's temperament in mind can prepare them for situations so that children can respond to the new situations without too much upset. Tailor your parenting behaviors and your parenting plan to the particular temperaments – and to any special needs – of each of your children.

Children often have difficulty adjusting to change and transitions between parents and houses in the early stages of separation, even when parents cooperate well and there is a minimum of conflict about parenting decisions. These transition difficulties are not necessarily the fault of the other parent. If you can work together as co-parents to understand what is hard for your child at any point and how you can make things easier, you will learn what your child can or cannot handle.

Children need to continue to have a relationship with both parents whenever possible, which includes each parent making room for open discussion about your child's feelings (hurt, sadness, anger), experiences, and questions about the separation or divorce.

Children need to understand the changes that are happening in their family, but without hearing all the details about what led to the separation or divorce, parents' own worries, conflict between parents, etc. Children do better when they do not know too much about what their parents feel and need during the separation or divorce. It is your job to protect them from having too much information, at too young an age.

Children Can Cope with Separation and Divorce

1. Effects of Parental Separation or Divorce on Children

A. Common Feelings Children Have

Just as parents feel so many kinds of emotions during separation, so do children. Children observe what is happening to their parents. In response, they tend to have many similar feelings; although some children show their feelings more openly than others. Common feelings for children following separation or divorce are:

- being “left” or abandoned;
- loss and depression;
- guilt, self-blame and lowered self-esteem;
- confusion;
- feeling burdened;
- anger;
- helplessness and powerlessness; and
- insecurity.

Children are born with temperaments that affect how they adapt to change and stress.

B. Temperament

Temperament is a set of in-born traits that affect the way a child typically reacts in different settings and situations, including parental separation or divorce. These traits are evident from birth, and they generally remain through adulthood.

Temperament Traits

- **Activity:** is your child always moving and doing something or do they have a more relaxed style?
- **Regularity:** is your child regular in their eating and sleeping habits or somewhat unpredictable?
- **Approach/withdrawal:** does your child approach new situations and new people with eagerness or tend to shy away?
- **Adaptability:** does your child adjust to changes in routines or plans easily or do they become cranky or confused by transitions?
- **Intensity:** does your child react strongly to situations, either positively or negatively, or do they react calmly and quietly?
- **Mood:** does your child often express a negative outlook or are they generally a positive person? Does their mood shift frequently or are they usually even-tempered?
- **Persistence:** does your child give up quickly when a task becomes difficult or do they keep on trying? Can they stick with an activity for a long time or does their mind tend to wander?
- **Distractibility:** is your child easily distracted from what they are doing or can they shut out what is occurring around them and stay with the current activity?
- **Sensory threshold:** are they bothered by loud noises, bright lights or new food textures or do they tend to ignore them and go with the flow?

C. Transition Challenges

Children approach change differently depending, in part, on their temperament and age.

Even when parents are cooperative with each other, children will often:

- Find it difficult to leave either parent or move between them (both coming and going).
- Act anxious or whiny and act in ways that “test” their parents’ follow through when it is time to make a transition.
- Be wound up, reserved, disobedient or unhappy for a day or so after moving from one house to the other.

Parents are often quick to think children are reacting to something the other parent is not doing or is doing wrong. However, these reactions may not be the fault of the other parent. They are the children’s efforts at having some control in their world. For most children, transitions will get easier over time.

D. Easing Transitions Between Homes

- Do follow a schedule and routine for your children's moves between houses.
- Do teach your child that your word counts by showing up on time.
- Do allow schedules to change from time to time to fit your child's age and stage of development.
- Do be as flexible as possible concerning scheduling changes in order to model cooperative behavior to your child.
- Do give the other parent as much advance notice as possible for schedule changes, vacation times and travel plans.
- Do find activities that allow you and your child an opportunity to build your relationship, so that you both look forward to time together.
- Do remember that time together between parent and child is more important than an activity itself.
- Do set up a place for your child's creations (art work, pictures, etc.) in order to help them feel that "this is home." Encourage your child to bring games, favorite objects, and crafts from each home to the other.
- Do, when possible, involve your child or put them in charge of packing and unpacking clothes, toys, etc. for changes between homes. This helps them feel a sense of control.
- Do allow your child to bring friends along to each home sometimes.
- Do introduce your child to neighborhood children that they can play with at each home.

E. What Children Need

- To know they continue to be loved by both parents, even when times get difficult. Tell them this again and again.
- To be kept out of the middle of parents' conflict (e. g., not being asked to take sides, or hearing one parent discuss the other parent's behavior in an angry tone).
- Parents who remain warm and affectionate, but consistent and firm in their discipline. This means sticking to what you say (e. g., bedtime is 9:00 p.m.). It also means staying calm and clear, while managing your frustration or anger at your child.
- To continue having a relationship with both parents whenever possible, which allows for talking with either parent about the separation/divorce, feelings (hurt, sadness, anger), and questions.
- Help with expressing their feelings rather than behaving in angry or hurtful ways. For example, children can be told: "Of course, you feel angry at a time like this, but we need to find another way for you to show your anger. Tell me your ideas, and I can help you think of others."
- To understand the changes that are happening in their family, without hearing all the adult details about what led to the separation, what is difficult for parents, what parents are fighting about, etc.
- To be given support for staying involved in their previous activities, friendships and interests.

Children need to be kept out of the middle of parents' conflict. If you are wondering about the types of reactions children typically have at each age or are looking for tips on what behaviors should concern you, refer to the handout from class: Age-by-Age Guidelines: Children's Reactions and How to Help.

F. Making the Separation Easier on Children

- Speak to your children about their other parent in ways that support that parent.
- Be civil to your former partner when you are together.
- Let your children talk about and show enthusiasm for the other parent's home and the activities they share.
- Encourage your children not to blame the parent who left the home or started the separation.
- Acknowledge your child's heartfelt wish for a reunited family, without offering false hope or insisting over and over that it will never happen.
- Don't try to mediate conflicts or involve yourself in disagreements between your child and the other parent.
- Don't ask your child for information on the other parent.
- Don't drag your children into adult business by asking them to take messages to the other parent (such as pick-up times, child support, etc.).

G. Age-by-Age Guidelines

If you are wondering about the types of reactions children typically have at each age or are looking for tips on what behaviors should concern you, refer to the handout from class: Age-by-Age Guidelines: Children's Reactions and How to Help.

2. Ways to Promote Positive Coping

A. Provide Useful Information for Your Child's Age

Children often don't receive any information before the separation, and they have no time to prepare themselves for it when it happens. Whether you are just now separating or discussing "what is happening" with your child for the tenth time: explain what is happening or answer your child's questions in simple but true terms. Make sure they understand the information. Tell your children what is going to happen, when and how; in particular, tell them what the living arrangements will be. Let them know they can ask questions at any time.

B. Avoid Blame

The question of who is at fault is an adult concern. Children need to be able to count on and respect both of their parents, especially now. Children – particularly younger children – may believe that they are to blame for the separation. Children may need to hear multiple times over the first few weeks and months that the separation is not their fault, and that there is nothing they could have done to prevent it.

C. Pay Attention

Remember that this is an important time to be with your children, to listen to them, and to give them the love, attention and reassurance they need from you. Be sure to spend some "alone" time with each child.

The fewer changes you make in the first year following separation, the better.

D. Help Children Understand Their Feelings

Sometimes parents are unable to admit that the separation is causing pain or difficulty for their children because they want so much for it not to be affecting them. Talking to your children about their feelings helps them cope. Reassure them that feelings are never "wrong."

E. Keep Children Out of the Middle

- Avoid asking your child about the other parent's life or asking your child to spy on the other parent's activities. Children should not be asked to get or give information about one parent to the other parent.
- Avoid asking your child to take messages to the other parent, rather than speaking directly with them. Do not send your child with messages about child support or how a transition or change in plans will take place.
- Avoid bad-mouthing the other parent when the child is in earshot.
- Avoid discussing your own angry feelings about the other parent directly with your child.
- Avoid asking your child to keep secrets from the other parent.

F. Keep Children Out of a Grown-Up Role

Children should not be expected to provide emotional support to their parents. There is a big difference between talking honestly with your children and leaning on them emotionally.

G. Make Changes Slowly

The fewer changes you make in the first year following separation, the better. Familiar and comfortable places, people, activities and routines will help children adjust as they experience the unavoidable changes that occur with separation. Be especially cautious when it comes to new relationships. Take them slow and be even slower to introduce your child to your new partner.

H. Keeping One-on-One Time

As part of your parenting plan, build in regular times for each parent to spend time alone with each child. Children treasure time with their busy parents when they have their full attention. Children are more likely to open up about what they're feeling when they have time alone with one parent. Taking the time one-on-one, on a regular basis, will help your relationship with your child stay strong, with long lasting benefits.

If and when you begin a relationship with a potential new partner, take care to keep your one-on-one time with each child. When children feel ignored because a parent has a new partner, anger begins to build, sometimes exploding when your child decides they don't want to see you anymore.



I. Keep Temperament in Mind

- Be aware of your own temperament and adjust your reactions when they clash with your child's responses.
- You may need to adjust the way you respond to your child to better fit their temperament. This could mean taking more time to prepare your child for transitions or new situations, being more patient as they work out how they feel, or seeking creative or high-energy activities for your child to express themselves.
- Think ahead of time about the kinds of sensitivities your child will have or difficulties your child may face, based on your knowledge of their temperament. This will help you better prepare your child for situations and avoid potentially difficult situations altogether.
- Tailor your parenting strategies and your child's activities or schedule to their temperament. If your child doesn't make transitions easily, do not have them busy right up until the time they are supposed to switch homes for the weekend. If your child reacts shyly to new persons, do not change their school or daycare shortly after the separation, if at all possible. If your child does best when routines are in place and schedules are regular, try to maintain these routines and not surprise them with unnecessary changes.

Children need to continue having a relationship with both parents whenever possible.

J. Recognize When to Seek Outside Help

For Your Child:

Notice how your child responds to the separation. Are there any reactions that cause a higher level of concern? If so, make a strong effort to spend time with your child and try to identify and solve the problem together. If your child's mood or behavior does not improve in a couple of months, it is time to turn to your child's teacher, pediatrician or a mental health professional that specializes in children.

For Yourself:

The process of separation usually takes place in stages and over several years – from immediate crisis to short-term adjustment and long-term recovery. Remember that it can take two to three years after the separation for adults to recover and work through all the adjustments and issues that need to be resolved. While it is important to recognize that time is needed, there is also no reason to delay seeking professional help if problems are troubling you. Contact a therapist or therapy group. Understanding your own difficulties or sharing your experiences with others going through the separation process may help you deal with your situation in a more positive way.

Frequently Asked Questions About Promoting Coping

How can I tell if my child is reacting to the separation or something else?

Often, signs of stress look the same in a person, regardless of the cause. Step back and count the number of changes your child is making and what kinds of changes are happening to the people around them. When did you start to notice reactions in your child that worried you? Thinking in terms of when a behavior first started and when it changed over time may help you to figure out the specific causes of what is upsetting your child.

Sometimes, many small stressors add up to bigger ones – the result of experiencing too many changes or difficult events at once. Re-read the *Ways to Promote Positive Coping* in this parent's guide and use it as a checklist. You may also want to refer to the *Age-by-Age Guidelines: Children's Reactions and How to Help*, which discusses typical reactions to separation at every age.

How can I tell if my child's behavior is due to temperament or if it's a sign of a more serious problem?

Temperament is a set of traits that are present at birth and are life-long. As a parent, you know your child best. Think back through all the ages your child has been; what temperament traits have been strong and consistent over time? If you are noticing new behaviors or reactions that worry you, they may relate to things (your child is experiencing) that are not just a sign of temperament. If you are unsure, talk to your child's pediatrician or school counsellor.

My child has a slow-to-warm up temperament. My ex-partner wants to have them go back and forth between our houses every week. I don't think my child has the temperament for it. What should I do?

Your child's temperament may make moving between houses harder for them, but a lot also depends on their age and what kinds of supports are in place for them. Work together to figure out all of the things you could each do, separately and together, to make the schedule comfortable and manageable for your child. If the child is preschool-age or older, talk to them about what is hard and what feels pretty good about moving between homes or any two places. Ask your child what will help them "warm up" to making the change.

What should I do if the other parent talks to our children about the separation/me in a way that is neither healthy nor appropriate for our child's age?

Try to talk privately with the other parent about the issue. If there is too much conflict between the two of you, you may want to write a letter or email, which allows you to carefully choose your words and allows the other person to think about them without a knee-jerk response, that is, responding to you in the same old ways no matter what the issue is that you are raising. If you are working with a mediator or lawyer, that person may also be helpful in setting "ground rules" for talking or making decisions together. If none of this is successful, remember that you could not control the other parent's behavior when you were in a relationship, and you won't be able to do that now. Your attention is better spent on your relationship with your child.

➤ **Children adjust with time, routines, feeling valued and by becoming problem-solvers.**

When do most children get to the point of being able to put the separation behind them?

Separation is not a single event; it is a process. The parents' own process of feeling better following the separation often takes two to three years. It takes children this long, too. Though your children's feelings about the separation will become less "raw" over time, you should not expect them to disappear. They may continue to have questions, or express wishes or be upset that things are different than they once were. The more anger and conflict there is between the other parent and you, the longer it will take your child to adjust, and the harder it will be for them to look forward to the future.

How can I get the other parent to start following the guidelines we learned about today?

Focus on what you can control – that is, your relationship with your child. Though you may see plenty of room for improvement in the other parent's parenting, you will not be successful at telling them what to do. You can talk together about the guidelines, how they made you feel, and what you hope can happen for you and your child, and see if that opens the door to conversation. You also can ask your former partner to join you in mediation or counselling to try to put some of the guidelines into practice. Mostly, you can try to behave well and see if your example encourages your ex-partner to act similarly to you.

You suggested that we make changes slowly. It took my ex and I forever to separate, and I am now involved in a good relationship with a new person. I think this is the real deal, and I want my child to know whom I am spending so much time with. Don't you think hiding the relationship is worse than introducing it?

Like all things related to separation, the best answer is "it depends." Generally, introducing someone too soon can make it much harder for your child and that person to have a relationship.

Your child needs enough time to adjust, so they don't feel disloyal to their other parent. If the new person comes in on the heels of the separation, they may be blamed – fairly or unfairly – for being part of the break-up. Also, you need time to make sure you are not just on the rebound, falling for the first person who makes you feel good at a time when you have been feeling really bad. Another break up will be hard on both you and your child. It will not hurt to take your time.

What if my child says they don't want to spend time with the other parent? Should I make my child go?

Remember, children will often say they do not want to go for a variety of reasons that have nothing to do with how they feel about the other parent. It is easy to jump to the conclusion that things are bad for your child with the other parent, but it is best to check those assumptions out. Your child may have difficulty with the transition, may be reluctant to leave friends, may feel sad about leaving you, or may be saying what they think you would like to hear.

By encouraging your child to think about what they love best about being with the other parent, you are giving them permission to care for that parent without being worried about hurting you. By considering your child's opinion about what is important to them in the parenting schedule, you are allowing your child a voice (not a choice) that may give you some insight into their feelings.

If there are strong negative feelings toward the other parent, or safety concerns, it may be the time to consult the local resource list for help.

Section 2 – Worksheet

Recognizing Your Child's Temperament

Please circle the number that best describes your child.

	Never or Rarely	Sometimes	Often	Almost Always
1. Activity Level Is your child always moving, busy, or doing something ? <i>Note: level 4 describes children who may be always wiggling, moving while eating, a bundle of energy, walking/running fast, wildly jumping on furniture, restless, or getting overly excited.</i>	1	2	3	4
2. Regularity Is your child regular or unpredictable in their eating and sleeping habits? <i>Note: level 4 describes children who may get hungry or tired at unpredictable times and struggle with changes in eating and sleeping routines. Level 1 describes children who may get hungry or tired at predictable times.</i>	1	2	3	4
3. Approach Does your child move toward or shy away from new situations and new people? <i>Note: level 4 describes children who may be shy, cautious, need time to warm up to new experiences, say they don't like things before trying them, show fear in seemingly safe situations, avoid unfamiliar children, and may be picky eaters. Level 1 describes children who may be friendly with strangers, easygoing when separating from parents, fearless in potentially dangerous situations, or get lost in crowds or stores.</i>	1	2	3	4
4. Adaptability Does your child resist change in routines, plans, or activities? <i>Note: level 4 describes children who may have a hard time with changes in routine or activities, take a long time to adjust to new situations, scream or fuss at new activities, or experience difficulties in new classrooms each year.</i>	1	2	3	4
5. Intensity Does your child react strongly to situations, either positively or negatively? <i>Note: level 4 describes children who may be dramatic and show strong emotions, laugh and cry loudly, yell with glee when excited, be energetic in physical gestures, or respond loudly and strongly to everything.</i>	1	2	3	4

	Never or Rarely	Sometimes	Often	Almost Always
6. Mood Does your child often express a negative outlook ? <i>Note: level 4 describes children who may be fussy, cry easily, get easily upset or frustrated, seem unhappy or very serious, pout and quit easily, show frequent mood shifts, or get upset when a caregiver leaves.</i>	1	2	3	4
7. Persistence Does your child give up as soon as a problem arises with a task? <i>Note: level 4 describes children who may play contentedly for only brief periods, ask for (or demand) help as soon as a task becomes difficult, get frustrated easily – even by simple tasks, get angry and give up, struggle to learn self-care (potty training, dressing, etc.), or tend to stick with things they are naturally good at.</i>	1	2	3	4
8. Distractibility Is your child easily distracted from what he or she is doing? <i>Note: level 4 describes children who may have difficulty focusing (for babies: be easily distracted by sounds while feeding), become sidetracked when given directions, have trouble concentrating on complex or lengthy tasks, or leave belongings scattered about.</i>	1	2	3	4
9. Sensory Threshold Is your child very sensitive to physical sensations, such as noises, lights, or food textures? <i>Note: level 4 describes children who may react positively or negatively to certain sounds, startle easily, be a picky eater, like only certain types of clothing/fabrics, water temperature for bath or a show has to be “just right,” get upset if clothes don’t feel “just right,” or get upset by loud noises.</i>	1	2	3	4

Look at any traits where you circled a “3” or “4.” Ratings of “3” or “4” suggest that your child may have temperament traits that parents really need to pay attention to when deciding how to help children adjust to separation and when creating parenting plans. These are also temperament traits for parents to keep in mind when it comes to many other parenting tasks, such as setting expectations, scheduling activities, teaching, discipline, etc.

Now look at any traits for which you circled a “1” or “2.” This pattern of temperament traits is sometimes referred to as “flexible” or “easygoing.” If your child has this temperament style, take care that it does not lead you to ignore, pay less attention to, or create parenting plans that are too complex or taxing for the child. “Easy” temperaments have their limits, too.

Section 2 – Fact Sheet

Age-by-Age Guidelines: Children's Reactions and How to Help

Each child develops at their own rate, but there are some basic guidelines for different ages. Children are likely to react differently to parental separation depending on their age. The kind of help you give must meet their needs at their developmental level. For children of different ages, guidelines are given for:

- typical behaviors;
- reactions to separation;
- signs of stress (possibly stemming from parental separation); and
- suggestions to promote children's coping.

If you are aware of typical behaviors for each age, you can assess whether your child's new or negative behavior is a "stage" or a warning sign that the child is stressed or reacting strongly to the parental separation.

A. Infants (0-12 months) and Toddlers (13-36 months)

Typical Behaviors: 0-12 months

- Cries to get what they need.
- Sleeps less each month.
- Learns by tasting, touching, smelling, seeing and hearing.
- Develops attachments to caregivers with a sense of security or insecurity with each.

Typical Behaviors: 13-36 months

- Begins to show independence by saying "no."
- Possessive, everything is "mine."
- Self-centered.
- Has a short memory.
- Gets into everything as an expression of curiosity.
- Can make very simple choices, but cannot make many kinds of choices.
- Pokey, plays with food and dawdles.
- Can't sit still.
- Wants to know "why" and "how."

Reactions to Separation

Infants and young toddlers are vulnerable when parents separate because of their complete dependency on parents for meeting their needs. If parents are angry or depressed, the infant or young toddler senses their parents are upset, but they cannot understand what is happening.

Infants develop a sense of trust through consistent and predictable caregiving. Any ongoing upset in routine can result in short-term stress for infants. If this stress continues, it can result in the child being unable to trust others. Toddlers begin to develop confidence and feel good about themselves when their physical needs are met and when they are able to express themselves through language.

Before children develop language, caregivers need to pay extra attention to changes in behavior, mood, sleep and appetite to know if children are coping well or not.

Signs of Stress (0-12 months)

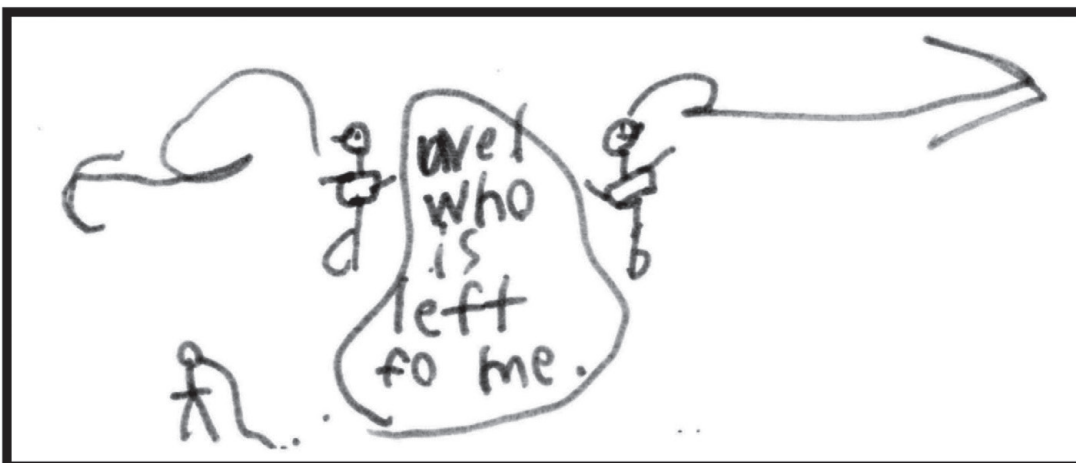
- Sleeping, crying and eating problems signal upset in an infant.
- Signs of severe stress are a lack of energy, non-responsiveness, withdrawal or intense upset – when the child seems “wired.”
 - o The most likely reason for these problems is a response to disruptions in routine or biological needs that aren’t being met. A child with a shy or fussy temperament will have more difficulties with changes than a child with a flexible, easygoing temperament.

Signs of Stress (13-36 months)

- Child demonstrates numerous fears, irritability, withdrawal, anxiety, anger, clinginess, and/or a return to earlier-age behaviors that were already mastered. Examples of earlier age behaviors might be wanting only to nurse or use a bottle when they previously enjoyed feeding themselves, giving up on walking, having toilet training accidents, or using less language or more babyish language than before.
- Fear of separation is shown by crying, clinging and a prolonged (more than 20 minutes) inability to be calmed after transitions. Becoming more anxious and shy with a familiar caregiver may also be a sign of stress.
- At this stage, children still show stress through behavior more than words. Noticeable changes in sleeping habits or more frequent illnesses can also be signs of stress at this stage.

Suggestions to Promote Coping

- Keep routines consistent and predictable.
- For toddlers, help prepare for transitions by letting them know what is coming next. Toddlers need a very simple explanation, and they usually cannot understand time beyond today or tomorrow. For example, “Daddy will be moving to a new house. You will have toys there and a bed, just like at Mommy’s house. You will always have time there with Daddy, but not every day.”
- Provide regular and frequent contact with the other parent. Developing close relationships to both parents promotes healthy development in toddlers.
- Give your child a piece of one parent’s clothing to take to the other parent’s house. Children like the familiar feel and smell.
- Provide a special suitcase for taking to the other parent’s home.
- Allow toys to be brought back and forth. Don’t forget the stuffed animal, pacifier, favorite blanket or other snuggle object.
- Have pictures of both parents available.
- Allow unrestricted telephone calls or Internet video calls.
- Provide an audio or video recording of the other parent reading a story or singing a lullaby.
- Reassure your toddler by saying “I love you” while holding, nurturing and cuddling them.
- **Infants:** frequent contact with both parents helps your child maintain an image of each parent during separation. Meet your infant’s needs promptly and consistently.
- **18 months to three years:** children at this age are able to tolerate longer separations from their primary caregiver compared to infants, especially if older siblings are with them. Prepare your child for separations and transitions by explaining what will happen.



The above drawing shows a child's interpretation of divorce.

B. Preschoolers (3-5 Years)

Typical Behaviors: Age 3

- tries to please;
- can be reasoned with;
- can talk enough to be understood about most concerns;
- feels and expresses sympathy;
- begins to share with other children; and
- enjoys new vocabulary.

Typical Behaviors: Age 4

- enjoys being with friends more than adults;
- bossy;
- asks many questions;
- tattles;
- enjoys playing with words;
- uses words to shock adults; and
- stretches the truth.

Typical Behaviors: Age 5

- friendly with children and adults;
- imitates grown-up behaviors;
- dependable;
- often demanding; and
- becomes aware of guilt.

Reactions to Separation or Divorce

- Preschoolers cannot understand that separation is an adult decision that has nothing to do with them and their behavior.
- Preschoolers feel they control all that happens, and they ask: "What did I do to cause the separation?" They may show that they are upset through clingy behavior.
- Children are most likely to act up or express anger with the parent with whom they feel most secure. It is common for children to act very differently with each parent, adding to parents' confusion about why they view their child's behaviors so differently. This difference in the child's behavior may be the child's way of adjusting to difficult aspects of the separation, or it may just be in response to different parenting styles and personalities.
- Preschoolers need order and routine. Children at this age begin to identify differences between the sexes. A sudden absence of either parent may be felt or responded to differently by little boys than little girls. It is important that both parents continue to spend time with their children.



Signs of Stress

- Child demonstrates fear, irritability, anxiety, anger, clinginess, and/or a return to earlier-age behaviors. Behaviors may include persistent bed-wetting, baby talk, stubborn acting out, being “too good,” or withdrawing.
- Crying for long periods (20 mins or more), clinging and an inability to be soothed after transitions.
- Emotionally needy on an ongoing basis; seeks constant nurturing and physical contact.
- Persistent problems with sleep, such as anxiety at bedtime, restless sleeping, frequent waking, or intense nightmares.
- Some children become very controlling or show signs of blaming themselves for problems in the family.
- Expressions of fear that they caused a parent’s departure.
- Confusion about who, what, where or when, regarding daily schedules or expectations.

Suggestions to Promote Coping

- Encourage both parents to remain involved by spending time with their child. Children will adapt to longer separations from one parent through frequent time spent with the other parent.
- Thoughtfully decide what and how to tell children about the separation as events unfold, remaining sensitive to children’s limited ability to understand what is happening in the family.
- Keep routines consistent and remind children of the routine.
- Explain exactly what will happen as decisions are made. For example, whether the child will need to move or change schools, how often they will see the other parent, etc.
- Allow toys to be brought back and forth.
- Match your words and your actions. Follow through on what you say will happen.
- Encourage frequent telephone calls or Internet video calls.
- Allow time for adjustment at the beginning and end of visits.
- Encourage expression of your child’s feelings and support those feelings: “I understand that you are unhappy...”
- Explore headaches, stomach-aches and nervous habits, such as nail biting, as they can be a result of anger or anxiety.
- Expect some return to behaviors that were characteristic of a younger age, especially near transition times.
- Read stories about children whose parents have gone through separation.
- Encourage children to express their feelings through drawing, painting or play dough. Ask them to explain the story or what they have made and what it means to them.
- Let your child know they have your permission to love the other parent.
- Continue to remind your child that the divorce is not their fault.
- Reassure your preschooler. Say “I love you” often. Hold, nurture and cuddle them.

C. Early School-Aged Children (6-8 Years)

Typical Behaviors

- Focused on the world beyond family.
- Proud of school accomplishments.
- Falls in love with favorite adult (e.g., teacher).
- Doing is more important than completing.
- Concrete and rule bound (good and bad, right and wrong).
- Involves self in fights and relationship triangles.
- Wants attention from father or other male.
- Critical of self and others (eight year olds).

Reaction to Separation

Children of this age may feel a great sense of sadness because they are aware of the extent of the loss in their family. They are still caught up in “magical thinking” – the belief that if they “think it” hard enough, their wish will come true – and they may cling to fantasies of their parents getting back together. This fantasy can remain into adulthood.

This age group takes parental splits very personally. They feel that they are being divorced or rejected. They are generally unable to appreciate their parents’ needs, except for short periods of time, and they fear being left. They may feel they were not good enough for the parent to stay, and so they fear being replaced by other children in that parent’s life. Children may long for the absent parent, often regardless of the quality of the relationship.

Children are most likely to express strong feelings, such as anger, with the parent with whom they feel most secure. A young child may express anger or be aggressive with the parent they live with because of distress at the situation, but this should not be automatically interpreted as a sign of a problem in either parent-child relationship.

Signs of Stress

- Behavior problems – being aggressive, depressed, impulsive, or manipulative.
- Persistent sleep problems – bed-wetting, baby talk or other immature behaviors can be more serious signs of upset and help should be sought when these are ongoing.
- Fears.
- Frequent sadness, crying, withdrawn, or feeling personally rejected.
- Fantasies about parents getting back together.
- School problems – concentration, daydreaming or difficulty with schoolwork.

Suggestions to Promote Coping

- Both parents remain involved in the child's life and spend as much time with their child as possible.
- Parents thoughtfully decide what and how to tell children about separation and divorce, remaining sensitive to each child's age and capacity for understanding.
- Support predictable and regular contact with the other parent.
- Reassure your children that the separation is not their fault. Help them understand that the decision had nothing to do with them.
- Encourage your child to talk directly with each parent.
- Show interest in schooling and extracurricular activities.
- Allow time for adjustment at the beginning and end of time together.
- Encourage frequent telephone calls or Internet video calls.
- Allow children to express their feelings creatively through drawing, painting or play. Ask them to explain the story or what they have made and what it means to them.

D. Later School-Aged Children (9-12 Years)

Typical Behaviors: Ages 9-10

- Increased independence; can be capable and self-directed.
- At the same time, they still obey parents easily and naturally.
- Starts developing more interests in friends, and by age 10, they are more content with friends and the world in general.
- Desires to have maturity respected.
- Is a worrier.
- Complains frequently, often about physical disturbances, such as stomach aches when told to go to bed, etc.

Typical Behaviors: 11-12 Years

- Time of rapid growth, particularly in girls, leading to an increased appetite.
- Inability to sit still.
- Loud, blustering behavior.
- Occasional to regular quarrels with parents and siblings.
- Moody.
- Enthusiastic and generous.
- Yo-yo's back and forth from mature to childish behavior.
- Girls may have a better relationship with dad than mom.
- Same-sex peer relationships are very important; romantic interests may be developing for many children.

Reactions to Separation

- The younger preadolescent child tends to see the world in absolutes: good or bad, right or wrong, black or white. Although these children will be able to see the separation as the parents' problem, they are still likely to be angry about the inability of their parents to work it out.
- Preadolescents are likely to take sides – often against the parent they think wanted the separation. They will also offer themselves as a parental companion, especially if they see the parent as sad or hurting.



Signs of Stress

- Intense anger at the parent blamed for causing the separation. May be more likely to experience loyalty conflicts or to side with one parent or the other.
- School difficulties, such as a drop in school grades.
- Sadness.
- Physical complaints, such as headaches and stomach aches.
- Becoming overactive to avoid thinking about the separation.
- Wanting to be continuously with friends, to the exclusion of family.
- Telling one parent what to say to the other parent.
- Taking an “I don’t care” attitude.

Suggestions to Promote Coping

- Parents thoughtfully decide what and how to tell children about the separation, remaining sensitive to their child’s age and ability to understand adult decisions.
- Both parents remain involved and honest with their child; avoid blaming one another.
- Avoid demanding instant closeness or loyalty to a new significant other.
- Ensure that children have some clothes, books and special things at each home.
- Encourage children to make a tape or video of a special activity or skill to give to the other parent.
- Encourage frequent telephone calls or Internet video calls with the other parent.
- Provide access to email for communication with the other parent.
- Encourage activities and relationships with friends; allow your child to sometimes bring a friend when spending time with you.
- Reassure children that you are available to them. Be around for them.
- Inform your child about what is happening as family changes occur.
- Maintain consistent routines.
- Inform teachers of any stress your child is experiencing and seek help for school problems.
- Give children permission to continue loving both parents.

E. Adolescents

Typical Behaviors

- Teens generally want to spend less time with parents and more with their friends.
- Teens like to spend time alone in their rooms.
- Teens experiment with different clothing and hairstyles.
- They try out different parts of “who they are.”
- Teens may change their group of friends more frequently than during the school age years.

Reactions to Separation

When parents separate, teens often experience a wide range of feelings. As teens routinely move toward separation from family anyway, parents’ separation creates anxiety about their future. “Will I fail in a relationship?”, “Can I believe in love?”, and “Will I be betrayed if I trust?” are all typical questions.

These anxieties may affect your teen’s development. For example, they may feel the need to avoid or rush into sexual relationships. Teens may be quick to assume a caretaking role with a parent, especially one they view as hurting or distressed.

Signs of Stress

- Range of challenging feelings: anger, sadness or withdrawal, shame, or embarrassment.
- Change in relationship with one or both parent(s).
- Drinking and/or drug experimentation.
- Drop in school grades.
- Feels hurried to achieve independence.
- Plays one parent against the other.
- Adopts an “I don’t care” attitude.
- Always tired; finds it hard to concentrate.

Suggestions to Promote Coping

- Make yourself knowledgeable about teens and understand that their negative or different behavior may be due to changing needs, not necessarily due to the separation.
- Think carefully about how you will answer your teen’s questions about who wants the separation, who hurt the other, and who is more upset. Do not feel you need to answer all of their questions completely and fully. Focus on moving forward as a family.
- Avoid making your teen your best friend or relying on them for company.
- Respect your adolescent’s wishes to be alone at times, but make sure they know that you are available when they are ready to talk.
- Shared parenting plans reflect the importance of teens’ peer groups and their natural desire to separate from family. Give teens a lot of input into the parenting schedule, but do not burden them with the responsibility of making final decisions. Understand that your teen may want to spend less time with either or both parents than you’d wish.
- Maintain discipline and limits while allowing for normal behavior that seeks personal freedoms and choices. Emphasize that there are consequences for behavior. Communicate with the other parent to ensure that discipline is consistent.
- Be aware that there are consequences for your behavior as parents; teens will hold you responsible for your choices as you do theirs.
- Listening is a major part of parenting. If your adolescent asks for help, respond with care and concern, and get help from school or professionals, if necessary.

Reflective Questions

Based on the information you have been given about children during separation consider the following questions:

1. What must you and the other parent consider about your children’s temperaments when working on your parenting plan?

2. Are there any behaviors you will change that may have put your children in the middle of conflict between you and the other parent?

3. What must you and the other parent consider about your children’s ages when working on your parenting plan?

4. How can you help ease the exchanges between homes for your children?

Section 3 – Learning Your Way Around the Legal System



Key Points

In most situations, children desire to, and have the right to, spend time with both of their parents, regardless of how you feel about each other. Seeing both parents as regularly as possible helps children maintain their emotional connections with each parent despite the separation.

Child support is for the children, even though it passes through your ex-partner. Its purpose is to maintain a standard of living for children so that they better adjust to their parents living apart. Child support is the right of the children, and therefore cannot be bargained away by the parent(s) or reduced by one parent's decision.

Working out conflicts with your child's other parent can be upsetting, maddening or can cause you to feel really anxious.

Some parents turn over decision making to the courts because they cannot do it together. You will have different choices for how to separate, divide what you own, and plan how to raise your children. These are called "dispute resolution options" in the courts. Before you turn decisions over to a judge, it is important to know about the choices of dispute resolution that are open to you.

Mediation and collaborative family law are two types of dispute resolution that encourage parents to work together outside of court for the benefit of themselves and their children. Both types involve open sharing of information and a commitment to reaching solutions that benefit both parents and the children. Communication is direct between parents rather than through lawyers.

Parenting coordinators can help parties resolve disputes over existing agreements and orders, such as who has parenting time during summer holidays. Parenting coordinators are knowledgeable about children's developmental stages and mental health, and they help parents focus on their children's needs while resolving disputes. Parenting coordinators do not create or change parenting arrangements.

A family law arbitrator plays a role similar to that of a judge. They are able to make binding decisions to resolve family law disputes using processes that are more informal than the courts. Family law arbitrators use a combination of different dispute resolution processes, including negotiation, mediation and arbitration.

Family Justice Services provides services to parents to help deal with the difficulties of family breakdown, separation and divorce in the healthiest way possible. Services are provided by court direction, legislative mandate, or voluntary participation.

Learning Your Way Around the Legal System

1. The Divorce Process and Legal Terminology

The amount and type of your involvement in the legal system will depend on a number of factors, including:

- What your needs are (e. g., filing a parenting plan, getting help making decisions, seeking enforcement of a plan that is already in place).
- How you and your child's other parent decide to resolve your disagreements.

Dilemmas you will face fall into three general categories:

- A. determining how to make major decisions regarding care of the children;
- B. establishing living arrangements and parenting time; and
- C. determining financial support of the children.

A. Decision-Making Authority

- If married parents are getting a divorce, the term custody has been used. The new term most often used now is decision-making responsibility, or it is sometimes referred to as decision-making authority.
- Whether or not parents were married, each parent will generally be a guardian of the child. There are exceptions to this rule in a small percentage of unmarried parents.
- Parents have joint decision-making authority, unless an agreement or court order states otherwise.
- Joint decision-making responsibility or authority means both parents have the authority to make decisions affecting their children, including day-to-day decisions, residence, education, medical, religion, etc.
- If parents have separated and cannot agree on decisions affecting their children, they can ask the court for a decision – called a parenting order.
- A parenting order can include: (a) which parent has authority to make decisions on particular subjects; (b) parenting time given to each parent; and (c) the process to resolve future disputes (if parents agree on a process).
- The “best interests of the child” is a standard used in family law to make decisions that impact children. All circumstances affecting the child are taken into account, and what is reasonable or best in one family's situation may not apply to other families.

B. Living Arrangements for the Children

Residence describes where a child lives.

- **Primary residence:** a child having residence with one parent for more than 60 per cent of the time in the course of a year.
- **Split residence:** each parent having the primary residence of at least one child.
- **Shared residence:** a child having residence with each parent 40-60 per cent of the time over the course of a year (could be a 50/50, 40/60, or 45/55 split).

C. Financial Support for the Children

General Principles about Child Support:

- It is the responsibility of both parents to contribute to the cost of raising their children to the best of their abilities.
- Child support is the right of the child; therefore, it cannot be bargained away by the parent(s) or reduced by one parent's decision.
- Child support is not tied to parenting time: you are expected to pay child support whether or not you are spending time with your child.
- If possible, the children's standard of living (what they are used to in terms of housing, education or activities) should be kept the same after separation as it was before the separation.
- The children's needs take priority over most other expenses.

- The parent receiving child support is generally not required to account to the parent paying it for how the support is spent.
- The parent receiving child support does not pay tax on the child support received, and the payor cannot claim child support paid as a tax deduction.
- The Court is required to follow the Child Support Guidelines when it makes a child support order, even if both parents do not want to follow the Guidelines.
- A judge makes the final decision about whether the child support arrangement is reasonable for the child.

Calculating Child Support

The *Federal Child Support Guidelines: Step-by-Step* provides detailed information about child support. Find the publication on the federal Department of Justice website at: <http://www.justice.gc.ca/eng/fl-df/child-enfant/ft-tf.html>.

Before you begin using the child support table, you will need some basic information:

- Which table to use (based on the number of children receiving child support). Each province or territory uses a different table.
- Each parent's guideline income. This reflects your actual income, and it may either be taken from last year's tax returns or based on the income earned in the current year. Guideline income can be complicated by many factors, and parents often require assistance to determine income for child support purposes.
- Parenting arrangements.

Once you have the basic information, you are ready to begin using the child support table. The Family Law Information Centre is available to help find options on how to change child support, as well as options and information on how to calculate child support. See "Who To Call" in the PAS Important Information section for contact information. That section also includes the following information related to child support:

- Getting Help with Child Support Calculations.
- The Role of the Maintenance Enforcement Program.

In addition to Base Child Support (as determined by the tables), there may also be Section 7, or Special Expenses, that are included as part of child support. Special expenses are shared between parents in proportion to their relative incomes.

Such expenses include the net amount (after tax deductions and subsidies) of:

- daycare;
- health and dental insurance premiums;
- health and dental expenses not reimbursed by insurance, i.e., glasses and braces;
- extraordinary expenses for primary and secondary school;
- extraordinary expenses for extracurricular activities; and
- expenses for post-secondary education.

There are many ways to resolve your disputes besides litigation. Mediation and collaborative family law, for example, support parents in making their own decisions.

Child Support Recalculation Program

Once parents have either a child support court order or enforceable agreement in place, they may choose to register with a Child Support Recalculation Program. In Saskatchewan, the Child Support Recalculation Service (CSRS) is available. If the child support order is eligible for recalculation, CSRS will recalculate Base Child Support, so families can avoid asking the courts to review their child support.

The timing of a CSRS recalculation is based on the application date, and it must be less than six months since the date of the most recent order, agreement or last recalculation. CSRS uses the parent's income tax returns and recent income information in addition to the child support tables to recalculate.

If you may want CSRS's services in the future, you should carefully review their eligibility criteria and word your child support order accordingly.

Further information is available at: <http://www.saskatchewan.ca/child-support-recalculation>.

2. Dispute Resolution Processes

A. Mediation

Mediation is a voluntary process. Parents meet with a mediator who remains neutral to them both and helps them communicate, develop options, clarify issues and focus on the future. The mediator does not make decisions, but they help parents come to an agreement. Most parents who try mediation are able to reach an agreement. Since parents make the decisions, they follow through with them more often than when issues are decided for them by the court. Research shows that mediation is faster, cheaper and results in less conflict than going to court. For more information on how to find a mediator, see the Mediation Information Sheet at the end of this manual.

B. Collaborative Family Law

Similar to mediation, the collaborative family law process is about cooperation instead of confrontation. Collaborative lawyers work with you and your former partner to understand what each of you wants, help you problem solve when you want different things, and reach an agreement that you both accept and think is fair. The two of you are responsible for gathering information and coming to solutions, but you each do it with the help of lawyers who work with you both separately and together.

In collaborative family law:

- Parents and collaborative lawyers work together as members of the settlement team rather than working against each other as opposing parties.
- You will have control over your own decisions.
- You, your child's other parent, and both collaborative lawyers will agree in advance to work only toward a settlement acceptable to both parents. Collaborative lawyers pledge not to go to court throughout the process. If parents choose to go to court, they will have to begin the process again with different lawyers.
- For more information regarding collaborative professionals in Saskatchewan, visit <https://collabsask.com>.

C. Parent Coordinators

Parent coordinators can help parties resolve disputes over existing agreements and orders, such as who has parenting time during summer holidays. Parenting coordinators are knowledgeable about children's developmental stages and mental health, and they help parents focus on their children's needs, while resolving disputes. Parenting coordinators do not create or change parenting arrangements. A list of recognized service providers for Saskatchewan can be found at:

<http://www.saskatchewan.ca/earlyfamilyresolution>.

D. Family Arbitration

In family law, an arbitrator plays a role similar to that of a judge. They are able to make binding decisions to resolve family law disputes using processes that are more informal than the courts. Family law arbitrators use Saskatchewan family law to make decisions. Sometimes arbitrators use a combination of different dispute resolution processes, including negotiation, mediation and arbitration. A list of recognized service providers for Saskatchewan can be found at:

<http://www.saskatchewan.ca/earlyfamilyresolution>.

Frequently Asked Questions About the Legal System

What will happen in the court process?

The flow chart handout in the book describes the steps most people encounter in the legal process. Your materials also include definitions of words used in the legal system that may be new to you (see Glossary in the Important Information section), and a description of choices available to help you and your former partner move through the legal system with as few economic and emotional costs to your child and family as possible.

What does joint decision-making responsibility mean?

When parents have *joint decision-making responsibility*, they will continue to make decisions about their children together. The term does not refer to the time parents will spend with their children. Often the child will live primarily with one parent, and the other will have parenting time or a legal right to spend time with the child. Reasonable parenting time takes place whenever the parents agree to it. Specified parenting time holds the non-custodial parent to certain days or times in accordance with a legal agreement or court order. Shared parenting time means the children will divide their time more or less equally between their parents' homes.

What type of parenting agreement is best for my child?

There is no "one size fits all" parenting arrangement that works for all children or families. An arrangement that works well for your child today, may not fit your child (or your family) in six months or a year. Your PAS handout, *Where to Find Other Parenting Plan Examples*, provides resources to help you make a plan that is sensitive to your child's age and needs.

If I agree to shared parenting (and residences), won't I get less child support?

How you and your ex-partner divide up time with your children does impact child support calculations. The idea is that if your partner wants shared parenting time, they will be spending considerably more time with the children, and they will be responsible for expenses when the children are in their care. If the Court is asked to set child support in a shared parenting arrangement, it will look at the expenses each parent pays for the children and each parent's situation, means and circumstances. Consult a lawyer to decide if the change is a meaningful one for you financially and how the balance between caring for the children and child support is best handled between the two of you.

Can parenting time ever be denied by the Court?

In most situations children have the right to spend time with both parents regardless of how you feel about each other. In certain circumstances (for example, when a parent abuses/neglects a child, or abuses alcohol or drugs), the Court will place conditions on the parent's parenting time to keep children safe when they are with that parent. For example, the Court may order that the parenting time be supervised, or that the parent must not consume alcohol during parenting time. The Court will only deny parenting time in extreme cases.

 Children usually desire, and have the right, to spend time with both of their parents.

What if my child's other parent makes my parenting time difficult or impossible?

Generally, a parent does not have a right to interfere with the other parent's parenting time. If a parent with primary residence refuses to allow the other parent to see the children, a Court may specify steps that the resident parent must follow, perhaps even switching the children's residence if the interference continues.

Can I refuse parenting time to my child's other parent if they do not pay child support?

No. Although it might seem like a fair exchange to you when you are angry or when you feel sympathetic for your child, from a legal perspective, parenting time and child support are not connected.

What if my income changes and I can no longer pay the same amount of child support?

Parents often review their child support annually and make adjustments to the payments if changes have occurred over the year. When circumstances change, such as significant income increases or decreases, parents may need to renegotiate child support right away.

- Using the tables and your new income, determine the child support amount and discuss this with the other parent to see if an agreement can be reached about a change in payment. You may choose to use a form of dispute resolution, such as mediation, to assist in the discussion.

If there is a court order in place that sets out your child support obligation, you may decide to have that order revised. The Family Law Information Centre or your lawyer can assist you with this. It is essential to vary your court order if the Maintenance Enforcement Program is being used as they must enforce the order as written.

You may be eligible for the Child Support Recalculation Service, which adjusts child support based on the parties' income information. The CSRS makes adjustments by application and at least six months after the most recent order, agreement or recalculation decision.

For whom does mediation work best?

Family mediation is successful in resolving conflict over various concerns between parents. Mediation is effective whether it takes place early or late in the legal process, although most experts agree that beginning mediation earlier is more beneficial.

There are situations when mediation is not successful. When one or both parents distrust each other very strongly or do not approach the process fairly (e.g., holding back important financial information or information about the child), it is less likely that an agreement will be reached. When there is high (but non-violent) conflict between parents, specialized mediation programs designed for these situations work best. When there is a history of family violence, mediation is usually not recommended, but it can sometimes still work well for families if the mediator: (1) addresses power and control concerns and ensures that both parents can participate safely; and (2) has specialized training in working with families with a history of family violence.



Child support is the right of the child. It cannot be bargained away by the parent(s) or reduced by one parent's decision.



It is the responsibility of both parents to contribute to the cost of raising their children to the best of their abilities.

How do I find a mediator?

The Government of Saskatchewan's Dispute Resolution Office offers mediation services to families on a fee-for-service basis. If you choose to find a private mediator, you can:

- Ask your lawyer or counsellor to suggest a mediator.
- Ask friends or co-workers, who have been to mediation, to suggest a mediator.
- When choosing a mediator, ask if they are a member of a professional mediation association, such as Family Mediation Canada, Conflict Resolution Saskatchewan Inc., or Alternative Dispute Resolution of Saskatchewan Inc.

For more information on how to find a mediator, see the Mediation Information Sheet at the end of this manual.

How do I find a collaborative lawyer?

Look online at <https://collabsask.com>.

- Ask a mental health counsellor specializing in divorce to suggest a collaborative lawyer.
- When choosing a collaborative lawyer, ask if they are a member of The Collaborative Professionals of Saskatchewan Inc.

What is the difference between mediation and collaborative family law?

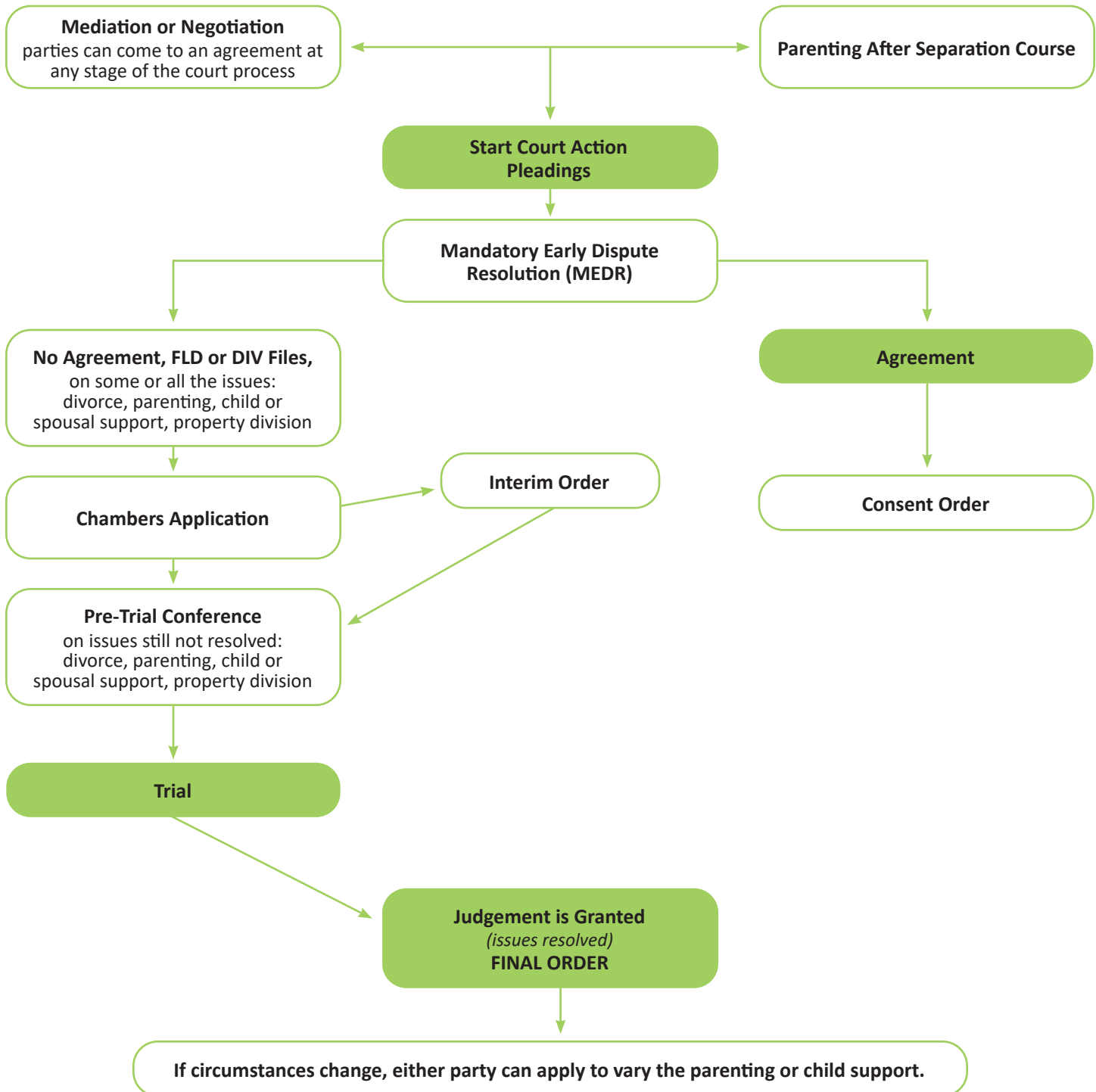
In mediation, a third person who stays neutral assists you in reaching decisions. In collaborative family law, both parents are represented by lawyers.

In mediation, lawyers are not present in most sessions. The mediator does not give legal advice or advocate for either parent. A mediation summary is prepared by the mediator, and then parents may review the summary with lawyers. Lawyers are present throughout the collaborative law process.

Mediation has been used most often in low to moderate conflict situations; higher conflict couples who want to stay out of court may find collaborative family law more appropriate for their situation.

Section 3 – Fact Sheet

Steps in the Saskatchewan Court Process

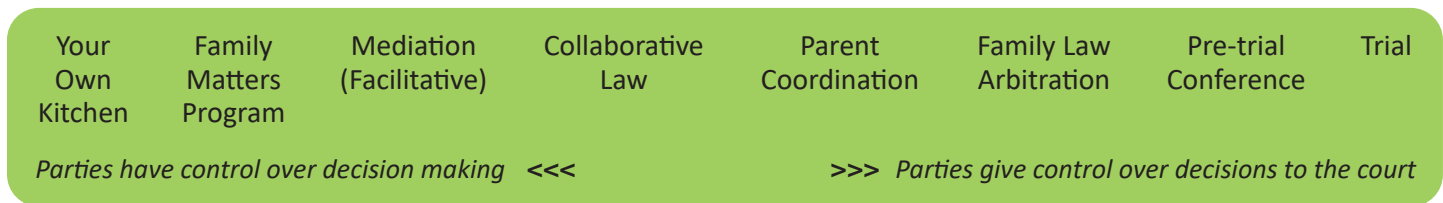


As of July 1, 2022 all families involved in a separation or divorce in Saskatchewan are required to participate in early family dispute resolution before going to court.

Dispute Resolution Processes

The Courts are very supportive of families working together to establish their parenting agreements through collaborative, honest discussion early in the separation process.

Dispute Resolution (DR) Options, Ranging from Direct Control to Arbitration



Typically, parent disputes are about:

- parenting time;
- child support;
- spousal or partner support; or
- property division.

Steps In Dispute Resolution

Step 1

Choose the dispute resolution process that seems best for you and the other parent. The decision to choose the best option depends on several factors, including whether a decision is needed urgently.

Each DR process is based on its own rules. If you and the other parent cannot agree on the process to use, then you will likely wind up bringing the issue to court for a judge to decide through a process known as litigation.

Step 2

Work through the process you chose and try different processes when you get stuck.

Some couples use one type of process to agree upon as many of their issues as possible, but sometimes they cannot agree on everything, or the first process breaks down. You can then choose a different process. For example, you and your former partner may start in mediation and then move to a collaborative law process to resolve your remaining disputes.

Explanation of the Dispute Process Options

Your Own Kitchen Table

This is when you and the other parent can sit down and work out your own private agreement without the help of anyone else. The risk of using this option is that if, in the future, one of you becomes unhappy with the agreement, the agreement could break down and/or be challenged.

Family Matters Program (FMP)

An early intervention process that will allow families experiencing separation to access information and resources to deal with a changing family situation; an option to work with a recognized service provider in a free problem-solving session providing assistance to resolve urgent and outstanding issues; and an opportunity develop a plan to address any remaining issues in the most effective and timely manner. For more information, visit:

<https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/family-matters-program>.

Mediation (Facilitative)

During mediation, the mediator leads and focuses the discussion but does not support positions of one parent or the other or any particular outcome. The mediator does not give legal advice, and they have no authority to order an agreement. Any settlement reached between the parents will be written into a Mediated Summary document. The Mediated Summary is not a legal document, but it can be the basis for a child-support court order or parenting agreement that is enforceable by law (also called “legally binding”).

A Mediated Summary document on property division or spousal support will need to be turned into a contract written by a lawyer, so that the agreement is final and enforceable by law. More information regarding mediation services can be found at: <https://conflictresolutionsk.ca>.

Collaborative Law (CL)

CL is similar to mediation as it is based on the belief that parents can reach their own decisions and find agreements that work for all family members. However, in CL, each parent has a lawyer who gives legal advice and supports their interests during the negotiation. The lawyers also prepare the paperwork to make any agreement legally binding. These lawyers are not allowed to represent either parent if the parents cannot reach an agreement and decide to litigate (take their conflict to courts for a judge's help in deciding); this provides a strong reason for parents to work harder to settle their disputes.

One way that collaborative law is especially helpful is that both parents hear the legal advice and opinions being given at meetings that involve both parents and both lawyers, so you do not get one-sided legal advice or the other party's version of what their lawyer said.

A neutral parenting expert and neutral financial expert are sometimes hired in the collaborative model to work together with the parents and lawyers as a larger team. Often, each parent will hire a divorce coach to help them emotionally prepare for meetings, so that each meeting is as smooth and effective as possible. For more information, visit <https://collabsask.com>.

Parenting Coordination (PC)

Parent coordination is an alternative way to resolve disputes in high conflict situations. Parent coordinators become involved after a parenting plan is in place, either by written agreement or court order.

Parents may, for a fee, hire a parent coordinator for a specific length of time when:

- they need help starting and working with the parenting plan that is in place;
- other types of dispute resolution or problem solving have been unsuccessful;
- there are concerns about drugs, alcohol or child abuse;
- the hostility between the parents remains high;
- they have challenges effectively sharing information about their child.

More information on parenting coordination is available at: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/early-family-dispute-resolution/parenting-coordination>.

Family Arbitration

Family law arbitrators play a role similar to that of a judge. They can make binding decisions to resolve family law disputes using processes that are more informal than court. For more information, visit <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/early-family-dispute-resolution/family-arbitration>.

Pre-Trial Conference (PTC)

A pre-trial conference is a mandatory step before a trial is set that attempts to resolve any outstanding issues before parties proceed to trial. It is a settlement meeting where the parties meet (with their lawyers, if they are represented) with the judge in a private room, not the court room.

The judge may provide an assessment of what may happen at trial should parties not reach agreement; this may encourage parties to reach settlement, without having to proceed to trial.

Judges do not make rulings at pretrial conference, instead if an agreement is reached, the judge may approve a consent order to be issued. Past history has shown that many people will settle some or all of their issues at pre-trial.

Furthermore, the parties will be sure of the outcome, as opposed to the uncertainty and potential costs that come with a trial.

Court Hearings or Trial

A trial results in both parents (or their lawyers) presenting their case to a judge and leaving it to the judge to decide how their conflicts should be resolved. Court hearings, or trials, can be useful when one parent is being unreasonable and refuses to compromise or offer a solution that seems fair to both parents. However, it is also costly in terms of money and emotion. Most experts agree it is best for parents to maintain as much control over their own process as they possibly can and to use less costly ways of solving disputes before falling back on court hearings.

In all Saskatchewan court jurisdictions (effective July 1, 2022) family matters that come to family court are required to attempt a family dispute resolution process before they can continue with any further court proceedings. For more information regarding Early Family Dispute Resolution, visit:

www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/early-family-dispute-resolution.

Section 3 – Worksheet

Reflective Questions

Based on the information you have been given about the types of decisions parents must make on legal issues, consider the following questions:

1. **Is there anything that will need to be clarified between you and the other parent about calculating the amount of base child support?**

2. **What are the Section 7 expenses for your children that need to be included in your parenting plan?**

3. **Based on the available dispute resolution options, what would be the best method for you in working out your parenting plan decisions? How will you make this suggestion to the other parent?**

Section 4 – Parenting Plans that Work for Your Family



Key Points

Parenting plans are most useful when they meet children’s needs at whatever ages they are and are practical – that is, parents can make the plans work.

Many children want their voices to be heard during the separation or divorce. Most children will want to say what is important to them but not to have to choose which parent they get to live with most of the time. Parents can listen to what children say they want, while making it clear to their children that the final decision rests with the parents alone. This will protect your children from feeling guilty later, and it reminds them that you are still the parents, and they are still the children.

As part of your parenting plan, build in regular times for each parent to spend time alone with each of your children. Children treasure this time and are more likely to talk about what they’re feeling when they have time alone with a parent. Remember that time together is more important than the activity itself. Hanging out time is important to children of all ages.

Strive for a balance of consistency and flexibility in your parenting schedules. Children will find it easier to see both of you when you follow a routine, and when you honor your commitments to your child by showing up on time. But it is also important to make room for changes in schedules that will arise because of parent work schedules, special family events, or children’s activities.

Your child will learn about how to cooperate with other people from what they observe as you work out the schedule with the other parent over time.

Parenting Plans that Work for Your Family

1. What is a Parenting Plan?

A parenting plan is an agreement between parents on how they will raise their children after they have separated. A parenting plan describes how parents will:

- Make major and daily decisions about their children.
- Specify a schedule for where their children will live and when.
- Provide for the physical, emotional, psychological, and spiritual care of their children.
- Adapt to the changing needs of their children.
- Make clear what they expect of each other, especially about what they will each do to care for their children.
- Describe how they will handle disagreements that arise.
- Communicate with each other about the children.

Asking children for their input helps them to feel respected, that their feelings matter, and that they are not powerless.

2. Parts of a Parenting Plan

A. Decision Making

The parenting plan specifies who makes the major decisions affecting your child. It gives parents clear authority for making big decisions about education, health, and religion, and states whether parents will be making decisions together or one parent will have more authority for making certain kinds of decisions.

Deciding which parent will make particular kinds of decisions can be based on:

- the way in which major decisions were made between parents before the separation;
- degree of cooperation between parents;
- each parent's ability and willingness to participate in future decision-making; and
- each parent's expertise or area of knowledge (for example, one parent who is an EMT; the other parent who is a Special Education teacher with reading specialization).

B. Parenting Time Schedule

A residential schedule specifies parenting time for each parent; that is, when the children will be in the care of each parent. Schedules are most useful when they are specific, detailing the time children will spend with each parent during the:

- school year;
- summers; and
- holidays, vacations and special occasions, such as birthdays and Mother's/Father's Day.

The idea is to create a schedule that is all about what your child needs, but it also considers:

- What agreements are in place now.
- Who has performed specific parenting functions in the past.
- The ability and willingness to perform parenting roles in the future.
- The child's relationships with siblings, grandparents, teachers, friends, etc.
- The child's environment and interests (school, hobbies, sports, etc.).
- The child's temperament.
- The child's voice (not choice).

C. Dispute Resolution

We highly recommend that parents identify a dispute resolution process to follow (and include in the parenting plan) if they disagree on how to handle a particular issue. Review options in section three of this manual.

D. Finances: How Will the Child's Expenses be Paid?

Parenting plans also specify how various child-related expenses will be covered, including:

- regular activities and schooling;
- school or club uniforms, sports equipment;
- travel (e.g., to parents and grandparents) and school trips;
- large items (e.g., bicycles, computers, musical instruments, driving lessons, etc.); and
- allowances.

As children move between homes, they need help making the transitions.

E. Future Changes to the Plan

It is wise to specify how you will go about changing the plan as children's needs or adults' circumstances change. Parenting plans clearly state:

- How the other parent will be informed when changes need to be made.
- How parents will build in reviews of the arrangements when changes occur.
- Who parents will seek help from if they have trouble making a decision (common examples include: a counsellor, family therapist, or mediator). If someone was helpful in the recent past, specifying who you will turn to and for how many times before either of you consults a lawyer or goes to court, can help keep conflict and legal costs to a minimum.

3. Approaches to Putting Together a Parenting Plan

A. Considerations

Parenting after separation/divorce will be easier when parents are able to work together to formulate a plan for how they will parent their children. Some parents may also rely on the expertise of mediators, lawyers or parenting coordinators for assistance when developing their parenting plan.

B. Communication Guidelines

It is good practice for parents to write down their thoughts about co-parenting their children, and to clarify these ideas in their own minds before meeting with the other parent to discuss them. It is also important to come to the meeting prepared to be open to the other parent's thoughts and ideas.

The purpose of the Parenting Plan is to provide day-to-day guidance to both parents, with the overall goal of ensuring the well-being of the children. Parents should keep in mind that if they become too attached to their own proposed outcome for the plan, they may have difficulty seeing their children's best interests.

Each parent should have an opportunity to share their thoughts and ideas without interruption. Active listening and listening with curiosity rather than anger or defensiveness will go a long way toward facilitating good communication.

Look for common ground in the discussion, and work on those areas first to promote good will and a sense of shared purpose.

Discuss the potential benefits or drawbacks of ideas that are not held in common, to come up with something that is agreeable to both parties.

When parents have agreed to a draft Parenting Plan, they may wish to have it formalized with the assistance of a mediator or lawyer.

4. Parenting Arrangements

A. Parenting Time and Decision Making: Things to Consider

Shared parenting arrangements benefit children's and parents' adjustment to separation and divorce in general.

- Shared parenting leads to both parents staying involved, which has direct benefits for children and the family's economic stability.
- Shared parenting gives both parents the opportunity to get help and support from the other.
- Children report less missing and longing for the non-residential parent many years later.

Unfortunately, shared parenting arrangements do not work well for all families.

- When parents are in ongoing conflict, shared parenting arrangements do not heal the relationship. Instead, children are more often caught in the middle of the fighting.
- Shared parenting works best when both parents are reasonably healthy people, cooperative and polite to each other, and able to keep their children's best interests front-and-center.

B. Parental Access: Things to Consider

Experts in the field of family law do not always agree about the best age and schedule for young children to spend overnights with the less seen parent. Experts especially disagree about best parenting schedules for infants and toddlers. However, there is agreement on this point: **spending regular time with both parents (except in instances of domestic violence/abuse/neglect) is desired and healthy for children of all ages.**

- This means that parents must create a schedule that has room for both parents' time with their child and opportunities to become comfortable, skilled caregivers.
- Some experts suggest that having overnight care fosters closer parent-child relationships that are more likely to last through the stresses of divorce. However, there is a cost to the child when the overnights make it difficult for the child to maintain routines.
- Infants need enough time with each parent to build secure attachment relationships. For them, it is critical to involve both parents in childrearing as soon as possible after parental separation.

Parenting plans describe how parents will make decisions, share parenting time and expenses, and handle changes or disagreements.

5. Giving Children a Say

Asking children for their input, and really listening to what they say, will help them to feel cared about and respected. It will also help them overcome feelings that they are powerless in a changing world. Often, parents forget that children – like adults – find it upsetting to not be given a say about how they will spend their time. However, it is important to give children a voice, not a choice. It is not in children's best interests to make any final decisions about their care. Making final decisions is the parents' responsibility.

Recent research has shown that when children are asked for their input (versus being left out completely) during the mediation process:

- Parents and children are more satisfied with the parenting agreements, and they are less likely to change them.
- Parenting arrangements are more stable.
- Parents are less likely to go back to court over parenting matters.
- The quality of family relationships (between parents and their children) tends to improve over time.

Parenting Plan Outline

_____ and _____ the parents of:

Child 1 Name: _____

Child 2 Name: _____

Child 3 Name: _____

Decision Making

1. Who is responsible for making the day-to-day decisions?
2. How are major decisions made and who makes those decisions?
3. How will disputes be resolved in the future?

Parenting Schedule

Day-to-Day Schedule

4. Day-to-day parenting schedule.
5. Details of exchanging parenting time.
6. How a parent can contact the children when they are with the other parent.
7. Method used to make changes to this schedule and the amount of notice required.
8. Child care (regular and occasional). The circumstances in which one parent will first contact the other when requiring occasional child care.
9. Extracurricular activities schedule and the responsibilities of each parent for those activities.

Holidays and Special Occasions

10. Calendar holidays.
11. Summer vacation.
12. Birthdays and other family events.
13. School holidays.

Travel

14. Expectations regarding communication and limitations for travel with the child(ren) outside the city, province and/or country.
15. Passport arrangements.

Mobility

16. Any decisions regarding if or how a parent may move with the child(ren).

Communication

17. How information about the child(ren) is to be shared.
18. Guidelines for communication between the parents.

Involvement of Significant Others

19. How people who have a significant relationship with the child(ren) will be included in their lives (i.e., grandparents, stepsiblings, etc.).
20. Introduction of new partners.

Financial Support of the Children

Child Support – Basic Child Support

21. Information used to calculate child support, such as the amount of annual income that has been either verified or agreed to.
22. Basic child support amount – this is either based on the Federal Child Support Guidelines or a statement that the parties have agreed to deviate from the Guidelines. Rationale for the deviation should be included if the parties so choose.
23. Payment schedule/date.
24. Start date of payments.
25. When child support will either be concluded or reviewed.
26. Method of payment (i.e., post-dated cheques, email transfers, Maintenance Enforcement Program).
27. Registration with the Maintenance Enforcement Program or Child Support Recalculation Program.

Child Support – Special Expenses

28. Section 7 expenses – what is and what is not extraordinary as defined by the parents, or how they will make these decisions.
29. Method of payment, including receipts and/or the Maintenance Enforcement Program.
30. Review date for reassessing child support amounts.

Other

31. Special/unusual financial arrangements for the children.

Frequently Asked Questions About Parenting Plans

Is a parenting plan always necessary?

Negotiating a detailed parenting plan is strongly encouraged, and it can protect you legally if problems arise. The court can look and see what is already in place, which is usually the basis from which to make changes. Creating a parenting plan now will also lead to fewer co-parenting difficulties later as you will have already thought through the ins-and-outs of how you will continue to raise your children after separation. Creating a developmentally sensitive and thorough parenting plan now is a way to think carefully about your children and how you will continue to parent them separately and together.

If we are not using mediation or a collaborative family law approach, do we still need a parenting plan?

Developing a parenting plan is recommended regardless of the legal approach you choose for separation or divorce. You can always ignore it if you are working together well, but if you need it, you will be glad you have it.

How can a parenting plan be enforced?

If problems arise, you can first go to the person (mediator, counsellor or lawyer) who you specified in your plan as someone who can help. Ideally, both parents will go together with the intent of working out the problem. Often when a parenting plan is not being followed, it is because it doesn't meet the needs of one or both parents. Discuss possible adjustments to make the plan more workable. If that doesn't work, parents can discuss the problem with a lawyer and/or use the court to require the other parent to stick to the plan that is in place. Sometimes the court will: make an order that requires the parent(s) who is not complying to follow the plan; request more information or an evaluation of the issue; or require the parent(s) to give time or money as payback for what was not given in accordance with the plan.

When should a child start overnight stays or longer visits with the non-residential parent?

There is no one answer to this question. It depends on your child's age, temperament, how you and your ex-partner are getting along, and many other factors. Almost every expert agrees that by three years old, overnights are highly desirable. Many experts think it is fine to start them when children are infants if parents handle them sensitively (around the child's eating and sleeping schedules) and if the less-seen parent is very familiar with the child and their routines. Most of all, if parents and children are connected with each other – that is, the parent wanting overnights has been involved in the child's care and the child recognizes him or her and responds to his or her presence – then it is more likely that your child will benefit from overnight stays. Longer stays should be introduced gradually, with parents monitoring how children are responding. Often, the schedule will seem too long for one parent and too short for the other. Time spent together on a regular basis, with some overnights sprinkled in is desirable. In this way, the less-seen parent and child can get to know each other in the special ways that nighttime provides through bathing, sleeping and eating routines, which is generally acceptable to parents as a good starting point.



Time together between a parent and child is more important than what you do together.

At what age should children be given a say?

Even very young children can say what they prefer on small matters – for example, which toys to bring to their new home or what color to paint their new room. School age children should be given a voice on which social activities they don't want to miss, or which sports they prefer. Adolescents usually desire to express their ideas on bigger matters – for example, where to go to school and where to be on weekends.

Many courts begin taking children's wishes into serious consideration by 12 years of age. However, the appropriate age to ask for children's input depends on the child. If you aren't sure how to give your children a voice without them saying what they think adults need to hear, you should ask for help from Family Justice Services or private counsellors.

At what point in the process should a child be asked for their input, and about what?

Some children will have strong opinions from the get-go, and others will need to see what a new situation feels like before knowing how they feel and expressing it. A mediator or child development specialist can be very helpful, and it would only take one to two meetings to get a professional opinion. Children will also give you clues about when they are ready to talk. Just follow their lead.

Children should not be asked if there should be a separation or divorce, or with which parent they want to live. Putting a child in these positions is stressful. Other than this, children can be asked for their opinions on many topics. Younger children may be asked about simpler choices, whereas older children may be asked about more complex preferences, such as the schedule of spending time with each parent. When talking to children about their ideas, parents should remind children that final decisions are their parent's responsibility.

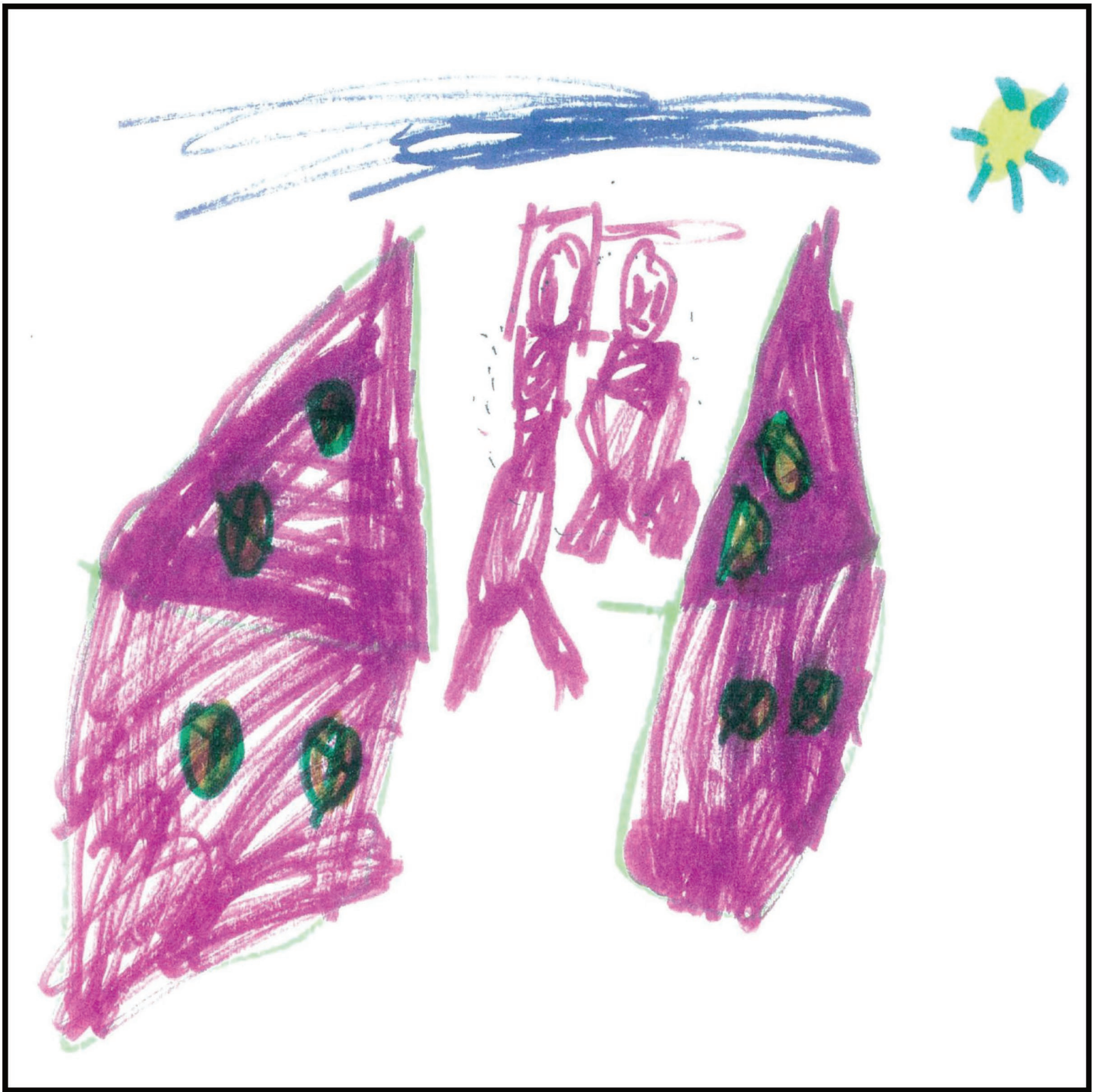
What if there has been serious fighting in my house? My child's other parent still wants to see the children, but it feels dangerous to me.

When there has been abuse or violence in your house, either physical or emotional, this changes how you should develop the parenting plan. It is not in the children's best interests to follow a plan in which one parent or the children themselves do not feel safe. If this is happening, you should insist that you involve a professional counsellor or mediator with experience in high conflict divorce and violence or a lawyer before agreeing to any plan or change in plans. If you are too afraid to stand your ground on this, seek help.

See the **Who To Call** section for contact information for interpersonal violence and abuse programs.

We have a plan that was working well for our daughter, but now she is taking dance at a place she loves and doesn't want to miss any classes. My former spouse insists that this cuts into his time, and he doesn't think it will hurt her to miss some classes.

Try talking to your former spouse and see if he would be willing to take her to dance, but rework the schedule a little so he has additional time with your daughter during the dance season. Or try working with your former spouse to see if you can change the plan, so the dance classes do not overlap between each parent's time. The important thing to note is that your daughter should be able to make the most of her classes, and she should not be caught in the middle between her parents. This will only make her less interested in keeping a schedule as she gets older and becomes more serious about her hobbies. **Note:** this same advice holds true for all children no matter which parent protests taking the child to activities during their scheduled time.



The above shows a five year-old's drawing of divorce.

Section 4 – Worksheet

Reflective Questions

Based on the information you have been given about parenting plans consider the following questions. What will you and the other parent need to consider when:

1. Determining a parenting schedule for your children?

2. Determining how health decisions will be made?

3. Determining how education/childcare decisions will be made?

4. Determining how child support will be paid?

5. Determining how to include the children's voices in decisions?

Parenting Plan Worksheet*

Date: _____

Print and complete this worksheet to facilitate discussion and development of a parenting plan. You may alter the content to meet your needs. As children grow and time moves on, you may have to revisit and adapt portions of the agreement to suit new circumstances. If you can anticipate changes, discuss them and include potential solutions for when they arise. However, allow flexibility and the ability to modify the parenting plan as not all situations can be predicted.

This document may be used in discussion between parents or with a counsellor, mediator, lawyer, etc. To make this plan legally binding, consult your lawyer. This document is not necessarily exhaustive of all issues involved in developing a parenting plan. Users are advised to seek professional input prior to completing a final agreement.

This Parenting Plan regards the care of children subject to their parents:

	Mother	Father
Name		
Address		
City		
Province, Country		
Postal Code		
Telephone		
Email		

This plan has been developed through the following process:

- ☐ Between the parents alone
- ☐ Through a mediation process
- ☐ Through their respective lawyers
- ☐ Through a Collaborative Law process
- ☐ Through an assessment process
- ☐ Other: _____

This parenting plan applies to the following children:

	Name	Birth Date	Age
Child 1			
Child 2			
Child 3			
Child 4			

* Worksheet adapted and used with permission of Gary Drenfeld, MSW, RSW. © Gary Drenfeld, MSW, RSW – 2006, www.yoursocialworker.com.

Parental Time with the Child(ren)

Parental time with child(ren) may be determined using the chart below or on the basis of the child(ren)’s weekly schedule of extra-curricular activities (see following page) or a combination of both.

Residential Schedule

Key: Use “M” for Mother and “F” for Father

Week 1	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Week 2	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Description:

Location of pick-ups:

Location of drop-offs:

Transportation arrangements for the child(ren) between the parents will be as follows:

If a parent is unable or unavailable for their time with the child(ren), who and how will this be explained to the child(ren)?

Children's Schedule of Weekly Extra-Curricular Activities

With the chart below, enter in each child's activity and which parent will be responsible for attendance.

Child 1	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Child 2	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Child 3	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Child 4	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning							
Afternoon							
Evening							
Night							

Both parents will encourage the child(ren) to engage in the following extra-curricular activities:

Child 1 – Activities: _____ Cost: _____

Child 2 – Activities: _____ Cost: _____

Child 3 – Activities: _____ Cost: _____

Child 4 – Activities: _____ Cost: _____

Costs for extra-curricular activities to be shared as follows:

☐ Mother ☐ Father ☐ Both equally ☐ Other:

1. _____

2. _____

3. _____

4. _____

5. _____

Responsibility for registering extra-curricular activities to be as follows:

☐ Mother ☐ Father ☐ Shared ☐ Other: _____

Neither parent will engage in the provision of extracurricular activities for the child(ren) which will result in the exclusion, whether intentional or unintentional, of the other.

The child(ren) will be permitted to attend social functions provided parents are satisfied that there is appropriate supervision and alcohol and drugs are not available.

Can both parents attend or under what circumstances can both parents attend a child's extra-curricular activity?

Parental Time for Holidays and Special Occasions

Schedule for Winter/Christmas Vacation

The child(ren) will reside with their ☐ mother ☐ father during the winter vacation OR

The child(ren) will reside with their ☐ mother ☐ father for the first week of winter vacation in ☐ even ☐ odd years and the other parent for the second week.

Other: _____

Schedule for Spring Vacation

The child(ren) will reside with their ☐ mother ☐ father during spring vacation in ☐ even ☐ odd years.

Other: _____

Summer Schedule

Upon completion of the school year, the child(ren) will reside with their parents as follows:

- ☐ Same as the school year schedule
- ☐ One week every month
- ☐ Two weeks every month
- ☐ One month with each parent

Other: _____

Schedule for Other Holidays

The residential schedule for the child(ren) for other holidays is:

	Mother	Father	Odd Years	Even Years	Every Year
New Year's Eve					
New Year's Day					
Good Friday					
Easter Sunday					
Passover					
Mother's Day					
Father's Day					
Victoria Day					
Canada Day					
Saskatchewan Day					
Labour Day					
Thanksgiving Day					
Remembrance Day					
Christmas Eve					
Christmas Day					
Hanukkah					
Halloween					
Other: _____					
Other: _____					

For the purposes of this parenting plan, holiday times will begin and end as follows:

- ☐ **Option for sharing statutory holidays:** The particular holiday in question will be added to the weekend upon which it falls, and it will be spent with whichever parent already has the children that weekend.

Birthdays (select one):

- ☐ Each parent will celebrate their birthday when they are next with the child(ren).
- ☐ The parents will hold birthday parties for the child(ren) in alternating years, with the mother holding the party in ☐ even ☐ odd numbered years and the father holding the party in ☐ even ☐ odd numbered years.
- ☐ Each parent will make their own arrangements, coinciding with their normal schedule of time with the child(ren).

Other: _____

School/Daycare

Enrollment/Attendance

The child(ren) will be enrolled and attend as follows:

Child 1 – School: _____ Grade: _____

Child 2 – School: _____ Grade: _____

Child 3 – School: _____ Grade: _____

Child 4 – School: _____ Grade: _____

1. The ☐ mother and/or ☐ the father will reside in the local school’s jurisdiction.
2. The child(ren) shall continue to attend such schools and/or daycare as long as the parents are agreed, or the ☐ mother shall effect such a decision, or the ☐ father shall effect such a decision.
3. In the event that school authorities find a child may be an exceptional student or a student with special needs, both parents shall have the right to attend and be informed of any pertinent meetings or testing, or ☐ mother only, or ☐ father only.
4. The consent of the ☐ mother, ☐ father, or ☐ both parents is required before any special recommendations can be instituted.
5. Both parents shall be provided by the school with separate notices of events and report cards. In order for this provision to be carried out, both parents shall provide the school with an email address for all communications during the year – given the consent of the school to this provision. In the event the school cannot undertake this task, the ☐ mother ☐ father will undertake to notify the other of events and provide a copy of report cards within _____ days of receiving them.
6. ☐ Both parents, or ☐ mother only, or ☐ father only can share in voluntary activities in the child’s school life. In order for this provision to be carried out, both parents shall be informed of any school trips or activities in which parental participation is desired, and they should discuss between themselves which one of them will attend.
7. If either parent is unable to decide which school related activities they will attend (as set out above), they shall alternate with the mother taking the first activity day in even numbered years and the father taking the first activity day in the odd numbered years.
8. The ☐ mother and/or ☐ the father shall be the primary liaison person with the school.
9. Prior to graduation from high school, the mother and father will consult with each other on the child(ren)’s post high school education and costs, if not otherwise determined.

Special Education

Special education plans are as follows (if a child has special needs):

Religious Upbringing

The following is acknowledged as the children's faith: _____.

If the children are part of an agreed congregation or place of worship, enter the name or place here:

Where agreed, the parents will continue worship or religious instruction with the child(ren). If they are not in agreement, the ☐ mother, ☐ father or ☐ ADR will determine the religious affiliation and participation.

Before any change in the religious affiliation of the child(ren), the parents will consult in advance and attempt to reach an agreement with respect to any changes.

Parental Behaviour and Development

The mother and father will conduct themselves respectfully toward each other and the child(ren) to provide a loving, stable, consistent and nurturing relationship with the child(ren) even though they, themselves, may no longer co-habit. They will not speak derogatorily of each other or members of the other parent's family, cause the child(ren) to be drawn into disputes regarding decisions affecting the child(ren), or attempt to gain favor with the child(ren) to the detriment of the other parent.

Parents will consider, attend and read articles, books, workshops and/or counselling to improve their parenting skills or further their understanding of their children's physical, emotional, psychological, spiritual or academic needs as may be required.

Parents will exercise consistency in following through with their time with the child(ren) and discipline, behavioural and academic expectations. They will also work to communicate with each other on such matters or attend counselling to facilitate such discussions.

Counselling and/or Treatment Plan

One or both parents may acknowledge problems related to drugs, alcohol, violence, child management, etc. The following plan is agreed upon by the parents to address such issues:

Behaviour Management

The parents agree on the following strategies for managing their child(ren)'s behaviour:

Bedtime on weekdays: _____

Bedtime on weekends: _____

Homework time: _____

Day-to-Day Decisions and Daily Needs

Each parent will make decisions regarding the day-to-day care and control of each child while the child is residing with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health and safety of the child(ren).

When each child is in the care of a parent, that parent will ensure the child will be properly groomed, fed, clothed and supervised. The child will be given proper physical, health and daycare as appropriate.

Medical

The child(ren) shall be medically cared for by the primary care providers, who shall be appointed by the ☐ mother, ☐ father, or ☐ both parents.

Physician: _____ Phone: _____

Dentist: _____ Phone: _____

Orthodontist: _____ Phone: _____

All prescription medications are to be divided into two portions by the pharmacist; this is to be requested by the parent when filling the prescription. The prescription will be divided to provide appropriate dosages and administrations to cover time with each parent. If the prescription cannot be divided, as in the case of a puffer, then two prescriptions will be obtained.

Or: _____

Other medical considerations (allergies, etc.): _____

1. Both parents have the right to give consent to emergency medical/dental care during times that the child is in their care and control.
2. Each parent shall inform the other parent of the extent and nature of the care and the extent and nature of the emergency as soon as possible, but within _____ hours.
3. The parent in care of the child while the child becomes ill will inform the other parent of the nature and extent of the illness as soon as possible.
4. Both parents have the right to be informed of any regular medical appointments the child may have.
The ☐ mother, ☐ father, or ☐ both parents may attend regular appointments.
5. Both parents have the right to receive and give information to a medical professional (this includes other health care professionals such as nurses, physiotherapists, social workers, psychologists and others).
6. If the child needs to be referred to a medical sub-specialist, the consent of the ☐ mother, ☐ father, or ☐ both parents shall be needed to effect such a referral.
7. Both parents have the right to be informed of any dental appointments the child may have.
8. If the child needs to be referred to a dental sub-specialist, the consent of the ☐ mother, ☐ father, or ☐ both parents is necessary to effect such a referral.
9. The ☐ mother, ☐ father shall be the primary liaison with the child's doctor.
10. The ☐ mother, ☐ father shall be the primary liaison with the child's dentist.
11. The ☐ mother, ☐ father shall be the primary liaison with the child's orthodontist.
12. If the child needs to be referred to a practitioner skilled in social, emotional or behavioural problems, the consent of the ☐ mother, ☐ father, or ☐ both parents is required before the referral occurs.
13. Both parents have the right to participate in, consult with and be consulted by such a practitioner. The form that such participation or consultation should take shall be left to the judgment of the clinician.
14. Both parents will have a health services card for each of their children.

Special Needs

In the event a child has special needs owing to a developmental, physical, psychological, learning, psychiatric, social, behavioural or emotional condition, such needs will be addressed as follows:

Mobility

The residence of the ☐ mother ☐ father shall be restricted to a _____ ☐ kilometer radius of each other or of this central location: _____.

Travel

1. The child(ren)'s travel documents (passports) will be held by the ☐ mother, ☐ father.
2. The child(ren) shall not be taken from the confines of their province or state of residence without informing the other parent. The other parent shall be informed with _____ days / weeks notice.
3. The child(ren) shall not leave the country without being fully covered by appropriate medical insurance.
4. The parent with whom the child(ren) are traveling shall provide the other parent with a contact number where either a message can be left or they can be reached.

Childcare

1. Each parent is responsible for making their own childcare arrangements for the temporary alternate care of the child(ren) (e.g., babysitting), when such care is needed, with the exception of the conditions set out below:
 - a. Each parent shall inform the other from time to time who is providing alternate care for the child(ren).
 - b. Each parent shall have the right to communicate with the person who is providing alternate care for the child(ren).
 - c. If the parent with whom the child is resident is going to be absent for a period of more than _____ hours, the other parent shall be given the right of first refusal to care for the child(ren).

Other Relationships

Parents will encourage and foster relationships of each child with other children, family members and extended family members. If either parent becomes incapacitated by reason of illness or misfortune, or if either parent dies, the remaining parent will ensure the child(ren) continue to have contact with the affected parent's extended family. Exceptions:

Change of Name

Neither parent shall change the given name or surname of the child(ren) without the written consent of the other parent.

New Partners/Spouses

Parents will act with due consideration to how the child(ren) shall address a parent's new partner or spouse (e.g., step-parent). Parents will discuss this issue with concern for either confusion or loyalty issues.

Child(ren)'s Toys, Belongings and Clothing

Parents recognize that the child(ren) may have particular attachments to certain belongings and will respect the child(ren)'s right to have such belongings transfer with them between parents. The parents agree to ☐ share clothing or ☐ each parent shall provide their own clothing for the child(ren). Other:

Other Provisions for Decision Making

The following special provisions apply to decision-making:

- If either parent is impaired by drugs, alcohol, fatigue or any other condition that may affect caregiving, parental responsibility or judgment while caring for the child(ren), then the other parent may assume sole decision-making authority for the duration of the impairment.
- If either parent subjects the child(ren) to harm through neglect or abuse, then the other parent shall assume sole decision-making authority until the situation has been dealt with and until such time as there is reasonable grounds to assume such situations or behaviours are unlikely to re-occur. Under such circumstances, parents are obliged to inform child protection services as may be required by law.

Dispute Resolution

In the event that the mother and father are unable to resolve any particular issue, they agree to resolve the matter through:

- ☐ Discussion with a friend or family member: _____
- ☐ Counselling with: _____
- ☐ Mediation with: _____
- ☐ Collaborative Family Law with: _____
- ☐ Court/Arbitration: _____
- ☐ Parenting Coordinator: _____
- ☐ Other: _____

Mediation, Collaborative Law or Parenting Coordinator:

1. Either parent may determine if any of these strategies is necessary to resolve parenting issues on the basis of ☐ verbal or ☐ written notice to the other parent.
2. The parent who initiates action shall be initially responsible for any costs pending an alternate agreement made by the parties, or through the process, or by a Court Order.
3. In conducting any of the above strategies, the parties shall empower the service provider to collect information from third parties who may assist in resolving the dispute.
4. If any dispute cannot be resolved by the parties through the above strategies, it may be resolved by a Court of competent jurisdiction on application of either party or, upon agreement by the parties, by arbitration.

Communication

The parents will communicate with each other through:

- ☐ Phone: _____ (Mother); _____ (Father)
- ☐ Email: _____ (Mother); _____ (Father)
- ☐ Face to face: _____
- ☐ Communications book: _____
- ☐ www.ourfamilywizard.com

Communications will be brief and focus only on the issues at hand. Neither parent will communicate in a discourteous manner with the other parent. Communications books, emails and any permanent record of communication may be used in mediation, arbitration or court proceedings. Parents are advised to be cautious with respect to the content of the permanent record.

Rights

The following are the rights of a parent when a child is not in the care of that parent:

1. The right to unimpeded telephone conversations with each child at least _____ times a day / week at reasonable times and for reasonable duration.
2. The right to send mail or email to each child that the other parent will not open or censor.
3. The right to receive notice and relevant information as soon as possible, but within 24 hours, of any event of hospitalization, major illness or death of a child.

Review

As children grow, their needs change. The circumstances or situations of parents can also change. As such it will be necessary to review this Parenting Plan agreement from time to time. Therefore, the parents agree that either of them may request a review of this Parenting Plan. Suggested minimal guidelines for reviews are:

- For children under two years old, the plan may require review on a more regular basis, but generally of no shorter duration than every three months.
- For toddlers and preschoolers, the plan may be reviewed at intervals of no less than every six months.
- For elementary school children, the plan may be reviewed at yearly intervals.
- For adolescent children, the Parenting Plan may alter quite regularly, but with less concern to the parent's schedule and more concern with the adolescents' schedule.

The parents agree NOT to use the process of review to simply undermine or interfere with the Parenting Plan as already established. Rather, a review will be subject to the developmental needs of the children or material change in a parent's circumstance or situation that would make the present plan unworkable.

Declaration

We declare that this plan has been developed in good faith and is in the best interest of the child(ren). We sign it without a prejudice basis, pending independent legal advice.

Mother

Date

Father

Date

Witness

Date



Where to Find Other Parenting Plan Examples

1. British Columbia Family Justice Services Division (a parenting plan worksheet/template is publicly available, as part of their Parenting After Separation Handbook): www.ag.gov.bc.ca/family-justice/help/pas/information.htm
2. Shared Parenting Works: www.sharedparentingworks.org/parentingplans.html
3. Planning for Parenting Time: Arizona's Guide for Parents Living Apart: www.azcourts.gov/Portals/31/ParentingTime/PPWguidelines.pdf
4. Basic Parenting Plan Guide from the U.S. State of Oregon: <http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/parentingplan.page>
5. Justice Canada's Parenting Plan Checklist: www.justice.gc.ca/eng/pi/fcy-fea/pa-ep/index.html

Important Information: Parenting After Separation

1. Materials Related to Section Content

- Who to Call
- Telling Your Child about the Separation or Divorce
- Building Resilience in Children
- Building Better Brains
- Court Process Flow Chart
- You and Your Family Law Lawyer
- Getting Help with Child Support Calculations
- The Role of the Maintenance Enforcement Program

2. Suggested Reading

There are many different sources of information, on a wide variety of topics, available to parents who are parenting apart. Research is ongoing on all aspects of parenting, child development, brain development, resiliency and conflict resolution. Books, online resources and research articles are available to help you explore your topics of interest. When using the internet for information and resources, be cautious that you use trustworthy sources. Your local library is a good resource to help with both internet searches and recommendations for books.

The suggested reading lists contain titles recommended by a variety of professionals who, over the years, have helped support separated families in Saskatchewan. The lists are not intended to address the specific situations of any individual, and they are not necessarily complete, up-to-date, or represent the views of the Saskatchewan Ministry of Justice and Attorney General.

Suggested Readings for Parents

- Brownstone, Harvey. (2009). *Tug of War: A Judge's Verdict on Separation, Custody Battles, and Bitter Realities of Family Court*. Toronto: ECW Press.
- Burrett, Jill and Green, Michael. (2009). *Shared Parenting: Raising Your Child Cooperatively After Separation*. Sydney: Finch Publishing.
- Cochrane, Michael. (2015). *Surviving Your Divorce: A Guide to Canadian Family Law – 6th Edition*. Mississauga, Ontario: John Wiley and Sons Canada.
- Elliott, Susan J., J. D., M.Ed. (2009). *Getting Past Your Breakup: How to Turn a Devastating Loss into the Best Thing That Ever Happened to You*. Cambridge, MA: DeCapo.
- Emery, Robert E. (2004). *The Truth About Children and Divorce: Dealing With the Emotions So You and Your Children Can Thrive*. New York: Viking.
- Emery, Robert E. (2016). *Two Homes One Childhood, A Parenting Plan to Last a Lifetime*. New York: Random House.
- Fisher, Bruce and Alberti, Robert (2016). *Rebuilding: When Your Relationship Ends, 4th Edition*. Atascadero, CA: Impact Publishers.
- Kristjanson, Karen. (2017). *Co-Parenting from the Inside Out: Voices of Moms and Dads*. Toronto, ON: Dundurn Press.
- Long, Nicholas James and Forehand, Rex (2002). *Making Divorce Easier on Your Child: 50 Effective Ways to Help Children Adjust*. Chicago: Contemporary Books.
- Pedro-Carroll, J. (2010). *Putting Children First: Proven Parenting Strategies for Helping Children Thrive Through Divorce*. New York: Penguin Group.
- Public Health Agency of Canada. (2016). *Because Life Goes On – Helping Children and Youth Live with Separation and Divorce* (3rd edition). Ottawa, ON: Health Canada. <https://www.canada.ca/en/public-health/services/publications/healthy-living/because-life-goes-on-helping-children-youth-live-with-separation-divorce.html>
- Warshak, R. (2010). *Divorce Poison: How to Protect Your Family from Bad-mouthing and Brainwashing*. Minnetonka, MN: Peddler's Press.
- Woodward Thomas, Katherine. (2016). *Conscious Uncoupling: Five Steps to Living Happily Even After*. New York, NY: Penguin Random House.

Suggested Readings for Children and Youth

- Brown, L. and Brown, M. (1986). *Dinosaurs Divorce: A Guide for Changing Families*. Boston, MA: Little, Brown.
- Danziger, Paula. (2004). *Amber Brown is Green with Envy*. New York, NY: Scholastic.
- Department of Justice, Government of Canada (2016). *Because Life Goes On. Helping Children and Youth LIVE with Separation and Divorce*. <https://www.canada.ca/en/public-health/services/publications/healthy-living/because-life-goes-on-helping-children-youth-live-with-separation-divorce.html>
- Department of Justice, Government of Canada (2021). *What Happens Next? Information for Kids About Separation and Divorce (9-12 yrs)*. <http://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/book-livre/title-titre.html>
- Holyoke, Nancy and Nash, Scott. (2009). *A Smart Girl's Guide to Her Parents' Divorce: How to Land on Your Feet When Your World Turns Upside Down*. Middleton, WI: American Girl Publishing.
- Lansky, Vicki, (1998). *It's Not Your Fault, KoKo Bear*. Minnetonka, MN: Peddler's Press.
- Masurel, Claire, (2003). *Two Homes*. Cambridge, MA: Candlewick.
- Moss, Marissa. (2003). *Max's Logbook*. New York, NY: Scholastic.
- Moore-Mallinos, Jennifer. (2005). *When My Parents Forgot How to Be Friends*. New York, NY: Barron's Educational Series.
- Parr, Todd. (2003). *The Family Book*. New York, NY: Little, Brown.
- Ransom, Jeanie Franz. (2000). *I Don't Want to Talk About It*. Washington, DC: Magination Press.
- Ricci, Isolina (2006). *Mom's House, Dad's House for Kids: Feeling at Home in One Home or Two*. New York, NY: Fireside.
- Schmitz, Tamara. (2008). *Standing on My Own Two Feet: A Child's Affirmation of Love in the Midst of Divorce*. New York, NY: Price Stern.
- Stern, Zoe and Stern, Evan (2008). *Divorce is not the End of the World*. Berkeley, CA: Tricycle Press.
- Thomas, Pat. (1999). *My Family's Changing: A First Look at Family Break-Up*. Hauppauge, NY: Barron's Educational Series.

Who to Call

Family Justice Services (FJS) provides services to parents who need help in dealing with the difficulties of family breakdown and separation and divorce in the healthiest way possible. Services are provided by court direction, legislative mandate, or voluntary participation. The following areas operate under the direction of the Executive Director, Director and Assistant Director.

A. Maintenance Enforcement Office (MEO)

The Maintenance Enforcement Office:

- registers child and spousal orders and agreements;
- records and monitors support payments; and
- takes enforcement action when required payments are missed or late.

Contact:

Phone: 306-787-8961

Toll-free: 1-866-229-9712

Email: meoinquiry@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/family-and-social-support/child-support/paying-and-receiving-child-support>

B. Inter-jurisdictional Support Orders (ISO) Unit

The ISO Unit assists individuals in:

- applying for child support or changes to child support where the other parent resides outside Saskatchewan;
- arranging for registration of the applicant's order or agreement in the other jurisdiction; and
- working with other maintenance enforcement programs to collect payments.

Contact:

Phone: 306-787-8961

Toll-free: 1-866-229-9712

Email: iso.inquiry@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/family-and-social-support/child-support/general-information-on-child-support/parents-living-outside-saskatchewan>

C. Social Work Unit (SWU)

The SWU:

- conducts parenting/parenting time and children's voices assessments for the Court of King's Bench;
- provides parent education; and
- arranges for supervised parenting time by court order or exchange of children upon receipt of a court order or written request from both parents.

Contact:

Phone: 306-787-9416

Website: <https://www.saskatchewan.ca/government/directory?ou=5c03449d-2519-41af-80f6-c47beb3ac099>

There are offices located in Regina and Saskatoon.

D. Marriage Unit (MU)

The MU administers legal requirements for marriage. This includes:

- establishing the criteria and authorizing individuals who are appointed as marriage commissioners to perform marriages in Saskatchewan;
- authorizing marriage license issuers;
- selling marriage licenses and providing support to retailers who are authorized to sell marriage licenses; and
- maintaining a current list of approved marriage commissioners and marriage license issuers.

Contact:

Phone: 306-787-3869

Email: marriageunit@gov.sk.ca

Website: <https://www.saskatchewan.ca/government/directory?ou=edfea921-1c79-422f-bc89-f95182cda37f>

E. Family Law Information Centre (FLIC)

FLIC provides:

- information on family law, such as support, parenting and property division;
- information on court procedures and service options;
- assistance with locating and filling out court forms, court documentation and processes for family law matters;
- referrals to other community legal resources; and
- specialized self help kits for court applications and family law videos on various topics, including finances during separation, child support, spousal relationships and their breakdown, options for resolving disputes, parenting arrangements, dividing family property, and family violence.

Contact:

Phone: 306-787-5837

Toll-free: 1-888-218-2822 (ext. 2)

Email: familylaw@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/represent-yourself-in-family-court>

F. Child Support Recalculation Services (CSRS)

The CSRS service:

- is free and an alternative to going to court;
- can recalculate child support payments if there is a court order or agreement that meets the eligibility requirements;
- allows either the recipient or payor to apply with an application form and a copy of their court order or agreement; and
- allows individuals to apply for a recalculation six months after the most current order, agreement or recalculation decision.

Contact:

Phone: 306-787-5402

Toll-free: 1-833-825-1445

Email: recalculation@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/family-and-social-support/child-support/child-support-recalculation-service>

Other Resources:

Dispute Resolution Office (DRO)

DRO provides:

- mediation services to families experiencing separation;
- assistance with defining issues and evaluating options for items such as property division and parenting plans; and
- training and workshops in conflict resolution.

Contact:

Phone: 306-787-5747

Toll-free: 1-866-257-0927

Email: drofamily@gov.sk.ca (family programs) | dispute.resolution@gov.sk.ca (general and workshops)

Website: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/early-family-dispute-resolution/family-mediation>

Family Matters Program (FMP)

FMP provides:

- information, resources and referrals to deal with a changing family situation; and
- assistance to resolve urgent and outstanding issues.

Contact:

Toll-free: 1-888-863-3408

Email: familymatters@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/family-matters-program#further-information>

Early Family Dispute Resolution (EFDR) Office

In Saskatchewan family courts, family law matters will be required to attempt a family dispute resolution process before further court proceedings occur. There are several early family dispute options available, including family mediation, collaborative law, parenting coordination and family arbitration.

Contact:

Phone: 306-787-0439

Toll-free: 1-833-787-0439

Email: earlyfamilyresolution@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/early-family-dispute-resolution>

Other Information Sources Related to Family Law:

A. Public Legal Education Association of Saskatchewan (PLEA)

PLEA can help members of the public by providing general legal information, suggesting resources, and telling people about different options for obtaining legal advice. PLEA can help people:

- satisfy a general interest in law;
- become familiar with areas of the law that most affect them;
- make use of legal resources available in the community; and
- learn about laws specific to Saskatchewan and Canada.

Contact:

Phone: 306-653-1868 (option 3)

Email: plea@plea.org

Website: <https://www.plea.org>

B. Family Law Saskatchewan

The Family Law Saskatchewan website is specifically designed for Saskatchewan courts and self-represented individuals who are experiencing separation or divorce. Here you will find detailed legal information to help navigate a separation or divorce and everything that follows, from background information to a Form Wizard which can assist in the preparation of required forms free of charge.

Contact:

Website: <https://familylaw.plea.org>

C. Searching for a Private Mediator (Fee-for-Service)

Conflict Resolution Saskatchewan Inc.

Contact:

Website: <https://conflictresolutionsk.ca>

D. Mental Health and Addictions Services in Saskatchewan

Contact:

Website: <https://www.saskatchewan.ca/residents/health/accessing-health-care-services/mental-health-and-addictions-support-services>

Open the above website, click on “Find Mental Health and Addictions Services in my Community,” and click on “Directory of Mental Health and Addictions Services in Saskatchewan, April 2018.”

E. Ministry of Social Services for Saskatchewan

Contact:

Phone: 306-787-3700

Website: <https://www.saskatchewan.ca/government/government-structure/ministries/social-services>

F. Collaborative Professionals of Saskatchewan Inc.

Collaborative Family Law

Contact:

Website: <https://collabsask.com> (search for collaborative family law lawyers in your area).

G. Saskatchewan Law Libraries

Contact:

Website: <https://www.lawsociety.sk.ca/legal-resources-library> (Law Society of Saskatchewan's Legal Resources Library)

Website: <https://library.usask.ca/law> (University of Saskatchewan's Law Library)

H. Finding a Lawyer in Saskatchewan

Contact:

Website: <http://www.lawsociety.sk.ca>

Law Society of Saskatchewan website. Click on the Public drop down feature (top right corner) and click “Finding a Lawyer.”

I. Legal Aid Saskatchewan

If you need to make an application for Legal Aid, call the Application Centre through the toll-free number.

Contact:

Toll-free: 1-800-667-3764

Website: <https://www.legalaid.sk.ca>

J. Pro Bono Law Saskatchewan

A non-profit, non government organization that provides free legal advice to low-income clients in Saskatchewan.

Contact:

Phone: 306-569-3098 | Toll-free: 1-855-833-7257

Website: <https://www.pblsk.ca>

K. Saskatchewan Law Courts

Information regarding court dates at various locations across Saskatchewan.

Contact:

Website: <https://sasklawcourts.ca>

Interpersonal Violence and Abuse:

Emergency Intervention Orders

Emergency Intervention Orders can be applied to provide safety when family members are abusive. Police or Victim Services workers can help individuals apply for them.

Contact:

Police-based Victim Services:

- Phone: 306-777-8660 (Regina Victim Services)
- Phone: 306-975-8400 (Saskatoon Victim Services)

For a list of Victim Services units and agencies in Saskatchewan, visit <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/help-from-victim-service-units-and-agencies>.

Provincial Association of Transition Houses and Services of Saskatchewan (PATHS)

PATHS' mission is to support and collaborate with member agencies and others to address, prevent and ultimately eliminate intimate partner and family violence. For a list of emergency shelters in Saskatchewan, visit the website and click "Get Help Now".

Contact:

Website: <https://pathssk.org>

The Public Legal Education Association of Saskatchewan (PLEA) Safety Planning Tool

PLEA provides information on laws that are specific to Saskatchewan and Canada. PLEA'S Safety Planning Tool is designed to help people in violent relationships by providing them with strategies to increase their safety. By answering anonymous and confidential questions about their situations, people can create a safety plan specific to their situation and needs.

Contact:

Website: <http://www.plea.org>

The Domestic Violence Safety Plan Fillable Worksheet

This resource can be accessed and downloaded at <https://publications.saskatchewan.ca/#/products/87857>.

List of Interpersonal Violence and Abuse Programs

Contact:

Website: <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/interpersonal-violence-and-abuse-programs>

Other important numbers:

- Regina Police Service: (306) 777-6500
- Saskatoon Police Service: (306) 975-8300
- Royal Canadian Mounted Police (RCMP):
Find a detachment: <https://www.rcmp-grc.gc.ca/detach/en>
- Child Abuse Hotline: 1-800-387-KIDS
- Kids Help Hone: 1-800-668-6868
- Canadian Centre for Child Protection:
Website: <https://www.protectchildren.ca/en>



Telling Your Children About the Separation or Divorce

Parents should provide children with information about the separation or divorce in language they can understand. When children don't receive any information about big changes in their family, they are not able to prepare, and they may begin to worry about the unknown or misunderstand the causes of what is happening. Whether you are just separating or have been separated for a while, the following suggestions can help your children adjust to the situation.

Guidelines

A. Tell your children together, if possible.

- This gives the message that you intend to cooperate and work together as parents. If this is not possible, each of you can have separate discussions, but plan what you will say ahead of time and share it with the other parent, so you can provide a consistent message.

B. Use language that fits your children's ages and understanding.

- Explain clearly and directly what it means to separate or divorce. If your children have a smaller age gap between them, speak to the younger child's understanding, give all your children time for questions, and then continue the conversation with the older children. If the age gap is large, tell your children separately or in small groups.

C. Do not go into details about the reasons for your separation, whatever your children's ages.

- Children do not need to know that one or both of you have deeply hurt each other. When you use blaming words, you indirectly ask your children to take sides. It also hurts your children because they know they are part of each of you, and they may feel bad about the part of themselves that is like the "bad" parent.



What to Say

- If your child is four years or older, begin by asking: *"Have you noticed that Mommy and Daddy haven't been getting along lately?"* If you haven't been fighting, you could ask: *"Have you noticed that Mommy and Daddy haven't been spending a lot of time together lately?"* Or ask: *"Have you noticed that we haven't been doing a lot of things together as a family lately?"*
- Explain that you are no longer going to be living together (or married) and that one of you will be moving to another house. For example, *"Dad and Mom don't love each other anymore the way that married people need to love one another. We are going to live in separate homes (get a divorce)."*
- Tell your children that the reason you are separating/divorcing is to make things that have not been working for you as adults or for the family better. For example, *"Mom and Dad are going to live separately, so that we can be less angry at each other and try to stay friends."*
- Tell your children that you and the other parent have tried to make your marriage work. Explain in specific, but simple, terms the steps you've taken, so they know the decision was not made lightly. For example, *"We have spent a long time thinking about this, and we talked about it with a counsellor/therapist."*
- Emphasize that both of you will continue to love and care for your children. Repeat this often. Young children may fear that if you can stop loving a spouse, you can stop loving them. They may become fearful of being left, too.
- Talk about time-sharing and parenting arrangements. For example, *"Daddy/Mommy will move out on X Day to X place, and you will spend time with them there (every week/every other weekend)."*
- Explain how the separation will affect your children's daily lives – who will feed them, put them to bed, take care of them while Mom/Dad is at work, and care for them when they are sick.

- Reassure your children that the divorce is not their fault. You will need to repeat this many times. Say, *“Our decision to live apart is not because of you. There isn’t anything you did wrong or anything you could have done to fix it.”* Young children see events as connected to themselves. It is typical for young children to believe that the world revolves around them.
- Reassure your children that they are free to love and spend time with both of you.
- Encourage your children to ask questions and express their feelings – not just today, but in the upcoming days, weeks and months. If your children don’t bring it up, take the lead to ask them how they are feeling, how the changes have been for them, and if they have any questions. Ask questions that are specific, and you will be more likely to get a response.
- Answer questions as honestly as you can. This doesn’t mean using all the information you have. Be discrete but informative.
- Let them know it is okay to cry and/or feel angry or sad. Let them know you are listening by paraphrasing what they say to you. Let your child know that having all sorts of feelings when parents separate is understandable.
- If your children want to know who they can tell, say: *“This is nothing to be embarrassed about. You can tell your friends, your teacher, or anybody you want to tell.”*
- If your children ask if both of you want the divorce, or if this is one parent’s decision, say: *“This is something that Daddy/Mommy agreed to do because we feel it is best for the whole family.”*

Building Resilience in Children

Resilience is the capacity to “bounce back” from painful feelings and events. It is not a quality that children are born with, but a particular response to a situation. When bad things happen to strong kids, they hurt and struggle, but they eventually bounce back. Kids are more likely to behave resiliently when they feel good about themselves (e.g., have high self-esteem), have strong social skills, and can solve problems. They also have a strong sense of who they are, what is important to them, a purpose and a positive view of the future. Of major importance, children show more resilient behaviors when caring adults (whom they have close relationships with) support them.

Here are some ways to build children’s resilient responses to separation and divorce:

A. Build Children’s Positive Feelings About Themselves (Self-Esteem)

- Point out when your children do something well.
- Compliment and hug your children several times a day.
- Set a good example as children learn by example. Talk about the things you do well, and if possible, what the other parent does well.
- Allow yourself to make mistakes and let your children make mistakes. Children learn much better from their mistakes if they are recognized for their effort and not just criticized for their failure.

Activities

- Spend “special” time with each child.
- Plan activities that you can do together and let your children know that you enjoy spending time with them.

B. Build Social Skills

- Set a good example. Show respect for your children and the other parent’s feelings and opinions.
- Don’t just set rules – let your children know the reason for the rules.
- Help your children understand how other people feel by using real examples. When your children are helpful and kind to someone, ask them how they feel when other people are helpful and kind to them. This helps children connect actions to feelings, which is an important part of developing social skills.

Activities

- Involve your children in social activities with families, the community, or in a team sport.
- Encourage older children to volunteer for an organization or worthy cause.
- Work on a community project together.

C. Build Problem-Solving Skills

- Set a good example. Solve problems aloud and identify the steps to problem solving.
- Give your children time and space to solve their own problems. If they still can't create a solution, offer one or two alternatives and let them choose.
- If your children refuse the alternatives, encourage them to create their own alternatives.
- Hold regular family meetings where family rules and responsibilities are discussed. These should also be opportunities for children to talk about their problems and engage in problem solving.
- Help your children understand that actions always have consequences, sometimes ones that were not expected.
- Help your children be responsible for their actions and decisions. Ask them to tell you how a problem solution worked out, how they felt about it, and what they are going to do next. If they need to follow-up with someone, walk through the way they will approach the person and what they will say.

Activities

- **The Problem Card Game:** have your children make a series of "problem cards" that can be pieces of paper with problems written or drawn on them. Younger children may use magazines to cut and paste pictures. The "problems" are to be things they think bother kids their age. Each child can choose a card and together you can try to solve the problem.
- Go the library and check out National Film Board or other educational videos to watch with your older child or teen. The videos can be about any sort of dilemma/problem that your teen – or someone your teen knows – may be struggling with. Encourage discussion about how the problem was solved and the solution that was created.

D. Build a Sense of Self ("Who You Are"), Purpose and Future

- Set a good example. Value the work you do and speak of it in a positive way. This includes all work, not just paid employment. Parents work hard at many responsibilities both inside and outside the home – most do not involve "pay."
- Talk about what you or your friends do at work and how it helps other people.
- Encourage your children to set goals and work toward them.
- Recognize your children's special talents or skills.
- Compliment your children on their contributions to the family. Children contribute in many ways, such as doing their chores, being kind, solving a problem, giving a family member a hug, etc.
- Teach your children that feelings and situations change over time and that how they feel now may be different from how they feel sometime in the future. For school age children, use the example of how their friendships often change, and they can feel more or less close to friends year-to-year.
- Talk to your children about what they would like to do when they grow up. Children whose parents have divorced often feel uncertain about the future; help them think about opportunities that lay ahead.

Activities

- Encourage your children to take responsibility for a plant or pet (feeding, giving water, etc.).
- Have at least one meal a day with your children and talk about the day's activities and what needs to be done for tomorrow.
- Allow your children to pick their own birthday and Christmas gifts for relatives. Set a limit on how much they can spend.
- Allow teens to choose their own clothes.
- Encourage teens to earn a little money for themselves and allow them to choose what they spend it on.

Children who rise above hard times are children who are supported by caring adults in close relationships. Allow your children to have a strong relationship with both parents. Children need to know that they are loved, but also that they can love.

*Note: this information was adapted for PAS from text originally written by K.M. Nielsen, M.Ed., R.S.W., and it is used with permission from The Family Centre.



Building Better Brains

Nurturing environments, particularly from pre-natal to six years of age, are essential for healthy brain development. When building a home, the construction process begins with laying the foundation, then constructing the rest of the home in a logical sequence. In a similar way, brains are built from the bottom up, and a strong foundation has a lifelong influence in all aspects of the brain's functioning.

The main architecture of the brain is in place by the third trimester of pregnancy, and intense brain development continues in the first few years of life. Brain development continues at a slower pace through childhood and adolescence, with the brain reaching maturity around 20-25 years of age.

The environment children grow up in affects how their brains develop. Without important experiences, some brain structures may not form as they should. Parents and caregivers can go a long way to ensure healthy brain development by providing positive experiences.

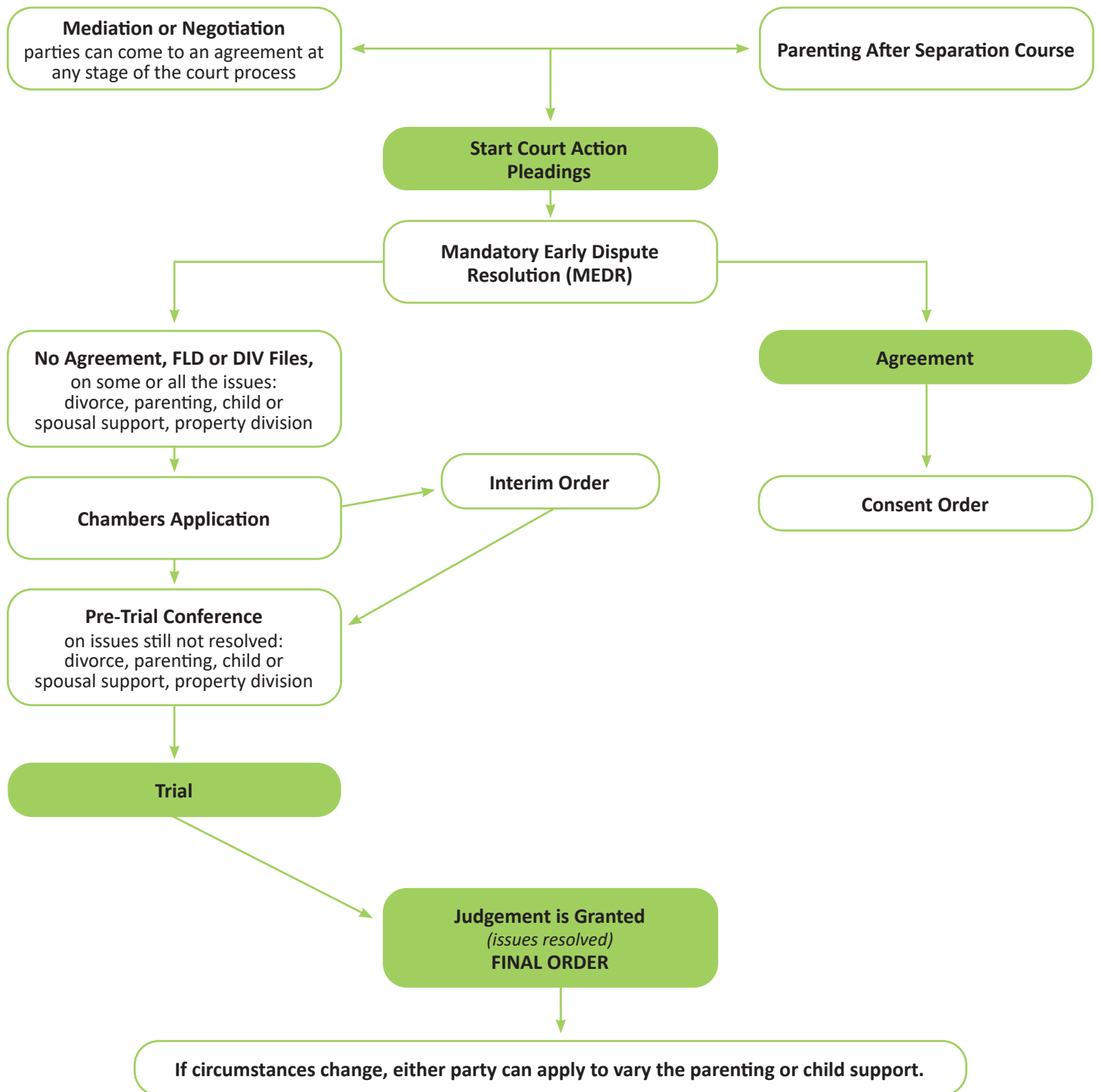
Early brain development requires interaction between children and their caregivers. A parent who provides “serve and return” experiences builds the architecture of the developing brain. Like the process of serve and return in games, such as tennis and volleyball, a parent and child can interact back and forth, each participating and responding. Cooing, making facial expressions, and babbling back and forth provides this serve and return early in life.

Negative environments (toxic stress) occur when caregivers are unable to consistently respond to a child and neglect their need for interaction. A lack of this serve and respond type of interaction will negatively impact the child's learning, ability, behavior and health.

Neglectful or abusive relationships result in anxiety and a hyper-sensitivity to stress that has life-long consequences.

Having a positive, nurturing relationship with a caregiver early in childhood is one of the most important ways to promote healthy social, emotional and cognitive development that will last a lifetime.

Steps in the Saskatchewan Court Process



As of July 1, 2022 all families involved in a separation or divorce in Saskatchewan are required to participate in early family dispute resolution before going to court.

You and Your Family Law Lawyer

A. Finding a Lawyer

You want a lawyer who is qualified and professional to represent you. To locate a lawyer, here are some resources to consider:

- Law Society of Saskatchewan: <https://www.lawsociety.sk.ca/for-the-public/finding-legal-assistance-saskatchewan>;
- referrals from other lawyers;
- referrals from friends and relatives; and
- Yellow Pages or Google lawyers in your area.

You may wish to interview a few lawyers before hiring one to represent you. Some lawyers do not charge for the interview meeting, but some do. Be sure to ask when you call to make the appointment. Keep in mind that you are hiring the lawyer, and they will be working for you. In the initial meeting, both of you will be asking and answering questions. Here are some things you may wish to ask:

Communication	How often will you and your lawyer meet, and when is the best time to call? How are everyday tasks handled (returning phone calls, emails, etc.)? Will anyone else be working on your file (e.g., paralegal or assistant)? Will you receive copies of all the correspondence that comes in and goes out for your file?
Competence	Where did they get their education/degrees? What is their usual area of legal practice (i.e., family law, civil matters, labor law, etc.)? Do they have any other special training?
Experience	How long have they been practicing? How many cases like yours have they handled?
Personality	Are you comfortable with their personality? This will be a work team with your lawyer, so it is important that you are comfortable with how well the two of you will work together.
Style	Do they tend to litigate or do they attempt to negotiate matters that are disputed? How do they feel about resolution options like mediation or Collaborative family law?
Fees	What fees do they charge? Lawyers charge by the hour for everything they do on a file (e.g., talking with the client/reading/emails, reviewing emails or letters from the other party, listening, sending voicemail messages, mail, photocopying, faxing, researching/preparing court documents, etc.)? Do they require a retainer? How will you be billed? How can you keep the costs down?
Timing	Can they take your case right now?

B. Fees

Lawyers may use one of several fee arrangements:

Hourly Fee	Most lawyers in Saskatchewan charge by the hour.
Fixed Fee	This means the lawyer has a flat rate for settling matters like yours. The rate may vary from client to client, depending on the situation, but the fee is decided before anything else begins.
Unbundled Services Fee	A lawyer providing unbundled legal services works on and charges you only for the tasks that you agree to ahead of time. Most lawyers will charge an hourly rate for their work. Some lawyers and/or tasks may be charged on a flat fee basis. Hiring a lawyer for unbundled legal services is NOT free, but it can be a more affordable option because you decide with your lawyer what services you will pay for, which are clearly outlined in a retainer letter.
Retainer	This is a sum of money you pay for a lawyer to take your case, like a deposit. It is paid when you hire the lawyer. Lawyers who require a retainer usually send an invoice on a regular basis, showing what services they have provided that month and the amount deducted from your retainer that month. Sometimes you can negotiate how much you will pay for a retainer.

C. Your First Meeting

Now that you have chosen a lawyer, what happens in your first meeting? Your lawyer will usually charge for each interaction with you, so it's best to be prepared. You will want to bring the following information with you to the first meeting:

- The full names, ages and birth dates for you, your former spouse, and your child(ren).
- The dates of marriage (or cohabitation) and separation.
- Your income and your idea of your former spouse's income.
- A list of any property you own and/or share, and what you think it is worth.
- A list of your monthly expenses.

Later, as your case progresses, you may be asked for the following:

- A copy of your marriage certificate.
- Copies of the children's birth certificates.
- A list of your current assets.
- A monthly budget.
- Copies of all your financial statements and Income Tax returns from previous years.

By the end of your first meeting with your lawyer, you should have asked for and received a rough idea of how much your case will cost and what the possible case outcomes will be. You'll have also have signed a written contract or retainer agreement. If an assistant or paralegal will be working on your case, you can ask to meet that person, too.

Tips:

- Once you have hired a lawyer and started your case, it may be helpful to start a binder, so all your legal information in one place. Sections of the binder could be labeled; for example, lawyer's bills, emails and letters, court orders, financial documents, etc.
- Be certain to review the entire retainer agreement or contract and ask any questions you may have before you sign it.

D. Working together effectively

Your lawyer is your guide. In family court cases, including divorce, there are many different courses of action and there are consequences of each route you take. Your lawyer's job is to explain the different courses of action that are possible and help you make the best decisions. It is not your lawyer's job to make the final decisions for you.

Try to keep yourself up-to-date and educated on how your case is progressing. For example, know what the court orders that have been made so far (if any) require from you and know what the next steps are in your case.

It is important to tell your lawyer the truth. Lawyers cannot give good advice if they do not know the whole story. Sometimes you can only see things from one side: your lawyer will help you see all the possible angles. Keep in mind that whatever you tell your lawyer is held in confidence, unless it involves harm to a child or a real threat to another person (these things have to be reported to authorities).

Get things that your lawyer has requested as soon as you can and in an organized fashion. The more organized you are, the less organizing your lawyer must do, which helps keep your costs down.

Tips:

- Make sure that you and your lawyer are on the same page about actions that are taken and where you want to wind up.
- Ask questions and use a schedule, so you know what comes next and when.
- Keep in contact with your lawyer. Return calls and emails promptly.
- If you do not understand something, or disagree with something, ask questions right away.

E. Other common questions

Why Do I Sometimes Feel Like My Lawyer is Not on My Side?

This feeling is not uncommon, especially with the stress and pain that ending an intimate relationship can cause. It is important for lawyers to make decisions in their client's best interest.

Sometimes you may not see what your lawyer is trying to achieve. However, you can always ask your lawyer about their reasons for the decision. If you feel your important questions are not being answered, make a list and go over the questions one at a time with your lawyer. Try to communicate as clearly and calmly as possible.

Can I Fire My Lawyer?

Yes. However, before you decide to move to a new lawyer, it is wise to get a second opinion from another competent family lawyer. The consulting lawyer may have insight that could help you make up your mind. If you decide to let go of your lawyer, make sure you have another lawyer lined up. There may be extra charges involved (like the costs to come up with a large retainer again or the costs to photocopy your file and courier it to your new lawyer). You also want to think about where you are at in your court case before you let go of your lawyer. Certain times are not the best to have a change in counsel.

Can My Lawyer Fire Me?

Yes. Your lawyer has the right to end the business relationship, too. The Law Society of Saskatchewan provides more information on this issue (www.lawsociety.sk.ca). A lawyer should give a client fair notice so your case can be picked up by the new lawyer smoothly. Once a court action has started, the lawyer may need permission from the court to withdraw from your case.

Can I Dispute My Lawyer's Fees?

If you do not agree with your lawyer's charges, and your attempt to resolve the issue with your lawyer has not been successful, the Saskatchewan Rules of Court allow eligible parties to have their lawyer's account(s) reviewed by the registrar of the Court of King's Bench. The registrar will review the file and the work done by the lawyer. They will hear from both the lawyer and the client in an assessment hearing to decide if the work justifies the fees charged. The assessment application must be made within 30 days of receipt of the account. More details are available at: www.lawsociety.sk.ca under "Disputes Involving Fees."

An honest lawyer strives for a fair settlement. Beware of lawyers that encourage revenge or guarantee you a particular outcome in court.

I Feel My Lawyer Has Behaved Unprofessionally to Me. What Can I Do About It?

The Law Society of Saskatchewan (www.lawsociety.sk.ca) can provide more information on this issue.

F. Tips

- Nobody is as familiar with your situation as you.
- Set realistic goals and hope for realistic outcomes: don't expect massive court victories.
- An honest lawyer strives for a fair settlement. Beware of lawyers that encourage revenge or guarantee you a particular outcome in court.
- Have clear, agreed-upon goals with your lawyer ahead of time and stick to them.
- Do your part to address any disagreements between you and your lawyer quickly and in a professional manner. They should be resolved before you continue on together.



Mediation is usually a less formal process that allows parties to reach their own resolution with the assistance of a trained, neutral mediator. It is usually quicker and less expensive than other options.

How to Find a Mediator

What to Look For

What is mediation?

Mediation is a proven and well-accepted process for resolving disputes. Mediation is usually a less formal process that allows parties to reach their own resolution with the assistance of a trained, neutral mediator who facilitates their discussion. Mediation is usually quicker and less expensive than other options. The outcome can be made binding, and it can set the stage for improved relationships between the parties. Mediation can be an effective way for people in conflict to resolve their disputes as an alternative option to formal engagement of the courts or other more costly processes.

What is a Mediator?

A mediator is an impartial person trained in conflict resolution. Mediation is often referred to as an alternative dispute resolution (ADR). The mediator is chosen by the parties to help them build understanding and negotiate a solution to their conflict. The mediator does not make decisions, and they do not provide parties with legal advice. The mediator helps parties reach their own mutually acceptable resolutions. This is done by structuring the communication process, maintaining channels of open communication, facilitating the expression of needs, helping parties identify and frame their issues in dispute, and supporting parties to find solutions that are lasting and meaningful.

Where do I find a Mediator?

While there are many professionals who offer mediation services as part of their private practice, there are also provincial and national organizations that provide directories of mediators available in Saskatchewan, along with their areas of practice. Some of the more commonly accessed mediator directories are listed below. You and the other party need to agree on which mediator you use.

The **Alternative Dispute Resolution Institute of Saskatchewan** provides the public with information on options for conflict resolution, such as mediation and arbitration, and it offers access to ADR professionals.

Conflict Resolution Saskatchewan provides easy access to mediation practitioners engaged in practice throughout Saskatchewan. They have assembled a directory of mediators and conflict resolution specialists.

Conflict Resolution Saskatchewan: <https://conflictresolutionsk.ca>

Alternative Dispute Resolution Institute of Canada (ADRIC): www.adric.ca

Family Mediation Canada (FMC) Certification: www.fmc.ca

Helpful Questions When Hiring a Mediator

Mediation is not a regulated profession; anyone can call themselves a mediator. Consider what would be important to you in choosing a professional to help you resolve your dispute. In addition to asking questions about designations and costs, please note that mediators may use different styles of mediation (e.g., facilitative, evaluative and transformative).

Facilitative Mediation: The mediator facilitates the parties' discussion, helping them explore issues in dispute, and their individual and shared interests, and possible settlement options, without providing the mediator's views as to how a judge may rule in a contested court application or trial.

Evaluative Mediation: The mediator will, at the parties' request, provide their views as to the strengths and weaknesses of the parties' positions and how a judge may rule in a contested court application or trial.

Transformative Mediation: The mediator helps the parties transform their ongoing relationship to allow for more effective approaches in addressing and resolving current and future disputes.

Here are some common questions to ask:

- Do you have a professional mediation designation?
- What other professional qualifications do you have that are relevant to the conflict?
- What is your mediation and conflict resolution training?
- What is your experience in this area? How many mediations have you conducted?
- What style of mediation do you use? Interest based, facilitative, evaluative, or transformative?
- Are you a member of a professional association? If yes, which one(s)?
- Do you follow a code of ethics?
- What recourse do I have if I am unhappy with the service I receive? Is there a public complaints mechanism?
- Do you carry professional liability insurance that covers mediation?
- What are your rates, and how do you expect to receive payment?
- How do you calculate your hours?
- How long will mediation take? What is the process?
- How familiar are you with the topic of my dispute, and do you have specific training in this area (i.e., family law/child support/*Divorce Act*, landlord and tenant, contract, workplace, labour relations, construction/engineering, etc.)?
- If safety is a concern, how would the mediator ensure everyone's safety?
- Is the mediation confidential?

Getting Help with Child Support Calculations

Calculating child support can be quite complicated, even after you determine the principles and sections of The Child Support Guidelines that apply to you and your family. Many lawyers use computer programs to determine the calculations, once they have established the categories where a particular situation may fall and established all applicable income figures and costs. If you wish to do the calculations on your own and require help, contact the Family Law Information Centre. You will have to supply the appropriate income figures and add-on costs, but the Centre can direct you in the calculations.

To find out how to contact the Family Law Information Centre or to visit the website: <https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/represent-yourself-in-family-court>.

Email: familylaw@gov.sk.ca

Phone: (306) 787-5837

Toll-free: 1-888-218-2822 (ext. 2)

More information on child support is available on the Government of Canada's Department of Justice website:

<http://www.justice.gc.ca/eng/fl-df/child-enfant/index.html>.

The Canadian Federal Child Support Tables can be found at: <http://www.justice.gc.ca/eng> then choose from menu: Family Law/Child Support/2017 Simplified Tables in PDF Format or click the 2017 Simplified Tables in PDF format ([justice.gc.ca](http://www.justice.gc.ca)).

Find the Federal Child Support Guidelines: Step-by-Step at: <http://www.justice.gc.ca/eng/rp-pr/fl-df/child-enfant/guide>.

The child and spousal support calculator can be accessed at: <https://www.mysupportcalculator.ca>. The Child Support Recalculation Service (<http://www.saskatchewan.ca/child-support-recalculation>) helps payors and recipients make changes to their existing child support amount if there has been a change to the payor's income. The service is free, an alternative to court, and it can be used to recalculate child support agreements and court orders that meet eligibility requirements.



Role of the Maintenance Enforcement Program

Maintenance Enforcement Program (MEP) is authorized by *The Saskatchewan Enforcement of Maintenance Orders Act, 1997* to enforce and administer maintenance orders (orders for child or spousal/partner support). All information gathered by MEP with respect to the recipient, payor or the children is protected by and subject to the confidentiality rules in *The Enforcement of Maintenance Orders Act, 1997* and Regulations. Information will only be collected, used, shared or released for the specific purposes by the Act. MEP keeps all the information strictly confidential. MEP acts as a financial intermediary by accepting payments from payors and forwarding the payments to recipients. In cases of default (non-payment) by the payor, MEP has the legislative authority to take steps to enforce the amounts owed, including placing enforcement action.

Recipient's Responsibilities

Recipients can register with MEP by submitting a Maintenance Enforcement Enrollment Form, a maintenance order or agreement, and a Direct Deposit form. When MEP is enforcing their order, recipients should not accept any payments directly from the payor. Recipients should keep MEP informed of:

- Changes to the recipient's mailing address and telephone numbers.
- Changes in the child's status (e.g., change in residence, over age of majority and not in full-time school).
- Any information that may assist MEP in collecting maintenance, such as details of the payor's location, telephone numbers, employment, or assets.
- Any changes to existing orders/agreements or if a new order/agreement is made.

Payor's Responsibilities

Payors can register with MEP by submitting a Maintenance Enforcement Enrollment form, a maintenance order or agreement. While MEP is enforcing their order, payors should not pay recipients directly. Payors who are unable to pay their maintenance arrears in full can contact MEP to make payment arrangements. Payors keep MEP informed of:

- Changes to the payor's address, telephone numbers and employment.
- Changes in the child's status (e.g., change in residence, over age of majority and not in full-time school).
- Any anticipated problems such as late payments.
- Any changes to existing orders/agreements or if a new order/agreement is made.

MEP's Responsibilities

MEP can only enforce maintenance when the payor or the recipient has enrolled with MEP. MEP will:

- Maintain the confidentiality of clients' personal information.
- Monitor and enforce maintenance (child and spousal support) orders.
- Collect payments from the payor and forward them to the recipient.
- Conduct child dependant status reviews.

MEP does not:

- Obtain court orders for clients.
- Change the amount of maintenance ordered by the court.
- Provide legal advice to clients.
- Provide legal representation for clients.

You can contact MEP for additional information at:

Maintenance Enforcement Program

Walter Scott Building

Room 100-3085 Albert Street

Regina, SK S4S 0B1

Phone: 306-787-8961

Toll-free: 1-866-229-9712

Fax : 306-787-1420

Email: mepinquiry@gov.sk.ca

Website: <https://www.saskatchewan.ca/residents/family-and-social-support/child-support/paying-and-receiving-child-support>

Legal Terminology and Family Justice Services Glossary

Action: A lawsuit or application that is made in the courts. For example, when you apply to the court for a change in child support, you are taking a legal action. You may take action to enforce your rights or to correct a wrong that is done to you.

Affidavit: A written statement of facts that a person swears or affirms is true before a Commissioner for Oaths. Affidavits may be used to prove the identity of the person signing a document (Affidavit of Execution), to prove that you have delivered documents to another person (Affidavit of Service), or to set out the facts supporting your application.

Agreement: A written agreement signed by the parties respecting all or any of the following issues: decision-making responsibility, parenting time, guardianship of the property of a child, child support, spousal support, property division, or any other issues.

Applicant: The person who is making an application to the court.

Arrears: If a support payment is not made under the support order, that amount of unpaid support is referred to as arrears.

Chambers Application: A court application for an interim (temporary) order in the Court of King's Bench. Judges hear chambers applications in courtrooms. In contrast to a trial where witnesses present evidence orally, parties usually present chambers evidence in writing by affidavit.

Child Support Decision: The Child Support Recalculation Service reviews income information received from parties and inputs into a computer program (DivorceMate) that generates a child support decision.

Child Support Guidelines: Part of the federal *Divorce Act* that includes Child Support Guidelines. Our provincial *Family Maintenance Act* also uses the federal guidelines to set out rules for the amount of child support a payor is required to pay. The base amount payable depends on the payor's income and the number of children to be supported. In addition to the base amount, the guidelines set out how much is to be paid for special, extraordinary or Section 7 expenses.

Child Support Recalculation Service (CSRS): A Saskatchewan government program that helps parents keep their child support amounts current. CSRS allows eligible parents to apply for a recalculation after a period of six months following the most current court order, agreement or recalculation decision. Parties can apply with an application form and a copy of their court order or agreement. This service is free of charge and is an alternative to court.

Consent Order: A court order sets out the terms agreed to by all parties.

Decision Making Responsibility: The responsibility for making significant decisions about a child's personal well-being considering the child's age and stage of development, including decisions with respect to health, education, culture, language, religion, spirituality, and significant extra-curricular activities.

Draft Order: A document filed as part of a court application that sets out the specific order the applicant is asking the court to make.

Divorce Proceeding: A court proceeding where either or both spouses seek a judgment for divorce. Either spouse may also request a child support order, spousal support order, or parenting order.

Emergency Intervention Order (EIO): In emergency situations, an application for an EIO can be made without notice to the "violent" party (the respondent). The application can be made by a police officer or victim services worker/coordinator, with the consent of the victim. This order is reviewed by the Court of King's Bench within three business days.

Ex Parte: A court application made by one party without notice to (i.e., in the absence of) another party.

Early Family Dispute Resolution Process: A process outside of court that is used by parties in a family law dispute in an attempt to resolve matters in dispute, including negotiation, mediation and collaborative law.

Family Arbitration: A family law arbitrator plays a role similar to that of a judge. They can make binding decisions to resolve family law disputes using processes that are more informal than court. Family law arbitrators use Saskatchewan family law to make decisions. Sometimes arbitrators use a combination of different dispute resolution processes, including negotiation, mediation and arbitration.

Family Justice Services: Public services intended to help persons deal with issues arising from separation or divorce.

Family Law Information Centre (FLIC): Provides information on family law issues, including parenting, child and spousal support, and family property division. It also provides information on options for resolving family law disputes and assists in locating service provider information, including lawyers, mediators, collaborative lawyers, parenting coordinators, and family arbitrators. FLIC helps people applying to court identify the correct forms, and self-help kits are available. FLIC also offers referrals to family justice services and other services, such as counselling, debt counselling, and family violence services.

Family Matters Program: Provides help to separating and divorcing families who need information, support or guidance during the transition of their family structure. They assist families by providing information and resources to mutually reach agreement on immediate issues, and they help develop a plan to address remaining issues.

Family Violence: *The Children's Law Act, 2020* defines family violence as any means or conduct, whether or not the conduct constitutes a criminal offense, by a family member towards another family member that is: violent, threatening, shows a pattern of coercive and controlling behavior, or that causes the other family member to fear for their safety or the safety of another person. In the case of a child, it involves the direct or indirect exposure to such conduct and includes:

- physical abuse, including forced confinement, but excluding the use of reasonable force to protect oneself or another person;
- sexual abuse;
- threats to kill or cause bodily harm to any person;
- harassment, including stalking;
- the failure to provide the necessities of life;
- psychological abuse;
- financial abuse;
- threats to kill or harm an animal or damage property; and
- the killing or harming of an animal or damaging of property.

File (Action of Filing): The act of giving your court documents to the clerk who reviews and stamps them with the filing date and places the original documents on the court file.

Maintenance Enforcement Program (MEP): The Saskatchewan Maintenance Enforcement Office helps recipients receive their support payments. Once an order or agreement is registered with the MEO, the payor sends the support payment to the MEO, which records the payment and forwards it to the recipient. In cases of non-payment, the MEO takes steps to enforce the support owed. These enforcement tools include registrations on an interest against land titles and personal property, wage, non-wage and federal support deduction notices, federal license (passport) denials, motor vehicle restrictions, and driver's license suspensions. MEP also has access to a variety of tools that assist in locating a debtor or a debtor's assets or income.

Mediated Summary: A written summary prepared by the mediator, of their understanding of the decisions reached by the parties in mediation. The mediated summary is not considered a legally binding document.

Notice to Disclose: A document that asks a person to provide financial information to the requesting party.

Parenting After Separation (PAS): A course offering information to parents about the separation and divorce process, the effects of separation and divorce on children, techniques for communication, and legal information that affects parents and children.

Parenting After Separation High Conflict (PASHC): A course offering information to parents who have already completed Parenting After Separation. The focus is on the process of separation, how to emotionally disengage from one another, and how to identify and renegotiate boundaries.

Parenting Arrangement: The arrangement made for the care of children when parents separate. The different types of parenting arrangements include:

- **Joint decision-making responsibility** – together parents make major decisions about children's care, education, religion and welfare. The children may live mainly with one parent, while the other may spend regular time with the children.
- **Sole decision-making responsibility** – the children live primarily with one parent and that parent has the right and responsibility to make major decisions about the children's care, education, religious instruction, and welfare.
- **Shared Parenting** – according to the Child Support Guidelines, shared parenting is where the children live at least 40 per cent of the time with each parent.

- **Split Parenting** – when parents have more than one child, and each parent has one or more of the children living primarily in their household.
- **Parenting Time** – the time that a child spends in the care of a parent or person acting as a parent.

Parenting Coordinators: Can help parties resolve disputes over existing agreements and orders, such as who has parenting time during summer holidays. Parenting coordinators are knowledgeable about children's developmental stages and mental health, and they help parents focus on their children's needs while resolving disputes. Parenting coordinators do not create or change parenting arrangements.

Parenting Order: A court order that grants decision-making responsibility or parenting time with respect to a child.

Party: Someone directly involved in the court action or application. A party can be the petitioner or the respondent.

Peace Bond: An order under Section 810 of the *Criminal Code* that requires a respondent to have no contact with persons named in the order and to stay away from specific locations. Individuals usually apply for peace bonds with the assistance of police, in non-emergency situations, and the respondent receives notice of the application.

Person Standing in the Place of a Parent: A legal term for someone who is not a biological parent of a child but who acts like a parent to the child. The court may treat the person the same as a biological parent for decision making responsibility and parenting time. The court may also decide the person has a financial responsibility to support the child. In the past, the term *in loco parentis* was used.

Petitioner: The person who starts a court action for family law matters.

Pre-Trial Conference: An informal meeting where the parties and a King's Bench Court judge discuss whether it is possible to come to an agreement on the issues, and if not, to ensure the parties are prepared for trial. The judge cannot make an order during a pre-trial without the consent of both parties.

Reciprocating Jurisdiction: Province, state or country that has an agreement with Saskatchewan, stating they will each enforce the other's support order when one party lives in Saskatchewan and the other party lives in that province, state or country.

Recognizance: A document or order that imposes obligations on an accused in a criminal matter forcing them to comply with conditions following their release from custody pending trial. Often there is a financial penalty or return to custody if those conditions are not followed.

Respondent: A person responding to an application to court for a family law matter.

Restraining Order: A Court of King's Bench order that prohibits the respondent from harassing, molesting, watching, following, telephoning, or otherwise interfering with or contacting the applicant.

Special or Extraordinary Expenses: These are sometimes referred to as Section 7 expenses. In addition to the base amount of support payable under Child Support Guidelines, the court can order the payment of additional expenses. These expenses can be for education, medical, dental, visual or other health care, childcare or extracurricular activities.

Support Order: A court order directing that money be paid, usually on a monthly basis, for either spousal/partner support or child support. The word maintenance can be used instead of support.

Trial: A court session where a judge makes determinations of fact and decisions based on the law. Witnesses' evidence is generally given orally rather than by affidavit.

Undertaking: A document signed by an accused in a criminal matter showing agreements to comply with certain conditions while they are released from custody pending trial or their next court appearance. It can also refer to a promise given by a party or witness in a civil matter to answer a specific question or provide a document or other information at a later date.

Variation Order: A court proceeding where one or both former spouses seek a variation of either an interim or final order for support or parenting.

Website References

The Family Law Information Centre offers free legal information and referrals for all callers.

- For general information on family law programs in Saskatchewan, visit:
<https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce>.
- o For more on representing yourself in family court and to find self-help kits, visit [Representing Yourself in Family Court](#). Here you will find legal information on a variety of family law issues, including a series of helpful videos.

For general information on Family Justice Services across Canada, visit <https://justice.gc.ca> and click on Family Law then Family Justice Services.

- For helpful resources on parenting after separation or divorce, visit the website above and browse the Family Law and Publications menu with relevant topics where you will find resources for supporting families through separation and divorce. A particularly helpful resource for children ages nine or older is titled “What Happens Next.”

For more information about Saskatchewan courts, visit <https://sasklawcourts.ca>.

For more on dispute resolution processes in Saskatchewan, visit the following websites:

- Conflict Resolution Saskatchewan Inc. (<https://conflictresolutionsk.ca>);
- ADR Institute of Saskatchewan Inc. (<https://www.adrsaskatchewan.ca>); and
- Early Family Dispute Resolution (<https://www.saskatchewan.ca/earlyfamilyresolution>).

To access helpful legal education and information resources, visit the Public Legal Education Association of Saskatchewan at <https://www.plea.org>.

For more on family violence, interpersonal violence and abuse programs in Saskatchewan, visit:

- <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/interpersonal-violence-and-abuse-programs>;
- Provincial Association of Transition Houses and Services in Saskatchewan (<https://pathssk.org>);
- Justice Canada (<https://justice.gc.ca>) and click on Criminal Justice and Family Violence, then About Family Violence;
- “Abuse is Wrong in Any Language” (<https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/index.html>);
- Family Service Saskatoon (<https://familyservice.sk.ca>); and
- Family Service Regina (<https://familyserviceregina.com>).

For help getting finances on track with free, confidential, non-judgmental credit counselling, visit <https://nomoredebts.org>.

For accessible and professional legal services in family law to eligible people, visit <https://legalaidsk.ca>.

For free legal advice to low-income earners in Saskatchewan, visit <https://www.pbllsk.ca>.

For more on the Parenting After Separation and Divorce program, contact Family Justice Services at:

Toll-free, Regina: 1-888-218-2822

Toll-free, Saskatoon: 1-877-964-5501

<https://www.saskatchewan.ca/residents/births-deaths-marriages-and-divorces/separation-or-divorce/parenting-after-separation-and-divorce-program>

