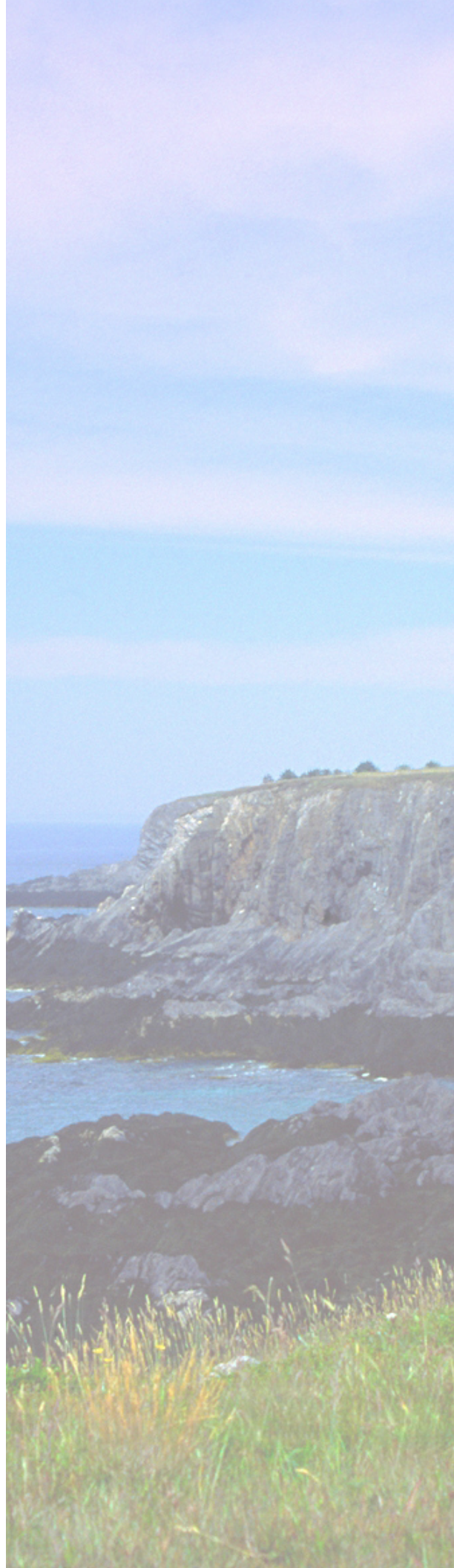


Nova Scotia Parenting Plan Guide



2025



These materials are not intended to provide legal advice. We gratefully acknowledge financial support from the Province of Nova Scotia for the preparation of these materials.

This Parenting Plan Guide has been modified from a Guide prepared by the Ontario Chapter of the Association of Family and Conciliation Courts (AFCC-Ontario) and family law materials from Justice Canada. The Guide is intended to assist parents and their professional advisors in developing child-focused, realistic parenting plans.

The Guide combines knowledge gained from research on the impact of parental separation and divorce on children, with practical insights about the needs of children with parents living apart. The statements in these materials that summarize the social science research reflect the considered views of the original Task Force Members as well as the Nova Scotia Advisory Group members, all listed [here](#).

The Guide does not provide an exhaustive discussion of issues addressed and does not include citations. Interested readers should consult the large, published literature on child development and post-separation parenting in peer-reviewed social science journals.

The drafters of these materials appreciate the growing diversity of the Canadian population and broad range of familial relationships and norms in this country. Most Canadians have multiple intersecting identities that may be based on gender, sexual orientation, ethnicity, culture, race, religion, language, age and class, which help shape varying norms and structures. In drafting these materials, we have tried to reflect the changing landscape of the Canadian family life, though we acknowledge that these materials do not reflect the full diversity of the country or the province of Nova Scotia.

Table of Contents

What is a Parenting Plan?	3
The Purpose of This Guide	4
Making a Parenting Plan	4
Legal Advice and Court Assistance	5
Staying Focused on What’s Best for Children	7
The Importance of a Civil Relationship between Parents	8
Limits to Working Together: Family Violence and Wellness Issues	11
COMMUNICATION TIPS	13
DECISION-MAKING RESPONSIBILITIES	14
“Significant” Decisions	14
“Day-to-Day” Decisions	15
Emergencies	16
Medical Decision-Making for a Child with Special Needs	16
AGE-APPROPRIATE PLANS AND SCHEDULES	17
Parenting Time and Parenting Time Schedules	17
Deciding on a Parenting Time Schedule	19
Siblings	21
Race and Cultural Considerations	22
Mi’kmaq Children and Parenting Arrangements	23
Religion, Spirituality, and Ethnicity	24
Infants: Birth to 9 months	24
Babies: 9 to 18 Months	26
Toddlers: 18 to 36 Months	28
Preschoolers: 3 to 5 Years	30
Early School Age Children: 6 to 8 Years	33
Later School Age Children: 9 to 12 Years	37
Early Adolescence: 13 to 15 Years	40
Late Adolescence: 16 to 18 Years	42
Special Occasions and Holidays	43
Persons Picking Up and Dropping Off the Children	46
Flexibility in Response to Unexpected Events and “Missed” Time	46

Telephone, Video Calls and Other Contact (“Virtual Parenting Time”)	47
Social Media.....	48
A Right of “First Refusal” (or Assuring Priority of Parental Care).....	49
Time with Other Significant Adults	49
Extracurricular Activities	50
Going to Children’s Events.....	50
Children’s Personal Items.....	51
INFORMATION SHARING, DOCUMENTS AND TRAVEL	52
Information Sharing	52
Documents.....	52
Vacations and Travel.....	53
Restrictions on Travel.....	53
Passports.....	54
REVIEWING AND MODIFYING PLANS	54
Monitoring and Changing the Parenting Plan	54
Family Dispute Resolution.....	55
Unanticipated Changes.....	56
Local Moves.....	56
Relocation.....	56
SPECIAL CONSIDERATIONS IN MAKING A PARENTING PLAN.....	57
Long-Distance Parenting & Parents in the Armed Forces.....	57
Addressing Family Violence.....	58
Family Violence and Emergency Hearings.....	60
Immigration Status.....	60
Supervised Parenting Time	61
Parental Substance Abuse and Mental Illness	62
Incarcerated Parents	63
Resistance to Contact.....	63
FINANCIAL SUPPORT	64
Financial Support for Mi’kmaq Children	65
ADVISORY GROUP MEMBERS.....	68
TERMINOLOGY.....	69
RESOURCES	82

Parenting Plan Guide

What is a Parenting Plan?

A Parenting Plan is an agreement between a child's parents that sets out how they will work together to parent their child after separation or divorce. This Parenting Plan Guide uses the word "parent," but this includes **guardians** of children, as well.

A parenting plan is an agreement parents enter into voluntarily, setting out how they will share responsibilities and time with their children. Parents who cannot work together or who cannot agree on parenting arrangements can go to court to get a court order.

A parenting plan should have enough detail to be useful but also have enough flexibility to be realistic and meet the changing needs of the children involved. It is important to know that a parenting plan will have to change as children get older and their needs and the circumstances of their parents change.

Children do better when their parents co-operate and communicate with each other in a peaceful and respectful way. Having a parenting plan can help avoid conflict between parents because each parent is clear about the parenting expectations. If communication or co-operation with the other parent is not easy, a good parenting plan can provide details about the parenting arrangement so that parents are not required to negotiate or discuss in advance every decision that needs to be made.

A parenting plan can be short or long and as detailed as the parents wish. Often a parenting plan will set out:

- Where the child will live;
- Who will make decisions for the child (see **decision-making responsibility**);
- The time the child will spend with each parent and with other important people in the child's life (see **parenting time**);
- How the parents will communicate with each other about the child; and
- Who has the right to know about the child's health, education and well-being.

Most parenting plans also set out how the cost to raise the child will be covered by each parent. This is called child support and other special expenses. There is a brief discussion about child support in this Guide under the **Financial Support** section below. You may also find information on the Nova Scotia Family Law website [here](#).

The Purpose of This Guide

This Guide is intended to help parents and professionals put together a parenting plan. It is based on family law legislation and research about children, their needs, and issues that come up.

The Guide offers suggestions for improving parental communication and co-operation, and for making a parenting plan that both parents agree to.

The Guide is intended to help parents and professionals deal with the main issues that commonly arise in making a parenting plan. The discussion here does not cover all issues. The guide does not address such legal issues as **spousal support** or **division of property**. These will need to be addressed in a **Separation Agreement** or Court Order. The final chapter of the Guide addresses **financial support** but only briefly.

Making a Parenting Plan

This guide may be used with the Federal Department of Justice Parenting Plan Tool. This tool walks parents through each section of a parenting plan and offers suggestions. You can access the tool online [here](#) and read more about the **Parenting Plan Tool** in the **Terminology** section at the end of this Guide.

Both this guide and the Justice Canada Parenting Plan Tool follow the rules set out in family law legislation, either the **Divorce Act** or the **Parenting and Support Act**. Both sets of laws state that parenting plans must be based on the **Best interests of the child**.

This means that children's needs must be at the center of the parenting plan and these needs may change over time as they grow up. For this reason, the parenting plan will usually need to change over time, for example, what may work for a child at 9 years old will likely not work at 14 years old.

It is important for parents to communicate honestly with one another about the changes that they observe in their children and be prepared to review the plans previously made. Whatever the initial plan, the needs of children and circumstances of parents change as children grow older.

Sometimes parents try out a parenting arrangement "for now" after they separate so they can see how it works. It is often useful for children to try out different arrangements before making definite plans.

This temporary plan may be written or sometimes it is just agreed to, but unwritten. It is important to know that if this temporary plan stays in place for many months or years it may become difficult to change. For more information see the section below on **Reviewing and Modifying Plans**.

A written parenting plan is complete once it is dated and signed by each parent. A written parenting plan may be registered with the court to become a court order. Or it may be incorporated into a separation agreement or a court order that deals with other family law issues.

Each parent should have a copy of the signed parenting plan. Parents may agree to share the parenting plan with the child's other care providers, such as the school or daycare. This may be necessary, for example, if the child has special needs or care requirements.

More information on Parenting Plans

You can find more information about registering your parenting plan or making changes to the parenting plan on the Nova Scotia Family Law website [here](#).

Legal Advice and Court Assistance

It is preferable if parents meet with a lawyer before they start to prepare a parenting plan and before they finally sign a parenting plan. It is important to understand other legal issues that may be present, including each parent's financial responsibility for the child's needs (i.e., "**child support**"), and potentially to the other parent (i.e., "**spousal support**"). A **division of property** may also impact the finances of the parents and the final parenting arrangement, for example, if there is a sale of the family home.

In Nova Scotia, parents can file a court application at the Supreme Court (Family Division) to ask for help from a court worker to create a parenting plan. This is known as **conciliation** where a court worker helps the parents work out the parenting arrangements in one or several meetings.

Some parents will meet with a judge at a **judicial settlement conference** and the judge may help them reach an agreement on an issue parents are having trouble agreeing on.

When parents are not able to reach an agreement, or if they cannot work together because of safety or other concerns, then a **trial** will be held. A judge will hear evidence from each side and then make a decision in the "**best interests of the child**".

Finding a Lawyer

If you cannot afford a lawyer, you can apply to Nova Scotia Legal Aid www.nslegalaid.ca/. Nova Scotia Legal Aid offers a range of services you might be eligible for, from full representation in court to summary legal advice. Nova Scotia Legal Aid also offers times where you can chat online with a family law lawyer. Visit the calendar on their website to see when this is offered.

If you are denied Legal Aid, you can appeal your denial. Contact Dalhousie Legal Aid Services to find out if they can help you with your appeal (902-423-8105).

For help finding a lawyer, the Legal Information Society of Nova Scotia's Lawyer Referral Service may be able to refer you to a lawyer who will provide a consultation of up to 30 minutes for a maximum of \$20 plus tax. The lawyer can discuss the general legal issue(s) with you and give you an idea of your options and costs. Visit their website at www.legalinfo.org or call 1-800-665-9779 (toll-free in Nova Scotia) or 902-455-3135.

You may be eligible to meet with Summary Advice Counsel at the courthouse regardless of your income. Summary Advice Counsel is available at many courthouses across the Province and they may be able to provide you with basic legal advice and assistance with court forms. You can book an appointment yourself by calling the court that you are involved with. For contact information, visit www.courts.ns.ca.

There may be family lawyers who are willing to provide advice or consultation to parents on a "limited scope" basis. This means that a lawyer does not fully represent you, but may provide legal advice, support or services for certain *parts* of your case. Not all lawyers will advertise that they offer limited scope legal services. It may be worth calling a law firm or lawyer to ask if this may be an option or to ask about what other ways you may be able to keep costs down. Some lawyers do advertise limited scope legal services and you can find a directory of those lawyers at www.representingyourselfcanada.com/directory.

For further legal information on child support, spousal support and matrimonial property please consult the Nova Scotia Family Law website: www.nsfamilylaw.ca/

There is a directory of lawyers you can search by area of the province or by name on the Nova Scotia Barristers' Society webpage at www.members.nsbs.org/LawyerSearch.

Staying Focused on What's Best for Children

Raising a child is challenging; parents must place their children's needs ahead of their own. Making a parenting plan focused on the child's needs will require communication and compromise between parents. When drawing up a parenting plan, parents shouldn't just focus on "time" or "hours per week" with their child. What matters is the quality of a parent's time and what parents do in their time with their child.

Canadian family law starts from the principle that a child's physical, emotional and psychological safety, security and well-being are the primary considerations when making parenting arrangements. Where parenting arrangements are made – whether by parents through a parenting plan or by a judge - they must be in the "**best interests of the child**". This means an arrangement that best meets the child's needs and will best encourage the child's development, happiness and success.

Children's views and preferences are important factors when deciding about their care, and, particularly as children get older, children should be consulted as plans are being made and revised. While children should have a voice it is important to keep in mind that they don't make the choice! Parents are the ones that ultimately make final decisions and children should not be asked to "choose sides".

How children share their views and preferences will of course depend on the age of the child and the child's maturity. A very young child may not be able to say exactly what type of parenting arrangement they prefer but they should be given the opportunity to ask questions and share their thoughts and feelings on certain issues. Older children, on the other hand, may be better able to say what they want in terms of parenting arrangements.

While it is preferable for parents to decide together how to involve their children and develop a joint strategy, this is not always possible - especially at the early stages of separation.

If the parents have different perspectives on their children's views, it may be helpful to involve an independent professional such as a counsellor or therapist who can meet with the child to explore their views and share this information with the parents.

Children's Bill of Rights

The "Children's Bill of Rights" includes the right to be treated as "an affected person and not as a right or possession" and the "right not to participate in the painful games parents play to hurt each other or to be put in the middle of their battles". To learn more about the "Children's Bill of Rights" find it [here](#).

Helping Children Involved in Separation

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

See the Justice Canada website: [Because Life Goes On...Helping Children and Youth Live With Separation and Divorces](#).

The Importance of a Civil Relationship between Parents

Parents going through separation face real challenges as their relationship with the other parent changes. Separated parents will now share parenting responsibilities and care for their children while pursuing separate lives. Parents sometimes fear that the loss of their spousal relationship will also mean the loss of their parent-child relationship. They are also concerned about the negative impact that their separation may have on their children's healthy development.

It is important for parents to be aware of their children's experience with the separation, and to ensure that their children are adequately supported throughout the process.

Family law requires that parenting arrangements are made in the **best interests of the child** (all factors are listed in our terminology section). Some factors that are considered when determining the best interests of child include that parents protect their children from the conflict that may arise from separation or divorce. It also includes an expectation

While parents may feel anger, distrust, grief or a sense of betrayal at the end of their relationship with the other parent, it is important to recognize that their goal after separation should be to establish a trusting and loving relationship with their child and a civil working relationship with each other.

that parents will support the child's relationship with the other parent, unless inappropriate to do so (like where there are **family violence** concerns).

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

- Children do best in both the short-term and the long-run when they feel loved and cared for by both parents.
- Children generally do better when both parents have respectful communication with one another and have stable and meaningful involvement in their children's lives.
- The strength of a parent's relationship to a child is affected more by parental commitment, warmth and the ability to meet the child's needs than it is by the amount of time spent with the child.
- Each parent has different and valuable contributions to make to their children's development.
- Children should have both structured routine time (such as bathing or doing homework) with each parent, as well as unstructured time (such as playing in the park).
- Parents should help their children maintain positive existing relationships, routines and activities, for example, with grandparents and other family members.
- Children find security in personal possessions, like a favorite stuffed animal, and should be permitted to bring personal possessions back and forth between homes, regardless of which parent purchased them.
- Parenting plans will need to be adjusted over time as the needs and circumstances of parents and children change.

Children are harmed by exposure to conflict between their parents. This is one of the most consistent findings in the research on parenting after separation. Exposure to conflict and arguments can increase children's anxiety and can negatively impact their healthy development. There is a difference between conflict when parents argue or are disrespectful, and **family violence**, however, exposure to both is damaging to children and their development. For more information about safety and parenting when there is family violence please see the "**Addressing Family Violence**" section of this guide.

Family justice professionals advise that:

- Parents should not make children feel that they have to “choose” between parents.
- Children should not be made to feel guilty about having a good time with the other parent.
- Each parent should strive to have a respectful and civil relationship with the other parent.
- Each parent should support the child’s relationship with the other parent.
- A parent should not make unkind comments about the other parent in the presence of the child or when a child may overhear them. Relatives and friends should also be discouraged from making such comments in the presence of the child or within their earshot.
- Children should not be expected to communicate messages between parents, for example, about financial matters or issues over which parents disagree.
- Parents should exchange the children without arguing and by acknowledging each other in a polite way.
- A parent should allow their children to attend important family celebrations and events with the other parent.
- While parents should acknowledge that there may be differences between their two homes, such as in daily routines and activities, religious observances and diet, it is preferable to refer to these as "differences," and not as "better" or "worse".
- Young children need consistent sleep and feeding schedules in both homes.
- While parents should try to develop consistent rules about acceptable adolescent behaviour, most older children are adaptable and tolerate differences in rules (such as between home and school).
- Parents also need to appreciate that their former partner’s lifestyle and day-to-day parenting approaches generally cannot be, and should not be, controlled in a parenting plan.
- If one parent has been significantly more involved with the care of the child before separation, or the other parent has never lived with the child, the more involved parent may need to help the other parent gain the skills and knowledge to care appropriately for the child and support the development of a positive relationship between the child and the other parent. The parent with less or no prior involvement will also have to make efforts to gain the necessary parenting skills and knowledge.

Transitions, by their nature, can be difficult for children. Many children struggle when they are required to interrupt an activity, leave a parent or to move from home to home.

This difficulty can be made much worse if children are also exposed to conflict between their parents. It is not unusual for children to appear distressed or to show sadness or anxiety at transition times. It often helps for the transitions between parents to take place at school, daycare or camp. If this is not an option, it may be better if the parent who has care before an exchange takes the children to the other parent. This signals parental support for the transition and lessens the children's sense of being interrupted and taken away from a parent.

Effects of Separation on Children

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

You can also visit [Nova Scotia Family Law](#) for more resources on ways to help your children including helpful information and community-based resources.

Limits to Working Together: Family Violence and Wellness Issues

Family law requires parents to work together to resolve their parenting disputes provided it is appropriate to do so. Agreeing to a parenting plan is an example of how family law expects parents to work together to organize their affairs. Some parents may not be able to work together, or it may not be safe to work together on a parenting plan when:

- there was **family violence** in the relationship, or
- family violence, or a risk of family violence, has continued after separation.

Canada's Divorce Act says that family violence is behaviour that

- is violent or threatening;

- causes a family member, including the other parent, to fear for their safety or someone else's; or
- is a pattern of **coercive and controlling behaviour**.

Family violence can include many different types of behaviours and experiences. It is not only physical violence, but can also include psychological, sexual and financial abuse, harassment and stalking. It can also include threats to harm or kill a person or an animal, such as a family pet, and can include destruction of property or threats to destroy property.

A child does not have to experience family violence directly to be a victim of family violence. Children may be exposed to family violence either directly or indirectly. A child may be present and actually witness the violence. Or a child may hear it taking place in their home or witness the impact of family violence on a parent.

It is especially important to get help from a lawyer where there has been or continues to be family violence or a risk of family violence. It is also important to let the lawyer know if there is family violence so you are not required to participate in activities with your former partner that may not be safe. For example, participating in **conciliation** may not be safe or produce fair results, and even waiting outside the courtroom where your former spouse might also be waiting may pose safety concerns.

It is important to let your lawyer know about any other court cases that may have happened or are in the process of happening, especially if there are criminal charges or child protection involvement.

As well, if one or both parents has substance use or serious mental health issues it may not be appropriate to enter into an agreement without assistance. For more information see the **Parental Substance Abuse and Mental Illness** section below.

Even if it is not appropriate for the parents to work out a parenting plan together, each parent may use this guide to help them decide what plan they want for their children when they are putting together their materials for court.

You can find out more information on Family Violence in this guide in the **Addressing Family Violence** section below.

COMMUNICATION TIPS

Some separated parents are able to maintain warm and friendly relations with each other. Some may not be friendly but can work at being civil and business-like in their interactions with each other. But for many, the relationship is likely to be strained, especially in the period immediately following separation. It is important for children that their parents communicate effectively and respectfully.

If parents do find their relationship is strained after separation here are a few things to keep in mind when communicating:

- Focus communications on the specific matters at issue, one thing at a time, and avoid negative comments about the other person or people who are important to the other person;
- Don't just reply by email or text right away, especially if you're upset. Sometimes it is best to draft a response and wait a day - to edit and send later;
- Before you respond consider whether a judge would view your emails as cranking things up and focused on the other parent, or calming things down and focusing on your child; and
- Be mindful an older child may read your text messages and emails.

Protecting Your Child from Conflict

[Nova Scotia Family Law](#) includes an information page for parents on how to protect children from conflict including tips for communication.

DECISION-MAKING RESPONSIBILITIES

Children need someone to make decisions for them and so parenting plans should address how parents are going to share or divide **decision-making responsibility**. In family law there are two types of decisions: “significant” decisions and “day-to-day” decisions. Decisions must also be made about a child’s medical care and in the case of emergencies. We review these types of decisions below.

“Significant” Decisions

When discussing parenting arrangements, parents will have to decide how to divide **decision-making responsibility** for children when it comes to significant decisions in the children’s lives. Typically, the “significant” decisions include:

- **Education:** choice of school and educational need (i.e, psychological or psychoeducational testing, tutoring, or special class placement);
- **Health:** medical treatment, including any dental care, special dietary needs, long term medications, and other health care needs such as therapy/counselling or vaccinations;
- **Extra-curricular:** participation in extracurricular activities, and the time each parent has available to ensure the child attends these activities;
- **Religion and culture:** decisions about the child’s faith, religious observances, spirituality, and cultural or ethnic heritage, and the languages that they will learn.

There are a number of ways that parents can divide **Decision-Making Responsibility**:

- Most parents that can come to an agreement will agree to “**joint decision-making responsibility**” where they make significant decisions together. Where parents decide on this type of decision-making they should agree to a method for resolving disputes if they are unable to agree (eg., mediation or consulting a professional).
- Sometimes making joints decisions is not possible because some parents may find it difficult to compromise after separation. Some parents agree to make significant decisions together, but when there is a disagreement one parent will have the **final say** on that decision.
- Some parents may agree that “**divided decision-making responsibility**” works best. Divided decision making responsibility is divided in a certain areas with one parent making the decisions in one area (eg., religion and education) and the

other parent making decisions in other areas (eg., health and extracurricular activities).

- For other parents where there are barriers because of ongoing conflict and an inability to communicate effectively they may agree to “**sole decision-making responsibility**” where one parent makes all significant decisions.

Even where a parent does not have decision-making responsibility, they may still be entitled to information about the child and may be able to speak with professionals who have seen the child. The parent without decision-making responsibility may have a right to be given notice of the other parent’s decision after it has been made (i.e., the parent decides to change the child’s school).

As children mature, they typically become more involved in the decision-making process. For example, older children often expect to be involved in decisions about a choice of school and activities, and their consent may be required for medical treatment.

The age of majority in Nova Scotia is 19, when a child becomes an adult in the eyes of the law. A child who is considered to be a “**mature minor**” may be under the age of 19, but be in a position to make their own medical decisions.

“Day-to-Day” Decisions

Major or “significant” decisions should be discussed in advance and a plan should be set out as to who has decision-making responsibility and how this will be carried out. In contrast, “**day-to-day**” and emergency decisions are usually made by whichever parent is with the child at that time.

The parent with the care of the child will normally be permitted to make the day-to-day decisions regarding issues that come up during their parenting time, such as doing homework, bedtime routines, meals, and chores.

Even for some of these decisions and routines, it is preferable for parents to consult and communicate with each other. While it must be recognized that each parent has the right to set their own “house rules”, it is helpful for children to have consistency between the two parental households.

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

Emergencies

In a medical emergency, the parent with the child at the time of the emergency will have to make this emergency decision. That parent should try to immediately contact the other parent about the situation and involve them in decision-making. Both parents should know about medical emergencies.

Medical Decision-Making for a Child with Special Needs

A child with special needs requires parents who can communicate well so they can manage the child's treatment. Parents must communicate about the sharing of medication and medical equipment, for example. When parents are able to cooperate regarding their child's special needs, both parents should participate in doctor appointments and school meetings regarding care and treatment. When parents are unable to cooperate, one parent should be designated as the person who will speak most often with the child's health care providers.

While a treatment provider can provide advice to both parents about a child's treatment, this person cannot mediate parental disagreements.

Parenting time must accommodate the child's special needs. Some children with special needs face significant challenges with transitions or need especially stable and consistent routines. Equal time arrangements such as **shared parenting time** that involve frequent transitions may be less appropriate with some children with special needs, depending on how well the parents can work together. It will, however, often be valuable for both parents to be able to provide care to allow respite for the parent with the primary care of a child with special needs.

Direct Family Support for Children with Special Needs Program

Learn more about the Direct Family Support for Children Program in Nova Scotia [here](#) for children with special needs.

AGE-APPROPRIATE PLANS AND SCHEDULES

Parenting Time and Parenting Time Schedules

Parenting time is the time a child spends with a parent or another person who has a parenting role, such as a **guardian**. The parenting time schedule also includes time when a parent is responsible for the care of the child, but the child is not actually with them. For example, when the child is in school or daycare. The parenting time schedule may be described in an agreement, parenting plan, or a court order.

It's About Quality, Not Quantity!

There are different types of parenting time schedules depending on the child's age, needs and interests. **Keep in mind that the amount of time you have with your child does not determine your value as a parent.**

You are valuable as a parent to your child regardless of the parenting time schedule. Your relationship with your child is based on the quality of the time you spend together, not the number of hours you have together.

Examples of different parenting time schedules include the following:

- **“Majority of Parenting time”** or “Primary Parenting Time” schedule: when the child spends most of the time with one parent and spends time with the other parent either based on a schedule agreed upon or ordered by a court.
- **“Shared Parenting Time”** schedule: sometimes called “Substantially Equal Parenting Time” or “Equal Parenting Time” where the child spends approximately equal parenting time with each parent (ie., each parent has the child at least 40% of the time over the course of a year). These parents will usually make decisions jointly (see **“Joint Decision-Making Responsibility”**).
- **“Split Parenting Time”**: one child may live with one parent most of the time and another child may live with the other parent most of the time.

Canadian law does *not* start with a presumption that there will be equal or shared parenting time, or any other particular parenting schedule.

Canadian law supports plans and schedules for children based upon consideration of

the **best interests of the particular child**. There is no presumption at law that one parenting schedule is better for a child, rather the schedule should be based on the needs of each child in the family and the circumstances of the parents.

While some children benefit from the use of plans based on shared or substantially equal parenting time, other children experience these equal parenting time schedules as disruptive or uncomfortable. Equal or shared parenting time schedules will **not** be appropriate if:

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

Further, whatever the initial plan, the needs of children and circumstances of parents will change as children grow older and mature. Plans for their care will generally need to be changed if they are to keep up with the needs and circumstances of the children. As will be discussed, in some cases it may be appropriate for children to start off spending most of their time in the care of one parent, and over time the plan may evolve towards more equal parenting time as the children get older.

The following discussion offers suggestions for parenting time schedules that may be appropriate for children of different ages and emphasizes factors that parents should consider for children of different ages. However, each child and parenting situation is unique. Inevitably, no plan will be “perfect” for either the parents or their children, and each plan will be based on compromises and trade-offs.

Parents -- sometimes after professional consultation -- generally know their children best. Together the parents can usually decide on a plan that meets the needs of their children and that they as parents can realistically carry out. A mediator may be able to help parents make a workable schedule if they are unable to reach an agreement. Failing that, a judge may resolve the issues needed to make a parenting plan as part of a court order.

Deciding on a Parenting Time Schedule

In deciding on a parenting time schedule based on the best interests of your child, ask yourself the following questions:

- **What was the parenting schedule before separation?** Often, a starting point for thinking about parenting arrangements after separation is based on the parenting schedule before separation. Parents should ask themselves if both parents were actively and equally involved in the care of the child. For example, were both parents employed outside the home and equally involved in the child's care? Or does one parent still have to improve their childcaring skills? We discuss this issue in greater detail in the discussion box below.
- **How old is the child?** Parenting plans made for babies and toddlers will need to evolve as children grow older and then start to attend school. This will require fairly regular revisions, as children's needs evolve quickly in the first few years of life. For more detail see the sections on Age-Appropriate Plans below.
- **How is your relationship and communication with the other parent?** Whether or not the parents are able to communicate in a healthy and effective manner will be critical in determining the parenting time schedule. Parents who cannot communicate in a civil manner or where there is a lot of conflict, should reduce transitions between houses and avoid the need for a lot of cooperation in the parenting time schedule.
- **Presence of Family Violence:** Where there is, or has been, a history of family violence, parenting time arrangements must be carefully made to avoid further abuse. In many situations of family violence, including where one parent is using coercive or controlling behaviour over the other parent, threatening the other parent, or instilling fear, parents should not be developing their own plan. Rather, parenting plans should be developed with court oversight and/or professional assistance.
- **What is your child's temperament?** Some children are more relaxed and flexible, while others need more structure and routine. Parents need to consider the child's temperament and whether the child will be able to handle multiple transitions during the week.
- **How far do you and the other parent live from one another?** Especially for younger children, a distance between homes may add to the stress of multiple

transitions during the week. Parents should ensure that travel times between homes don't interfere with children's ability to have time to see friends and undertake activities they enjoy.

- **What are your respective work schedules?** A parent's work schedule will affect when they are available. Some parents work regular Monday to Friday, 9am to 5pm hours, but others work shifts or weekends or unpredictable hours. For some parents, long work hours or a work schedule that takes the parent away from the home for stretches at a time will have to be considered in crafting a plan.
- **What is the child's cultural, linguistic, religious or spiritual upbringing and heritage, including Indigenous upbringing and heritage?** Race, Indigenous heritage and cultural considerations as well as religion and spirituality are important considerations in crafting parenting arrangements. We discuss these in the sections on **Race and Cultural Considerations**, **Mi'kmaq Families** and **Religion, Ethnicity, and Spirituality** below.
- **Does the child have any special needs?** Parents should consider the particular needs of children with special needs, for example, related to a physical condition, or a neurodevelopmental disability (i.e., a learning disability or autism). A parenting schedule with multiple transitions may not be appropriate for some children with special needs.
- **What are the views of the children, especially older children?** The views and preferences of children – especially older children – are important considerations in deciding on a parenting time schedule. Children who are older or more mature should provide input into the parenting time schedule. Even younger children may have helpful suggestions or opinions about their schedule.

These will be important considerations in deciding upon a parenting time schedule now that you are parenting apart. In general, children benefit from a relationship with both parents and family laws encourage as much contact with each parent as is consistent with the best interests and safety of the child.

What was the parenting schedule before separation?

In most cases, a good starting point for discussions about an initial **parenting time schedule** will be based on the caregiving arrangements before separation. In some families, especially when children are very young, one parent, more often the parent who may be breastfeeding and/or has a longer parental leave, will be the child's primary caregiver. In other families, while the parents were living together, both parents may have had roughly the same level and time of parenting involvement, either right from birth or as parental roles evolved as children grew older. And in some families, extended family members may play an important role in childrearing and decision making for the children.

As well, parenting plans may change. A parent who may not have been as engaged in childcare before separation becomes more actively involved. The fact that one parent may have provided more care before separation may have significance in making an initial post-separation parenting plan. However, in many cases the needs of the children and the expectations of parents will change as a result of separation. The involvement of some parents in the care of their children may increase after separation. For example, separation may result in a stay-at-home parent returning to the labour force, thus creating the need for more care by the other parent.

Siblings

Siblings are usually good emotional supports for one another. Keeping them together in a parenting schedule often provides them with security. When appropriate, parents should try to keep siblings together during parenting time, even if there are differences in age that extend over several years.

There are, however, circumstances when children should have different parenting schedules. For example, when there is a significant age difference between siblings, parents may decide to include "alone time" with each child in the parenting schedule. In some cases, one child may have special needs that require a different plan from a sibling. Knowing the views and experiences of children may be especially helpful if parents are considering different schedules for siblings.

If one or both parents have new partners who have children, the parents should also consider whether schedules should be aligned to ensure time with step- or half-siblings. However, it is also important to recognize that each child may benefit from one-on-one time with each parent.

Race and Cultural Considerations

Child development experts have found that a strong sense of cultural identity in children has been shown to lead to improved outcomes in education, employment, health and wellness into adulthood.

As well, Canadian family courts have recognized that race and culture play a significant role in the healthy development of racialized youth living in a predominantly white society. Canadian courts have recognized that,

As early as age 2, children are aware of differences in skin colour and culture. As they age, children become increasingly aware that differences in skin colour have social meaning and become aware of social inequities based on race. They also encounter their first prejudicial experiences. These experiences need to be handled correctly, otherwise children can be put at risk of developing a negative self-image. (*Catholic CAS of Toronto v. MC*, 2018 ONCJ 619 at 188)

It is important that parents help children develop skills for dealing with the impacts of racism and discrimination in Canadian society. Cultural community connections can teach children how to navigate living as a racialized child in predominantly white society in healthy and safe manner. As well, there may be negative psychological impacts on a child if their heritage or culture is repressed. When thinking about a plan for parenting time you may want to think about leaving time for your child to attend specific cultural or community events that might be important to them learning about their culture and connecting with their community.

Parents of racialized youth should consider each parent's ability to foster the healthy development of their child's identity. For example, parents should think about their respective capacity to talk with their children about race and cultural identity in an age appropriate way. Parents should consider their ability and willingness to facilitate their children's involvement in the community they come from and its cultural activities (eg., religious and cultural events, etc).

Similarly, immigration can have specific impacts on a child as they navigate both their cultural community and mainstream Canadian society. Living in a new and different culture may place stress on children and parents should be sensitive to this dilemma to be able to help children develop a healthy identity. Again, connections to a child's cultural community may help to develop this identity and parents should be thinking about how to accomplish this as they think about parenting arrangements.

Mi'kmaq Children and Parenting Arrangements

If the child or one or both parents are Mi'kmaq or members of another First Nation or are Inuit or Metis, there may be specific issues to be addressed in a parenting plan.

When determining parenting arrangements it is important to understand that the best interests of Indigenous children include preserving their cultural identity and their connection to the community to which they belong. Canadian laws that set out the best interests of Indigenous children indicate that these best interests are promoted by staying connected with family members and within their Indigenous culture.

This is especially important given the legacy of genocide and assimilation of Indigenous peoples in Canada. Through colonial policies and actions including the history and legacy of residential schools, the “Sixties scoop” and the forced assimilation of Indigenous children, many children lost their connection to their culture, their ceremonies and traditions and for some, even knowing who their relatives are.

As discussed above in the section on **Race and Cultural Considerations**, community and cultural connections are a source of strength for children. A strong sense of cultural identity in children has been shown to lead to improved outcomes in education, employment, health and wellness into adulthood. As well, connections to culture and community can help children develop resilience and a healthy self image in dealing with racism and colonialism in Canadian society.

Extended family members or chosen families of the heart may be important connections for Mi'kmaq children. These important people can keep children connected to their community and their culture. It may be important for parents to consider how to keep children connected to these important family members as a part of keeping children connected to their Mi'kmaq culture. Where a non-Indigenous parent is raising a Mi'kmaq child, it may be especially important to maintain the child's relationship with extended family members who can keep the child connected to their community and culture.

If both parents share a cultural or community heritage, they may want to provide that a respected community member or elder will be involved in dispute resolution.

A parent's parenting arrangements with respect to a child may have implications for their ability to have exclusive possession of the home on reserve. It is important to check the applicable Matrimonial Real Property Law that applies to the band lands on which the parent resides. For more information on Band Enacted Matrimonial Real Property Laws see the Nova Scotia Family Law Website [here](#).

For lawyers representing Mi'kmaq families, it is important to understand that different family law rules may apply if someone is considered to have status and is registered as

Status Indian under the *Indian Act*. As well, different rules may apply to that person's property and money depending on if that property and money is on or off reserve. For more information around child support, housing, property, taxation, registration and band membership, see the Guide on **Family Law and Mi'kmaq Families** at www.parentingplanguide.ca.

Religion, Spirituality, and Ethnicity

The *Divorce Act* and the *Parenting and Support Act* recognize that for many parents their religion, spirituality, culture, language and ethnicity are very important, and it will promote their children's best interests if they can share their faith and heritage with their children, though for other parents these may be less significant matters. As discussed above, when parents and family members provide for a culturally sensitive environment for children, this can promote a child's resilience, healthy self image and positive development.

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

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

Infants: Birth to 9 months

Having consistent care during the first months and years of a child's life is critical for emotional and brain development. A caretaker's consistency, sensitivity, and ability to respond to an infant's needs helps the child develop the ability to self-soothe, trust others, and explore their world. It is important that infants stay connected to familiar, warm, responsive and predictable caregivers.

The quality of relationships in the first few years of a child's life may influence a child's wellbeing into adolescence. As they grow older, infants begin to enjoy play and stimulation with caregivers. They learn to love familiar, reliable caregivers and to trust that their needs will be met by these adults. These early experiences become a blueprint for their future relationships.

The First Five Years...

The first 5 years is an important time for the development of your child.

Parents should be emotionally available to children to communicate and interact with them. Caregivers need to have necessary skills and knowledge during this time, such as the ability to notice signs of hunger and fatigue, mirror the baby's efforts to make contact, and respond to the baby's smiles and babbles or gestures. For more information child brain development visit the Alberta Family Wellness Initiative [here](#).

For more information about infants and toddlers developing secure attachments with caregivers, see [Because Life Goes On... Helping Children and Youth Live With Separation and Divorce](#). This report also reviews typical behaviours and signs of increased stress along with tips for what you can do to support infants and toddlers.

Schedules for infants, birth to 9 Months: If one parent is the infant's **primary caregiver** in this period (perhaps a breastfeeding mother) and the parents separate or did not live together after the infant was born, the child will normally continue to reside primarily with that person. It is important for the **non-residential parent** to develop childcare capacity and a relationship with the child before having care of the infant on their own.

Many infants in the first year of life demonstrate a caregiver preference; extended separation from that primary caregiver should be avoided. However, infants can develop strong positive relationships to more than one caregiver, provided that each caregiver can provide "**good enough parenting**". In fact, having multiple strong relationships is a protective factor for the child. These relationships build through frequency of contact and quality of interactions.

In some situations, overnight parenting time with a non-residential parent may be appropriate, preferably in surroundings familiar to the infant, if that parent has already been or has become an actively involved caregiver. Before a parent has parenting time with the child alone, and especially before the child spends an overnight, the infant should be comfortable with that parent, and should be able to be soothed, fed and cared for by that parent.

Where the non-residential parent has not been significantly involved in caregiving for the infant, familiarity will need to develop between the infant and that parent. This should start with frequent contact for short periods of time. The non-residential parent should be given opportunities for caregiving activities such as feeding, playing, soothing, bathing, and putting the infant to sleep for naps. As caregiving skills improve

and the parent-child bond develops, visits can become longer and may include time with the child away from the primary residence.

This will require support from the child's primary caregiver. The primary caregiver may have concerns about giving care of "their child" to anyone else. The primary caregiver should instead take the long-term view in promoting healthy child development by supporting the other parent's relationship with "their child," unless there are legitimate concerns about the other parent's capacity to care for the infant.

On the other hand, the **non-residential parent** should also not be controlling of the other parent by demanding too much parenting time or disrupting the infant's routine.

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

A baby's needs are best met if parents and caregivers can communicate with each other about the baby's routine and habits. Communicating about the baby's sleep, feeding and waking cycles, and sharing tips about what helps soothe and manage the baby, can decrease stress for the baby.

Parents should have a communication log, whether hand-written or digital, to exchange after each transition. This log may include information about the child's eating, sleeping, health, and new milestones.

A pediatrician or parenting professional may help parents to better understand the needs of infants and babies and can provide information on important parenting issues. However, if parents continue to have very different views about parenting, or are unable to share a routine, or the infant is responding poorly to the different caretaking practices, it may be better for one parent to have a more limited role during this early and vulnerable period of life.

Babies: 9 to 18 Months

Between the ages of 9 to 18 months, babies experience rapid skill development including:

- motor accomplishments such as crawling, standing and walking
- communication, starting with sounds and developing to simple words

- deliberate expression of emotions including hugs, kisses, fear, anger and anxiety)
- increased understanding of other people and objects.

A consistent schedule of waking, eating and sleeping is necessary to support the baby's development. Maintaining the baby's normal routines should be a primary consideration when parents are making a parenting plan for babies of this age. While multiple caretakers can provide this schedule, some babies have more difficulties with transitions and changes. Those babies may do better with one primary caretaker and frequent contacts with the other parent.

Schedules for babies 9 to 18 months: Developing a parenting plan for babies of this age is dependent on:

- the amount of prior involvement of each parent with the baby, including caretaking routines and experience with feeding, bathing, playing, soothing, getting ready for bed, and waking;
- the ability of each parent to recognize and respond to the baby's needs;
- the baby's emotional, social, physical, and cognitive development. This includes, for example, the baby's ability to self-regulate and to understand that when someone is out of sight they still exist; and
- the baby's **temperament**.

If one parent has had primary care, the duration and frequency of contact with the other parent will depend upon the other parent's availability, willingness and sensitivity to the child, as well as the baby's temperament. Parents also need to consider their work schedules and the baby's sleeping and eating routines.

If one parent had less parenting and childcare time before separation, there should be opportunities to participate in feeding, playing, bathing, and sleeping routines before that parent has sole care and overnights. To strengthen the relationship, there should be several daytime visits each week, starting from 1-2 hours and working up to 4-6 hours, gradually increasing the length of separation from the primary parent as the baby tolerates with the possibility of starting overnight visits.

As with infants under 9 months of age, overnights with a non-residential parent may be appropriate if that parent is attuned to the baby's needs, is able to maintain the care schedule of the residential parent and is able to soothe the baby. Where a **non-residential parent** is able to provide for these needs, they may, for example, have midweek parenting time of 4-6 hours and then one overnight per weekend.

As with younger infants, a communication log is essential. This log, whether hand-written or digital, should include information about eating, sleeping, health, and new milestones. It is important that parents avoid arguments in the presence of the child, as even pre-verbal babies will be stressed by the tension between their parents.

Toddlers: 18 to 36 Months

Toddlers are becoming independent as they develop more control over their environment through walking and learning to talk. They explore their environment and usually return to their caregivers for comfort and support. Toddlers get better at observing their environment and imitating what they see (sounds, noises, expressions etc).

For racialized children, it is at this age that they may become aware of differences in skin colour and culture and racial and ethnic labeling. Caregivers should assist children as they develop this awareness in a way that supports a healthy sense of identity and belonging. This is important for healthy child development.

Most toddlers start to say their first few words by 18 months. They begin to ask for what they want to get their needs met. Toddlers have better memories than infants, and most are able to tolerate longer separations from a **primary caregiver** without too much distress. If separations are too long, toddlers may show less independence or less interest in exploring their environment or may exhibit behavioral problems.

Toddlers are sensitive to arguments between caregivers, and they become distressed when their parents argue.

Toddlers need predictable and consistent routines and clear structures to help them feel safe and secure. While they need to be closely supervised and have little sense of danger, they should have opportunities to explore.

Toddlers who are starting to assert their independence may express themselves by saying “no.” Some may resist even the most reasonable parental requests (the “terrible twos”).

Some children at this age become fearful of separations and may cling or cry at separation from one or both parents (including when left at daycare). This is normal for many toddlers and should not be taken as a sign that the child is rejecting a parent. At this age, transitions tend to be easier if the parent with care of the child gets the child ready and takes the child to the other parent. Alternatively, transitions that occur at neutral locations, such as the child’s daycare, may decrease the child’s distress.

Schedules for toddlers, 18 to 36 months: As with infants, developing a parenting plan for a toddler is dependent on:

- the amount of prior involvement of each parent with the child, including caretaking routines and experience with childcare functions such as feeding, bathing, playing, soothing, getting ready for bed, and waking;
- the ability of each parent to recognize and respond to the baby's needs;
- each parent's work schedule;
- the distance between the parents' homes;
- the baby's emotional, social, physical, and cognitive development, which includes ability to self-regulate and to understand that when someone is out of sight they still exist; and
- the baby's temperament.

It may be better for a child this age to have a **primary residence with one parent** with set parenting time for the other parent. For example:

- If one parent primarily cared for the child before separation and the other parent has not had the opportunity to develop caregiving skills,
- If the child has real trouble with transitions,
- If the child is not particularly adaptable or flexible,
- If the parents are unable to effectively communicate with each other about the child.

If one of the parents has not established the parenting skills necessary to effectively and safely manage a toddler, that parent might have contact during the week (eg., for example, starting at 1 to 2 hours and working up to 4 to 6 hours) to give that parent the opportunity to develop a relationship and parenting skills.

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

If parents have fully shared in the caretaking arrangements before the child has reached this age and the child has an easy temperament, parents may both agree that they

would like to share parenting time more equally. It is important that parents are able to cooperate, that they do not live far from one another, that the toddler's temperament allows for transitions, that their respective work schedules allow them to be available for the child, that they are able to communicate and cooperate and there are no concerns about family violence. If there are older siblings, they are often part of the security system for toddlers and they should normally be on the same parenting schedule.

Parents of toddlers should cooperate and share information through a log or by email, for example, they should share information about the child's eating, sleeping, health, and activity issues.

At this age, it is important that parents have consistent routines and approaches to caregiving, including issues like bedtimes and feeding. Children are stressed by tension and arguments between caregivers. Parents should avoid arguments in front of the child, including when they are exchanging the child between them for care. If exchanges by the parents are tense, it is preferable to have a third party, like a grandparent, take the child from one parent to the other.

Preschoolers: 3 to 5 Years

Preschoolers experience a tremendous amount of developmental change. They have a growing sense of independence but still find security in their routines. Their social networks are expanding to include other children, teachers, and families. They are learning to interact with others and to increasingly understand social rules. Preschoolers still require adult guidance, supervision and support.

By this age, children have begun to develop more social awareness (for example recognizing their own and other's emotions and learning social rules such as saying please and thank you). However, at this age, a child's coping skills are still underdeveloped.

For racialized children, this is an age where they may be increasingly aware of racism and discrimination and may have their first experience with racism. It is important that this experience is handled correctly to develop a positive self image and a sense of connection with community.

Preschoolers tend to feel that they are the "center of the universe." They tend to be impulsive and very "black and white" in their thinking. Their play and interactions often involve efforts to develop independence. They are prone to fears and anxiety and may have nighttime fears. They may have difficulties with separations or transitions, but can generally calm down and settle in. Preschool children are alert to the moods and tensions of their caregivers. However, because of their self-centred nature, they may

blame themselves for the anger, unhappiness, or anxiety of their parent, and they may feel that they are responsible for a parental separation.

It is important for parents to consider their child's temperament when deciding upon a parenting time schedule. Transitions may be difficult for some children in this age group and some children may experience react anxiously to change.

Schedules for preschoolers, aged 3 to 5 years: Preschoolers can tolerate longer absences from a parent, but as always, a child's temperament, the pre-separation parenting arrangements, and the work and living arrangements of the parents must be considered. Allowing a preschooler to take a favorite toy, stuffed animal or blanket between the two homes can help them manage any sadness and anxiety.

In crafting a parenting time schedule for preschoolers, it is important to take into consideration the facts listed above in the section on **Deciding on a Parenting Time Schedule**.

If one parent was primarily responsible for a child and the other parent had limited involvement with the child's daily routine, the child should continue to reside with the primary parent, with a possible plan of "step-up" care to gradually increase the involvement of the other parent. This might start with a few 4-hour blocks of parenting time per week, building up to one longer block (likely on a weekend) that may include staying overnight.

Of course, parents should also keep in mind the child's temperament, the parents' work schedules and the distance they live from one another in crafting a plan.

If a child has trouble adapting to transitions, or if one parent has less time available for childcare or less experience with the care of the child, parents may find that a plan that involves a child spending more time with one parent provides greater stability for the child through this stage of development. This arrangement may involve a schedule of care with the other parent having some midweek contact and overnight care every other weekend. The overnight can start earlier or later on Saturday and can finish earlier or later on Sunday, depending on parental schedules and the child's needs.

One Weeknight per Week and Weekend Overnight

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

Parent A	Parent A	Dinner with B	Parent A	Parent A	Overnight Parent B	Parent A
Parent A	Parent A	Dinner with B	Parent A	Parent A	Overnight Parent B	Parent A

If appropriate, the parenting time schedule can expand after a transition period to alternate weekends with midweek parenting time. The mid-week parenting time, whether just a few hours or overnight, is a valuable way for the parent to engage in the child's routine activities, especially in relation to school.

Expanded Weekend & Midweek Parenting Time

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

If the parents have difficulty communicating, it may be preferable to schedule transitions at the daycare when possible. One parent drops the child at daycare or a grandparent's house for example, and the other picks up the child at the end of the day.

Shared Parenting Time Arrangement

Some parents may agree, after taking into consideration the factors listed above in **Deciding on a Parenting Time Schedule**, that they both wish to share parenting time equally. In particular, parents should consider:

- each parent's ability to meet the needs of the child,
- the child's attachment to both parents,
- the child's ability to handle transitions well,
- how far the parents live from one another,
- their ability to communicate and cooperate, and
- their availability given their work schedules.

If parents decide a schedule of approximately equal time is appropriate, it is important that the child should not be away from either parent for more than 3 nights. At the early stages of separation, the parents might consider splitting each weekend so that the

child has one full stay-at-home day and overnight with each parent as well as some weekday contact. While this may not be the best long-term plan for the parents, it may help the child at this stage of development. This type of arrangement may be called a **“2-2-3” shared parenting time schedule**, with parenting time starting in the morning (e.g. at 9 or 10 am) or at the end of daycare or school.

“2-2-3” Shared Parenting Time Schedule

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

Early School Age Children: 6 to 8 Years

Six to eight-year-old children engage with more people outside of the family. They benefit from experiences that help develop a sense of competence, such as participation in school, sports, art, music and peer relationships.

Children of this age can more easily understand and manage differences in parenting styles and time away from each parent due to their more developed understanding of time. Using a calendar to inform and remind children of the parenting schedule, along with other activities, is helpful for this age. Parents and children can anticipate and talk about transitions ahead of time, easing the stress.

It is important to protect a child from conflict between their parents. A child’s developing sense of competence may be affected by parent conflict. In such cases, it can be helpful for transitions or parenting exchanges to take place at neutral places (such as the school).

Children at this age often feel they need a parent’s “permission” to see the other parent. They have developed an appreciation for others’ points of view; if they believe that a parent is unsettled or anxious about their spending time away, the child may have feelings of guilt, fear, anxiety, or even anger.

While children in this age range are stressed by parental conflict, they are more flexible than older children and may be better able to transition between parents despite this. A child's **resistance to contact** with one parent due to the parental conflict may start at this age, but generally only starts with children who are a little older.

Schedules for children aged 6 to 8 years: At this age, children generally should have significant involvement with both parents provided the parents are able to communicate well, parents don't live far from one another, and both parents can meet the child's needs. However, parents should also appreciate that as children grow older, they should be spending more time on school and community activities, which will mean less time with the parents.

One Weeknight per Week and Weekend Overnight

When one parent has had a limited role prior to separation, the plan might start with the child having one overnight each weekend, and a dinner and a few hours one night during the week. The overnight can start earlier or later on Saturday and can finish earlier or later on Sunday, depending on parental schedules and the child's needs.

If appropriate, that schedule can expand after a transition period to alternate weekends with midweek parenting time. The mid-week parenting time, whether just a few hours or overnight, is a valuable way for the parent to engage in the child's routine activities, especially in relation to school.

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

Early School Age Children, Ages 6-8 Years: Expanded Weekend & Midweek Parenting Time

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

Any mid-week parenting time should occur on the same night each week, if possible. Mid-week parenting time can also be built around the child's activities.

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

If the parents have difficulty communicating, it may be preferable to have as many exchanges of care as possible done by having one parent drop the child at school and the other pick up the child at the end of the school day. If this is the case, Parent B would have the child alternate weekends from Friday after school to Monday morning.

Shared Parenting Time Schedules

If, after considering the factors listed above in **Deciding on a Parenting Time Schedule**, parents agree that they would both like to share parenting time more equally, there are several options that might work depending on the child's needs and the parents' circumstances.

5-5-2-2 Parenting Time Schedule with Alternate Weekends

If a shared parenting time schedule is appropriate, this schedule is generally easier for children to follow. They are at the same parent's home on the same weekdays every week, with the weekends alternating. Compared to a **2-2-3 Parenting Time Schedule** (below), fewer transitions are involved. Compared to "week-on, week-off", the children don't go for week-long periods without seeing the other parent.

Children in this age range are starting to be involved in extracurricular activities and this schedule may work best to accommodate these activities if they fall on a regular schedule. If only one parent has the ability to facilitate the child's involvement in a particular activity, it may be best that the parent supporting that activity have care of the child on the day that the activity is scheduled.

For example, with a 5-5-2-2 parenting schedule, the same parent always has the child every Monday, Tuesday and the other parent will have the child every Wednesday, Thursday. Each parent could schedule the extracurricular activity they support on the day on which they have the child.

5-5-2-2 Parenting Time Schedule with Alternate Weekends

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

“2-2-3 Weekends Split” Parenting Time (for younger children)

For children in this age group that deal well with transitions and whose parents are able to communicate well and live close to one another, a 2-2-3 schedule may work to maintain frequent contact between the child and each parent.

Parents might consider splitting each weekend so that the child has one full stay-at-home day and overnight with each parent as well as some weekday contact. While this may not be the best long-term plan for the parents, it may help the child at this stage of development. This type of arrangement may be called a “[2-2-3” schedule](#), with parenting time starting in the morning (e.g. at 9 or 10 am) or at the end of daycare or school.

“2-2-3” Parenting Time Schedule

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

“Week-on, Week-off” (reduces transitions)

For some children and parents, transitions can be challenging, and alternate weeks may be more beneficial for children in this age group. Where children can be away from a parent for long periods a “week-on, week-off” schedule may reduce transitions. This schedule may also work better for older children in this age group. It is also known as a “week-about” schedule.

“Week-on, Week-off”

Parent A	Parent A	Parent A	Parent A	Parent A	Parent A	Parent A
Parent B	Parent B	Parent B	Parent B	Parent B	Parent B	Parent B

Later School Age Children: 9 to 12 Years

Children in their pre-teen years are becoming more independent from their parents as they prepare to make the leap into puberty and adolescence. They have greater capacity to understand time and to appreciate future plans and schedules. They are focused on developing competence in activities, skills, and experiences which create confidence.

Parenting plans for a child this age must take into consideration the child’s activities and friendships, which are increasingly important. Participation in sports, after school activities, religious and cultural events should be maintained in both homes. Parents must follow the child’s interests and make reasonable decisions accordingly.

If there is a high level of conflict between the parents and one or both parents are not supporting the child’s relationship with the other parent, this is an age where some children may strongly identify with one parent. Parents need to be mindful of their own behaviour. A parent’s behaviour may unintentionally impact the quality of the relationship between the child and their other parent. A parent who is unable to put their child’s needs first may need counselling to help them understand why they continue to harbour anger towards the other parent and why they are unable to support the other parent’s relationship with the child.

When there is a lot of parental conflict, it is not unusual for children in this age range to align with one parent and start to resist or refuse contact with the other parent. It is important that the parent whom the child favours ensures the child continues to follow the agreed upon schedule. Parents have a duty to make all reasonable efforts to comply with the schedule. Where the parent is having real difficulty getting the child to follow the parenting schedule, the parent could consider consulting with a professional, such as a counsellor.

In extreme cases, one parent may engage in implicit and/or explicit attitudes and behaviours that undermine the parent-child relationship. This can include:

- speaking negatively about the other parent
- minimizing the importance of the other parent

- interfering with the child's relationship with the other parent
- restricting the time the child spends with the other parent.

In such cases intervention by competent mental health professionals and the courts may be needed.

Schedules for children aged 9 to 12 years: Parenting plans for this age group should encourage children to develop social and intellectual skills, participate in extracurricular activities and develop peer relationships. Balancing all of these activities requires flexibility and support from both parents.

Children in this age range will want to have some input in the parenting plan. Parents should allow children aged 10 to 12 years to express their views and feelings, recognizing that children this age want greater control. At the same time, parents should also make clear that the parents together will make the final decisions.

Later School Age Children, 9-12 Years: “Home Base” with Midweek & Weekend Parenting Time

Some children in this age range will prefer having a “home base” with alternate weekends and one overnight during every week with the other parent.

If the parents have difficulty communicating, it may be best that transfers of the child occur at school with one parent dropping the child off at school and the other picking up the child at the end of the school day. If this is the case, Parent B would have the child alternate weekends from Friday after school to Monday morning.

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

Shared Parenting Time Schedules

If, after considering the factors listed above in **Deciding on a Parenting Time Schedule**, parents agree that they would both like to share parenting time more equally, there are a number of options that might work depending on the child's particular circumstances. Parents should create a parenting time schedule based upon the particular needs of their children and the realities of their circumstances (ie., the distance between parent's homes, the availability of after-school childcare, parents'

availability given their schedules). We provide two ideas for schedules below to consider.

5-5-2-2 Schedule with Alternate Weekends

If a shared parenting time schedule is appropriate, this schedule may be better for children that are able to handle more frequent transitions and minimizes the time away from each parent. Parents should consider the distance they live from the other parent, the availability of after-school child-care and work schedules before agreeing to this type of schedule.

This schedule is generally easier for children to follow. They are at the same parent's home on the same weekdays every week, with the weekends alternating. Compared to "week-on, week-off", the children don't go for week-long periods without seeing the other parent.

Children in this age range are starting to be involved in extracurricular activities and this schedule may work best to accommodate these activities if they fall on a regular schedule. If only one parent has the ability to facilitate the child's involvement in a particular activity, it may be best that the parent supporting that activity have care of the child on the day that the activity is scheduled.

For example, with a 5-5-2-2 parenting schedule, the same parent always has the child every Monday, Tuesday and the other parent will have the child every Wednesday, Thursday. Each parent could schedule the extracurricular activity they support on the day on which they have the child.

5-5-2-2 Parenting Time Schedule with Alternate Weekends

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

"Week-on, Week-off" (reduces transitions)

For some children and parents, transitions can be challenging, and alternate weeks may be more beneficial where a shared parenting time schedule is appropriate. Where children are older and can be away from a parent for long periods, a week-on, week-off schedule will reduce transitions. It is also known as a "week-about" schedule.

Parent A	Parent A	Parent A	Parent A	Parent A	Parent A	Parent A
Parent B	Parent B	Parent B	Parent B	Parent B	Parent B	Parent B

Early Adolescence: 13 to 15 Years

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

As children move towards adolescence, developing a sense of self and, for racialized children, a positive racial and cultural identity becomes increasingly important. Parents should think about their ability to foster a positive sense of identity and connection to community. Adolescents are becoming very aware of social differences and inequities. Maintaining connection to their cultural community and a culturally sensitive environment can help to provide a nurturing and protective environment for children who experience the distress and anxiety of racism and colonialism.

The task of parents during these adolescent years is to increasingly give up control and help the adolescent anticipate risks and practice good decision-making. At the same time, parents cannot give up monitoring their adolescent or negotiating and enforcing rules. Adolescents lack adult judgement and are prone to risk-taking. What matters is not so much the sheer quantity of parenting time for each parent, but each parent's availability at the necessary times and the quality of the time a parent has with their child.

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

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

Cooperative parents of teens model good problem solving and relationships. When parents are unable to effectively communicate, vulnerable teens may be more likely to take unsafe risks, engage in unhealthy behaviors and have poor emotional adjustment.

Schedules for adolescents aged 13 to 15 years: While a variety of time-sharing schedules will work for adolescents, parents of early adolescents should consider:

- the child's schedule and activities,
- the distance between parents' homes,
- parental work schedules,
- the child's temperament and preferences,
- the parent's experience caring for the needs of their child,
- any communication problems between the parents,
- any concerns with family violence.

It is also important to recognize the adolescent's need for unstructured time.

More flexibility in scheduling will be needed for this age group. This is a challenge for parents who usually prefer fixed schedules. Fixed schedules often reflect parental circumstances and serve to avoid or reduce conflict for parents on a day-to-day basis. More parental communication is required for this age group as the adolescent wanders about with their friends.

“Home Base” Midweek with Alternating 3-Day Weekends

Even more than with younger children, parents should respect an adolescent's stated preference for a “home base,” with alternating 3-day weekends and some mid-week time with the other parent. As children reach adolescence, their own social networks and outside activities are becoming important.” However, parents who are not the child's “home base” may increase their contact and involvement by providing transport and attending their children's activities. A parent should not view the child's independence and preference for spending more time in one home as a rejection.

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

If, after considering the factors listed above in **Deciding on a Parenting Time Schedule**, parents agree that they would both like to share parenting time more equally,

there are a number of options that might work depending on the child's particular circumstances. Parents should create a parenting time schedule based upon the particular needs of their children and the realities of their circumstances (ie., the distance between parent's homes, the availability of after-school childcare, parents' availability given their schedules).

For example, if more equal or "shared" parenting time is appropriate, and the child handles transitions well, parents could consider a **"5-5-2-2 parenting time schedule"**.

In the alternative, where the child does not handle transitions well and is able to be away from either parent for longer periods of time, **alternating weeks (i.e., "week-on, week-off"**), with or without mid-week parenting time with the other parent, may work well for this age group.

Late Adolescence: 16 to 18 Years

Parents of 16-to-18-year-olds should be encouraging and supportive of their children's gradual separation from their parents and development of their own identity. As they move through this stage of development, most adolescents are spending less time with family and more time on school, extracurricular activities, part-time jobs and with friends.

While older adolescents build independence, and often have intense but changeable feelings, there is value in consistency, support and meaningful time with both parents.

Communication between parents is especially important during this age group as they tend to wander about more with their friends. It is critical that parents and the adolescent are clear where and under whose supervision and authority the teen is under at all times. Unless there is family violence or there is a lot of conflict between parents, parents should communicate with each other about the child's schedule and activities, avoid being manipulated by the teen, and try to be consistent or at least aware of differences in their behavioural expectations.

Parents need to be flexible to accommodate the teen's activities (including school, extra-curricular, and employment) as well as their social life, in crafting a parenting time schedule for this age group.

As teens reach age 16 years, they need to have more input into the parenting plan. The older the child, the more weight should be given to their views and opinions. Giving older children an opportunity to be part of the decision-making process is important to their self-esteem and development.

Some older adolescents need and request to have a home base in one home with an alternating weekend schedule with the other parent. Some will be content to stick with a previously-used schedule, provided the parents build in some flexibility.

Some adolescents may want to divide their time with each parent alternating weeks or even two-week periods, to limit transitions and disruptions. If a parent does not see their teenager at events or activities during the other parent's time, they may schedule a weekly dinner or other type of contact during these longer periods apart.

Summer schedules need to be developed after the adolescent's summer plans for employment, camp, and activities are established.

Special Occasions and Holidays

Some parents will want to set out separate rules in the parenting plan for special occasions and holidays. On the other hand, some parents choose to just keep the regular parenting time schedule in place.

Below we provide some options for parents who want to set out specific rules around certain holidays.

Whether or not you choose to specify other dates in your parenting plan will depend on the age of the child and the regular parenting schedule. For example, if you have shared parenting time, you may not need special rules for splitting holidays. On the other hand, if one parent's parenting time is limited to alternating weekends, splitting holidays may be important.

Long Weekends and In-Service (i.e., PD) Days

Some parents who want specific rules around long weekends (ie, Thanksgiving, Labour Day, and Victoria Day) and PD or "in-service" days, will specifically set out in the parenting plan who the child will be with during these days.

Generally, the parent who has the child for the weekend on which the long weekend falls will keep the child the extra day. For example, if Parent A's regular parenting time falls on the Thanksgiving long weekend, instead of returning the child on Sunday, they may return the child on Monday after dinner. Some parents also choose to treat PD or in-service days in the same manner.

Another method for dividing long weekends is that parents can choose to alternate some of the long weekends and special days on an "even or odd" year arrangement.

On the other hand, you may not want to do this if you have shared parenting time arrangement as it might be disruptive of the parenting schedule.

March Break

There are some options that parents may wish to consider for March break:

- The regular parenting time schedule continues, or

- One parent has the children the whole of the break one year and then the other parent has the children the whole of the break the next year. This allows each parent to travel with the children every other year, or
- Parents split the break by exchanging the children mid-week. For example, the exchange could occur on the Wednesday in the middle of a week-long school break so that each parent can have 5 days with the children including a weekend.

Christmas Break

Dividing the winter school break can be a challenge for families who celebrate Christmas. The following are some options that parents may choose if they want to divide the Christmas break:

- One common arrangement is for one parent to have care of the children from noon on Christmas Eve (December 24) to Christmas at 2:00pm (December 25), and the other will have care of the children on Christmas at 2:00pm (December 25) until 6:00pm on Boxing Day (December 26). The rest of the break could follow the regular schedule or be divided in some other way. This may be alternated in an “even or odd” year arrangement, or
- One parent could have the child on Christmas and the other could have the child on New Year’s one year and then switch for the next year, so that each parent has the children every second Christmas or New Year period. The rest of the break could follow the regular schedule or be divided in some other way, or
- In even numbered years one parent will have the child from the start of the school holiday to the midpoint of the holiday and then the child will go with the other parent until they return to school.

Some parents travel to see family and may want to include this in their agreement.

To reduce tension, it is important to make fair, child-focused holiday plans in advance. If a child has previously looked forward to a holiday tradition, like spending all of Christmas Day at one relative’s home, it may be helpful for the child to continue that tradition, especially in the immediate aftermath of separation. It is, however, also important to allow new holiday traditions to develop.

Summer

Each parent will typically want some uninterrupted time with the child in the summer. Some options for the summer break include:

- Each parent may have one week in July and one week in August (or two uninterrupted weeks at specific point during the summer), with the balance of the summer following their regular schedule, or
- Parents can choose a one week on, one week off schedule during the summer or some other Shared Parenting Time Schedule that is appropriate given the age and circumstances of the child, or
- Parents can choose a “one month on, one month off” schedule with one parent having the child in July and one parent having the child in August but this will depend on the age of the child and the child’s ability to be away from either parent for a significant period of time.

The summer schedule will depend on the age and stage of development of the children, and whether the children are attending overnight summer camp. For older adolescents, the summer schedule will likely depend on whether they have a summer job. The summer schedule may also be impacted by a parent’s travel plans, particularly if they intend to visit family who live far away. However, extended time away from either parent, especially if one is the primary caregiver, may be less appropriate if children are very young.

Some schedules allow children to have extended time with grandparents or other important people during the summer.

Where a child is enrolled in subsidized daycare, the parents should find out if there is a rule that they have to take the child to daycare during the summer or other non-school days to avoid a penalty or avoid losing their subsidy.

Religious holidays

How a child spends religious holidays such as Diwali, Passover, Eid and Easter, may be set out in the parenting plan. Parents may place the same or different values on religious and other holidays, which can lead to conflict.

To the extent possible, each parent should have the opportunity to spend time with the children on the days that parents consider important. If this is not possible, consider splitting the holiday time period between parents or alternating the holiday between parents each year.

Birthdays and Honoured Parents’ Day

Some parents expect that they will see their child on their “honoured parent’s day,” ie., Mother’s Day or Father’s Day, and parents may want to agree to this in the schedule.

Each parent may want to be with the child on a special day like the child’s birthday, and there may even be a plan in place to divide the child’s time between parents. On the

other hand, many children actually prefer to have two “special days,” and are quite content to have “two birthdays” and even “two Christmases” each year.

Children are more likely to remember and be distressed by parental arguments around holidays, than to have strong positive memories of festive family dinners. Where a child has negative memories of family arguments on holidays they may be more likely to remember these arguments than the fact that they received gifts or were the center of attention. It is therefore important to ensure parental arguments or conflict do not interfere with these special days for children.

Persons Picking Up and Dropping Off the Children

Sometimes one parent may not be able to pick up or drop off the children themselves and may arrange for someone else to do this. In most cases, this should not cause problems. However, one parent may have concerns about who picks up or drops off the children, whether due to safety issues or because of personal discomfort, such as the person being a new partner.

If this is a concern, it should be discussed by the parents, and if necessary, addressed in the parenting plan. If there are legitimate safety concerns (one parent wants an aunt or uncle to pick up the child, but that relative’s driver’s license has been suspended), a person may need to be excluded from picking up the child. However, as uncomfortable as it may be at first, parents have to adjust to new situations, including becoming acquainted and civil with individuals who may play a significant role in their children’s lives, like a new partner of the other parent.

Flexibility in Response to Unexpected Events and “Missed” Time

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

Parents will also need to be flexible to meet the needs of their children, for example, due to medical events or unexpected school closings. There may also be an out-of-town event related to sports or cultural activities occurring during the scheduled time of the other parent. Children appreciate parents who can be flexible to meet their needs.

“Make-Up” Time

There may be an expectation that changes to the schedule even for an unexpected event like a family funeral, requires “make-up” time to the parent who missed their parenting time. “Make-up” time is most likely to be a concern for a parent who has only

limited time with a child. Most parents can resolve this type of situation on an informal basis as situations arise. If appropriate, arrangements can be made for the makeup time at the same time the change is sought.

Other parents may want to specifically address the issue of “make-up” time in their parenting plan, including how it is to be arranged. For example, is a missed weekend to result in the next weekend being make-up time, or should the parent giving up time have the choice of when make-up time occurs?

Telephone, Video Calls and Other Contact (“Virtual Parenting Time”)

Many children want to keep in contact with one parent while in the care of the other parent, especially if the periods of separation are more than a couple of days. **Virtual parenting time** such as telephone and video calls may also be an important means of staying in touch with children for parents who may be away for work or in the armed forces.

If there is a potential for conflict on this issue, it can be important to set out some ground rules for contact with one parent while the child is in the care of the other parent. If this is not clear, misunderstandings can arise about one parent “interfering” with the time of the other parent. Ground rules will also help to ensure that virtual parenting time is not left to children to navigate on their own.

Ground rules will also help to ensure that virtual parenting time is not left to children to navigate on their own. Younger children are unlikely to have the time management skills and technical skills to arrange this type of contact, and they may feel guilt or sadness in the aftermath of having “forgotten” to call. Adolescents are more likely to enjoy greater independence in reaching out to each parent as it suits their schedule and needs. As well, it is important to keep in mind that very young children (e.g. less than 4 years old) are often unable to focus on a virtual call very long.

The type of communication used will depend on many factors, including the child’s age and stage of development. For example, young children rarely enjoy long conversations, whether in person or on the phone or internet. If there is conflict between the parents and the child is older, it may be beneficial to the child to have a form of communication that the child can use on their own privately.

Parents should decide together if and how much telephone/texting or other contact will meet the child's needs. Decision-making should be guided by the parents’ ability to support younger children using technology, safety and privacy of both the child and parents, as well as by the child’s functioning and wishes.

Successful virtual parenting time with younger children is often relatively short, perhaps 5 to 10 minutes, that might be extended if the child continues to be engaged in the call.

Some children, especially younger ones, who are doing well spending time with a parent may become upset just by hearing the other parent's voice on the phone or seeing them on a video call. Other children may want to be comforted by having regular communication with an absent parent.

It is important to keep in mind that when one parent is exercising virtual parenting time, they are doing so during the other parent's parenting time. For this reason, it is important to set out respectful ground rules around virtual parenting time.

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

Social Media

For some parents, the use of social media by the child, or the use of pictures or other material about the child on a parent's social media, are contentious issues that should be addressed in a parenting plan, though some parents deal with this on a flexible, evolving basis.

Parents may wish to have a provision in their parenting plan limiting the posting of pictures of their children or the other parent on Facebook or other social media, or providing that this shall only be done in a respectful way.

Even without specific provision in a parenting plan, a parent should use their own social media in a way that is respectful of their children and the other parent's privacy. It is important not to share negative information about the other parent or your separation online especially as your children may be able to see this information. This is desirable to promote co-operation, reduce parental conflict and promote the needs of the children.

Inappropriate use of social media to attack or criticize the other parent may be used against the parent who posted such comments if the case should ever come before a judge.

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

If use of social media is addressed in a parenting plan, parents should consider whether this is to be based on an "honour system" (with violations coming to the attention of the

other parent to be addressed in some way), or whether there is an expectation of some type of monitoring.

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

Some parents agree that if the parent with scheduled time with the children is unable to personally be with the children, the other parent should have the first option to provide care for the children, so they should be contacted before other childcare arrangements are made. This is sometimes known as a “**right of first refusal**” in parenting arrangements.

The idea that there should be a “priority” for care by a parent may be an especially significant concern if one parent only has limited time with the child, for example if they are gone for significant periods of time for work or if they work in the armed forces.

Some parents, however, find this type of arrangement to be intrusive and can cause conflict. This arrangement may give rise to controlling behavior if there has been family violence. Having to report to a former spouse about the need for babysitting, for example, may give rise to an opportunity to inquire into the other parent’s life and to control the other parent’s decision-making ability for the child. As well, requiring the other parent, as opposed to another important caregiver to have right of first refusal may interfere with quality time that could be had with these other important caregivers.

Time with Other Significant Adults

Children may have significant long-term relationships with adults other than their parents, such as grandparents or other extended family members, with each parent having the right and responsibility to decide who else to involve with the children “on their time.”

But in some cases, parents may decide to include a provision in their parenting plan that specifically provides for **contact time** between the children and another specific person. For example, this may apply when a person has been very involved in the care of the children, and it is important to the children to maintain that relationship by setting up regular contact.

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

Extracurricular Activities

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

A parent should only plan extracurricular activities that will occur during the other parent's scheduled time if the other parent agrees. If nothing is agreed upon, the parent with parenting time when the activity is scheduled has the right to decide whether the child attends that activity.

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

However, keep in mind that it is not acceptable for a parent to refuse to bring a child to an activity that parents previously agreed upon because it is 'their' time with the child. The parenting schedule must be focused on the child's needs and involvement in activities, rather than the parents' willingness to facilitate that participation. In other words, it is generally not desirable for a child to stop participating in an activity because it does not "fit" into the parent's schedule, though it is also important to recognize that the resources and energy of parents will be stretched after separation.

Going to Children's Events

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

While it is preferable for children if their parents can both attend the same event, it is important to be realistic. If there may be unpleasantness or a confrontation, then it may be necessary for the parents to take turns attending events. If there is potential for conflict, be clear in the parenting plan how this will be approached: will the parents take turns attending events? Will each parent be entitled to attend specific types of events (i.e. hockey games vs. school performances)? How will information about the events be shared in advance?

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

Parents with new partners should be sensitive about bringing them to events with the children where the other parent is also in attendance. This should generally not be done until the new relationship is stable, and the other parent should be informed in advance rather than be surprised by the presence of the new partner.

Children's Personal Items

Children often have favourite clothing, toys, or communication devices that they like to have with them, regardless of which parent's house they are at. Cellphones and other communications devices can be a controversial issue if one parent is paying monthly charges. If these items are considered to belong to a child, the child should be permitted to take that item along to either parent's residence, regardless of which parent bought them or is paying charges. Both parents need to respect the child's connection to possessions that they may regard as their own.

If there is potential for conflict on this issue, it is important for both parents and children to be clear about the expectations for these items.

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

INFORMATION SHARING, DOCUMENTS AND TRAVEL

Information Sharing

Good communication between parents is essential for a positive parenting relationship after separation. It is important to have ground rules about *what* information parents are required to share with each other about the children. Parents must also have rules for *how* this will be done:

- What platform will the parent's use (for example, email, a written communication log, a parenting app)?
- How often is communication required?
- How quickly is a parent expected to reply?
- How will parents discuss child-related issues that will come up from time to time?

According to both the *Divorce Act* and Nova Scotia's *Parenting and Support Act*, parents have a right to information about their children's health, education and well-being directly from any person or agency with the information, like doctors and schools. This is true even if these parents are not entitled to participate in or make major decisions about their children (for example, the other parent has **sole decision-making responsibility**).

Parents may want to include provisions in their parenting plan that recognize these rights to information, or even limit them, if this is desirable. This can help ensure that professionals who have the information, like doctors and teachers, are clear about whom they can provide information. It may also be useful to add provisions requiring both parents to sign any consent forms for information releases which professionals may require.

Parents should also be aware that older children (ie., "**mature minors**") may control who may receive their health and medical information. Mature minors have the legal right to seek confidential treatment or counselling without either parent being informed. As a result, parents may wish to include provisions in their parenting plan that specify that a parent's right to access information is subject to their child's right to confidentiality.

Documents

It is important to decide who will obtain and have primary responsibility for the care of important documents for children, like health cards and immunization records, social insurance number cards, birth certificates and passports.

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

A child who is considered to be a "**mature minor**" may control who may receive their health and medical information.

Vacations and Travel

When one parent plans to travel with the children, especially on a long or faraway trip, it's important to give the other parent notice so they know:

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

Travel Consent Letters

The Government of Canada strongly recommends that children travelling across international borders carry a consent letter proving they have permission to travel from every person with the legal right to make major decisions on their behalf if that person is not with them on the trip.

Parents may decide to include a provision in their parenting plan that deals with these travel consent letters and may also want to use the [federal government recommended sample consent letters for children travelling abroad](#).

It is important to note that children 16 years of age or older will not need a travel consent letter.

Restrictions on Travel

Children cannot be removed from the country without the consent of both parents or by court order.

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

If you are worried that your child may be wrongfully removed from the province or from Canada, then you may want to state in your parenting plan that your child cannot travel or be removed from the province or Canada.

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

Passports

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

For separated and divorced parents, there is generally a requirement that both parents need to sign the passport application for their child.

However, a parent can obtain a court order or agreement in a Separation Agreement, that one parent alone can obtain a passport without the other parent's consent. To get a court order stating that only one parent may sign the passport application, the child must live with that parent the majority of the time.

Parents should consult Passport Canada about their requirements, as this office is generally quite strict about wanting clear documentation to allow one parent to obtain a passport.

In Canada, when a child is 16 years old, they have the right to apply for their own passport.

REVIEWING AND MODIFYING PLANS

Monitoring and Changing the Parenting Plan

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

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

Even if a parenting plan has been incorporated in a Separation Agreement or Court Order, in most situations parents may agree to modify or change their parenting plan without returning to court. However, the modified plan may not be legally enforceable without formally altering the Court Order or **Separation Agreement**. Remember, a substantial change in the amount

of time that a child spends with a parent may affect child support and other benefits available for a child. Consult a lawyer if a substantial change is being considered. See our **Legal Advice section** above on finding a lawyer.

If parents cannot agree to a revised plan and end up in court, the judge may be reluctant to change a parenting arrangement that appears to be working to the child's benefit. Parents may have to show the court that there is a "**material change in circumstances**." This means that the needs of the child and/or the circumstances around parenting have changed such that the current parenting plan can no longer meet the child's needs. The courts are concerned about stability for children and will only change parenting arrangements if there is a good reason and it is best for the child.

It may be helpful to have a rule in the parenting plan about what happens in the event of a dispute if parents cannot agree, and how it will be resolved, such as through mediation. Parents should be careful to choose a qualified mediator. We discuss **family dispute resolution** in greater detail below.

It is important to note that when it comes to child support, it may be changed whenever the income of the parent paying the child support changes. For more information review the section on **Financial Support**.

Family Dispute Resolution

An important reason for developing a parenting plan is to limit future disagreements. However, as children grow older and lives change, there may be a need to modify a parenting plan. Preferably parents can agree to a child-focused change in the plan, but sometimes they will be unable to agree. Also, if the parenting plan provides that parents will make some decisions jointly, for example about schooling, they may not always agree and there must be a way to settle this disagreement.

Parenting plans often include provision for some form of **family dispute resolution** process before parents have to go to a trial to resolve a dispute. This family dispute resolution could include methods like negotiation between lawyers, **mediation**, including by a qualified professional or a respected community member. A plan may include provisions for the payment of the costs of using such dispute resolution processes. Nova Scotia Legal Aid has some helpful information on mediation and finding a mediator **here**.

Parents can also use services offered by the court to help resolve their dispute. For example, they may also be able to use court services such as **conciliation** or a **Judicial Settlement Conference**.

Unanticipated Changes

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

Local Moves

If one parent moves within a local area, it's important to give prior notice to the other parent, because it can affect the parenting arrangement and other arrangements such as school and extracurricular activities. The *Divorce Act* and the *Parenting and Support Act* generally require each parent to give the other parent notice of a local change in residence, providing the new address and contact information, and the date of the move.

Relocation

A “**relocation**” is when one parent moves and the current parenting schedule will no longer work or is impacted in a significant way. As well, if there is a **contact order** in place and the move will have a significant impact on this contact time, this will also be considered a relocation.

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

If a parent plans to relocate, parents should discuss issues such as changes in parenting schedules, communications, arrangements and cost sharing to allow a child to maintain a strong relationship with both parents. It is generally desirable for parents to resolve these issues by discussion, but they can go to court if they cannot be resolved.

If a person is planning to move and the move qualifies as a relocation, they will usually need permission of the other parent/guardian and to provide them with proper notice. Unless an agreement or court order says otherwise, a person who plans to “relocate” with the child is required to give at least 60 days’ **written notice** to the other parent/guardian of the intended move. There is a **form that can be used for this purpose here**. This may give the parents time to discuss issues related to the relocation.

If there is family violence and a parent is concerned about their safety or the safety of the child if they give notice to the other parent, they may be able to move without giving

notice. This is a significant decision, however, and parents should see a lawyer before they relocate without giving notice to make sure it will be accepted by the court.

Courts take a negative view of parents who relocate without giving proper notice to the other parent and/or getting permission. Failing to give proper notice to the other parent may impact whether or not a judge allows the relocation. If you feel it is unsafe to give notice because of family violence you should speak with a [lawyer](#).

If the parent/guardian does not agree to the relocation they can fill out an **Objection to Relocation form** or apply to court for an order to stop the relocation. The person who objects to the relocation must do so within 30 days after the day on which they received the Notice of Relocation. The **Objection to Relocation** form includes detailed instructions on how to object to the relocation.

If the other parent objects to the relocation, the parent who wishes to relocate with the child is expected to obtain a Court Order approving the relocation before moving with the child.

SPECIAL CONSIDERATIONS IN MAKING A PARENTING PLAN

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

Long-Distance Parenting & Parents in the Armed Forces

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

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

Parenting schedules in these situations will depend on many factors, including the age of the children, the children's temperament, the financial resources of the parents, and the distance between the parents' homes. To the extent possible, parenting time at the other parent's home should minimize interference with a child's school and important activities. Despite the distance between homes, and to the extent it is financially realistic, visits and parenting time should occur in both locations. This way, the parent who does not have the child's primary residence can be involved with a child's extracurricular activities and school life.

When appropriate, opportunities for virtual parenting time can help the parent who lives far away to have regular meaningful contact with the child, assist in establishing routines, and enable relationship-building activities such as reading stories and playing games.

For example, where a child's parent is in the military, where possible, the child should be encouraged to engage with that parent via the internet or another method of communication. The [Military Family Resource Centre](#) has valuable resources for parents on staying connected with children after deployment. Parents can find information on Virtual Programs at www.halifaxmfr.ca

The parenting plan should normally provide for extended parenting time when the parent who has been absent returns home and is available to have parenting time with the child.

For older children, internet-based communication may allow a distant parent to assist with homework and discuss daily activities with the child. When one parent lives at a distance, it is important for the primary residential parent to facilitate this type of contact with the other parent and to send regular updates about the child's school performance, activities and development. During these times, it is helpful for a child to have adequate privacy to meaningfully engage with the other parent (unless supervision is considered necessary due to safety concerns).

Addressing Family Violence

In some families, there may be a history of, or ongoing concern about, **family violence**. Family Violence is not only physical violence, but includes harassment, stalking, financial abuse, emotional abuse, threats and [more](#).

Even if a child does not see or hear the violence directly, even indirect exposure – like hearing about the abuse or being in a house with ongoing family violence - can have significant consequences for a child's well-being and development. Parents who are violent towards their partners may also abuse their children or use the children after separation to continue abuse.

It is very important for parents who have been victims of family violence to obtain legal assistance. For assistance on **finding a lawyer**, see this section above.

If parents are involved in criminal, child protection or other legal proceedings that raise family violence issues, this should be brought to the attention of their lawyer. Parents who do not have a lawyer yet should let the court know about family violence in their application.

It may not be appropriate to participate in **family dispute resolution** processes that require parents to communicate directly if there has been family violence.

In many situations of family violence, including where one parent is using **coercive or controlling behaviour** over the other parent, dominating their partner or instilling fear, parents should not be developing their own plan. Rather, parenting plans should be developed with court oversight, and the court should consider including provisions such as:

- support services for the victim and child
- interventions for the parent who has been violent
- consequences for violating orders
- transitions or exchanges of the child in neutral places or a public location (such as a park or school)
- supervised transitions of the child between parents by a third-party such as a trusted family member or professional
- supervised parenting time for the parent who has been violent by a third-party such as a family member or professional
- limited or no contact between the parents or contact that takes place in a specified way (for example, by using a designated e-mail or a parenting app rather than in person or by phone)
- a counselling or treatment plan for the child or parents to address the root causes and adverse effects of the family violence on the children
- no parenting time for the parent who has committed family violence.

Even if one parent has been abusive, in the long-term children may want and may benefit from a relationship with that parent, provided that person has addressed their abusive behaviour and taken steps to ensure that the child's safety and well-being.

Wherever possible, parents who are survivors of family violence should have appropriate supports, from agencies like mental health services, domestic violence shelters, organizations that support newcomers to Canada, lawyers etc. To find supports and services in your area, call 211 or 1-855-225-0220 for crisis support or emergency shelter. You can also consult our **Resources** section below.

Factors such as colonialism and discrimination against persons because of their race, sexual orientation, economic position, immigration status, ability, or other factors may make some persons more vulnerable to family violence and can impact their ability to develop a safe parenting plan. People who face multiple forms of discrimination also face increased barriers to accessing support and care. For more information see the legal information guides, "Making Changes" or "Safely on Your Way".

Family Violence and Emergency Hearings

If your situation is urgent or an emergency, and you need a court decision about parenting quickly, speak with a lawyer or court staff about making an emergency application to the Supreme Court – Family Division.

Cases may be considered an “emergency” if:

- you or your child are in immediate danger
- there has been violence or a serious threat of violence
- your ex-partner has taken your child, and there is reason to believe that they may take the child out of the country.

If your situation is urgent or an emergency you may be able to schedule a court date earlier and sometimes, if there is a serious risk of violence or harm, this can happen without needing to let the other parent know. Be sure to indicate clearly to the court staff and in your application that the matter is urgent or an emergency.

The court will determine whether your situation is an emergency or should be heard on an urgent basis. Processes may differ at each courthouse, so it is best to contact your court directly to confirm. Find your local courthouse at www.courts.ns.ca

Immigration Status

In some families one or both parents may be immigrants, refugees or in Canada without immigration status. These parents, and their children, often face economic, social and emotional stresses. In some cases, there may be trauma, perhaps reflecting experiences before coming to Canada, and there may also be the potential for family violence.

Newcomers to Canada who are being sponsored by their partner may have concerns that if they leave their partner because of family violence they will lose their immigration sponsorship. It is important to speak with a lawyer in these situations as there may be opportunities available to support these spouses in leaving their abusive partners while still being able to obtain their immigration status.

Newcomers to Canada and Family Violence

It is important to know that the Government of Canada has protections available to newcomers experiencing family violence to support them to leave abusive situations without fear of losing their immigration status.

For more information, visit the [Government of Canada's Immigration and Citizenship website](#).

You can also contact the Immigration and Citizenship Canada's Client Support Centre at 1-888-242-2100 (TTY: 1-888-576-8502).

Supervised Parenting Time

In some cases, a parent will request that the other parent's parenting time be supervised by a professional or by a trusted third party such as a family member. This may include, for example:

- Where the child requires protection from family violence,
- Where there are concerns over substance abuse or clinical issues involving a parent,
- Where there is a strain in the parent/child relationship,
- Where a parent has recently been identified and is new to a child or where a parent requires reintroduction after a significant period away.

This is usually a temporary situation that will eventually lead to unsupervised parenting time when the parent has addressed some of their difficulties, for example, attending anger management classes or substance abuse counselling. In an exceptional case the parenting time may remain supervised, particularly when the child is young.

There must be compelling reasons and evidence in support of the need for supervision. Protecting the child when they are in the care of a person who has committed family violence may be one reason. When making a decision around supervised parenting time the court will consider the following factors:

- Whether there is a history of family violence,
- Whether the parent has a history of anger management problems or aggression,
- Whether the parent has substance abuse issues,
- Whether there is a risk the parent will take the child to another province or country,
- Whether there are any concerns with respect to the parent's physical, cognitive, mental or emotional health which would require supervision to protect the child,
- Whether child protection has been involved, and if so, whether they have given any direction respecting whether the parent's time should be supervised,
- Whether the child has a relationship with the parent or has whether that

relationship been severed by some reason including the parent living a far distance away for a long time,

- Whether the child has been resisting contact, and having a supervisor present may be comforting, or
- Whether an older child has expressed that they want the parenting time to be supervised.

Family Law and Family Violence

To learn more about navigating family court in situations of family violence, see [Safely on Your Way](#). This manual provides legal information about preparing for court for people who have experienced family or intimate partner violence in Nova Scotia.

There is also helpful information in a dedicated section about family violence on [Nova Scotia Family Law](#) and a directory of helpful [resources and supports](#).

Parental Substance Abuse and Mental Illness

Mental illness or substance abuse problems may negatively affect parenting in some situations, for example:

- If a parent is emotionally unavailable,
- If a parent is unable to adequately discipline and set limits, or
- If a parent is unable to provide a safe environment for the children.

In such cases, it may be necessary to consider alternative parenting arrangements such as therapeutic intervention, **supervised parenting time** (discussed above), or limited parenting time until the concerns have been satisfactorily addressed. Protocols may need to be put in place for ongoing or periodic monitoring and for a resumption or gradual increase in parenting time.

Once a parent with a mental illness or substance abuse issue is following a treatment plan, or parenting is not affected, regular parenting time can be established or resumed.

In many cases, it will be beneficial to proactively plan for a relapse. This may include instructions to tell the other parents if there has been a relapse and to make arrangements to ensure the children's safety while the parent takes steps to address their situation (e.g supervisory arrangements, switch to **virtual parenting time**, temporary suspension of contact).

Parents should also consider whether their children may benefit from counselling to assist them in understanding the issue their parent is experiencing; in many situations, this may be an important element of safety planning.

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

Incarcerated Parents

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

While a child may benefit from having some contact with an incarcerated parent, unless ordered by a court, a non-incarcerated parent is generally not obliged to take the child on visits to prison.

If parents are separated, a parenting plan needs to be established that takes into account certain factors, such as:

- the length of the prison term
- the nature of the parent-child relationship before incarceration
- the distance from the child's home to the prison
- the security restrictions at the prison
- the age and developmental needs of the child
- the availability of relatives or others who are willing to facilitate contact.

In-person visits may be appropriate, perhaps facilitated by a grandparent or other relative. Parents should continue to encourage written and telephone contact when an in-person visit is not appropriate.

Resistance to Contact

A child in and around the 10-12 age group may feel the need to become “allied” with one parent and start resisting seeing the other parent especially if there is a high degree of conflict between parents. It is important that the parent whom the child favours ensures the child continues to follow the agreed upon schedule unless there are serious issues of poor parenting. Parents have a duty to make all reasonable efforts to comply with the schedule.

Resistance to contact is usually best understood as a “family systems problem” that should be addressed by the child and both parents, if possible, through discussion and perhaps voluntary therapeutic involvement for all family members. In some situations, this may need to be addressed by going to court.

It is important not to confuse some children’s views and preferences with resistance to contact. Some children, especially around the 10-12 age group, may start to show a preference for a “home base” and may prefer to spend the week with one parent and the weekend with another, for example. Children who express a preference for a “home base” may do so because of practical concerns about school, extracurricular activities, peer relationships, or living arrangements in a blended family. Such a preference should not be confused with “resistance to contact” or “parental alienation” and should generally be respected.

FINANCIAL SUPPORT

Children need the financial support of both parents, whatever the parenting arrangements after separation or divorce. Under the law, parents have a joint obligation to maintain their children in accordance with their abilities to contribute. A detailed discussion of financial support is beyond the scope of this *Guide*, but the basics need to be considered when discussing parenting plans.

The term child support refers to the amount that one parent (the payor) pays to the other parent for the child’s needs. In Canada, there are Child Support Guidelines that determine how much child support is to be paid by the payor parent to the recipient parent. The basic amount of child support is called “the table amount”, based upon the number of children and the payor’s Guidelines income. You can find the Nova Scotia table [here](#).

The parent receiving child support will also receive the Canada Child Benefit from the federal government, plus any top-up child benefit offered by the province or territory, as well as an amount for the child in the GST/HST Credit.

In some cases, one parent will also be paying spousal support to the other parent, which is different from child support. Spousal support is intended to compensate a parent for any disadvantages experienced by the roles adopted during the relationship or to meet the post-separation needs of the parent resulting from the breakdown of the relationship. For example, a parent who has been home full-time or part-time to care for children will often receive spousal support in addition to child support, provided the payor parent has the ability to pay. Child support always takes priority over spousal support, so sometimes there is no money left over for spousal support.

Where parents have shared or equal parenting time or where each parent has the child with them for more than 40 per cent of the time over the course of a year, child support will often be determined by “setting off” their table amounts for the number of children involved, with the higher income parent paying the difference. But judges have

a wide discretion to order a child support amount that is more or less than the “set-off” amount and can even order the full table amount to be paid.

Special Expenses

There is a second part to child support, over and above the table amount described above: the sharing of “special expenses”. Sometimes children have extra costs that parents may want or need to pay for their children such as childcare, extra-curricular activities and medical expenses not covered by insurance. These are known as “special expenses” and there are six categories of such expenses:

- child care expenses (after tax deductions and subsidies)
- the child’s portion of medical and dental insurance premiums
- health-related expenses that exceed insurance reimbursement by at least \$100 annually
- extraordinary expenses for primary or secondary school education, like tutors or private schools
- extraordinary expenses for extracurricular activities, like sports or music lessons
- expenses for post-secondary education, like university tuition

Parents should talk and, if possible, agree on which of these expenses they can afford or which ones children need, or want to do. Either parent can pay the day care or the tutor or the hockey association for these expenses and then claim contribution back from the other parent. Usually, parents will contribute to these added expenses in proportion to their respective incomes.

Calculate the “Table Amount” of Child Support

To determine the child support that is payable in different circumstances, review Nova Scotia Family Law’s information about [child support](#).

You may also want to consult the Federal Child Support Table Look-up.

[You may also wish to consult the federal Child Support Table Look-up](#)

Financial Support for Mi’kmaq Children

Rules around taxation in the *Indian Act* may have an impact on how child support is calculated. Where a parent is Status Indian under the *Indian Act* and they work on reserve, they may be exempt from paying income tax. There are factors called the Williams Connecting Factors (from the Supreme Court of Canada case of [Williams v. Canada, \[1992\] 1 S.C.R. 877](#)) that help determine if a person’s income will be exempt from income tax.

Under section 19(1)(b) of the *Child Support Guidelines*, where a parent's income is exempt from income tax, it may be possible to impute an additional amount of income to establish what they must pay under the Child Support Guidelines. Find more information on imputing income [here](#).

Where a parent does not pay income tax and receives social assistance by the band, they will be exempt from paying child support according to the Child Support Guidelines. In order to obtain documentation to show that a parent receives social assistance, contact the applicable band office.

Indigenous children are entitled to the Canada Child Benefit regardless of if their parents are exempt from paying income tax under the *Indian Act*. The Canada Child Benefit can be an important benefit and it is important to understand its availability and how to apply to receive it. For more information on applying for Canada Child Benefit and dividing the benefit after separation see the Government of Canada website [here](#).

Indigenous children may also be entitled to important benefits available from funding according to Jordan's Principle. Jordan's Principle is a human rights principle that was fought for to make sure First Nations children are able to access services. Children can receive health, social and education services and supports, for example, speech therapy, educational supports, medical equipment, mental health supports and more.

Children do not have to be registered status "Indian" under the *Indian Act* in order to be eligible for benefits under Jordan's Principle. Children who have one parent or guardian who is registered or eligible to be registered under the *Indian Act* may be eligible to receive Jordan's Principle funding. As well, children who are ordinarily resident on reserve and/or recognized by their nation for the purposes of Jordan's Principle may be eligible to receive funding.

For more information on eligibility and applying for Jordan's Principle funding see the Government of Canada website [here](#).

Finally, children may be entitled to important benefits by virtue of their band membership ranging from school supplies and winter clothing to monetary compensation. Some children may be entitled to compensation as a result of a band's land claims settlement, for example. It is important to understand these benefits especially when setting out a child's band membership in the parenting plan. For more information on band membership and connected benefits contact the band office.

For more information on enforcing child support, see the **Guide on Family Law and Mi'kmaq Families** at www.parentingplanguide.ca.

Financial Support for Mi'kmaq Children

For more information on imputing income for the purposes of the Child Support Guidelines see the Nova Scotia Family Law website [here](#).

For more information on Jordan's Principle funding, see the Government of Canada website [here](#).

For more information on Benefits and Credits for Indigenous People see the Government of Canada website [here](#).

Resources for Mi'kmaq Families

Find more information on Enforcement and Seizure of Property and Money on Reserve on the Nova Scotia Legal Aid website [here](#).

Band Enacted Matrimonial Real Property Laws: find information on Nova Scotia Family Law website [here](#).

Emergency Protection Orders on Reserve: find information on Nova Scotia Family Law website [here](#).

Find information on resources for Indigenous families experiencing family violence [here](#).

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TERMINOLOGY

These definitions may help you understand legal terms related to parenting both in this guide and when dealing with the legal system in general. For more information or for legal definition of these terms, you may wish to consult a lawyer or Nova Scotia Family Law's [glossary of terms](#).

access (or visitation time)

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

alternative dispute resolution (ADR)

see [family dispute resolution](#) below.

assessment (or court-ordered parenting plan evaluation)

a process in which a social worker, psychologist, or psychiatrist is appointed by the court to gather information and make recommendations about a parenting plan to the judge and the parents. The assessment is a professional evaluation about the best interests of the children. The assessor will speak with the children to find out their views and will likely observe the children interact with each of the parents, as well as interview parents; depending on the assessor's qualifications, there may be psychological testing as part of this process.

best interests of the child

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

- the age and stage of development of the child;
- any special needs of the child;
- the child's relationship with each parent;
- the child's relationship with siblings, grandparents and other extended family;
- care arrangements before the separation;
- the child's views and preferences;

- each parent's ability to care for the child;
- the ability of the parents to cooperate and communicate about parenting issues;
- the willingness of each parent to support the child's relationship with the other parent;
- the child's cultural, linguistic and religious upbringing, including indigenous heritage; and
- issues that may affect the child's safety and either parent's parenting abilities such as family violence, substance abuse, or serious mental health issues.

blended family

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

Canada Child Benefit (CCB)

the Canada child benefit, or CCB, is a tax-free payment that is provided to eligible families in Canada with children under the age of 18. CCB may be impacted when there is a shared parenting arrangement. For an explanation on who can apply for the Canada child benefit, visit the [Canada Revenue Agency website](#).

child support

refers to money paid by one parent to the other parent to contribute to the children's living expenses. The amount of time that a child spends with a parent may affect child support.

Child Support Guidelines

the rules under the *Divorce Act* and the *Parenting and Support Act* that apply when setting child support amounts that are to be paid from one parent to the other. The *Guidelines* consist of a set of rules and tables that must be followed by the courts when judges and parents are setting the amount of child support. Parents can lookup child support using the Child Support Table Look-up [here](#).

coercive control

coercive control refers to a pattern of abusive behaviour that is aimed at controlling or dominating another person. This may include emotional, psychological, sexual, financial or other forms of abuse. It includes, but is not limited to, things like:

- intimidation or harassment
- threats
- restrictions to access finances

- controlling what a person wears, where they go or who they spend time with
- stalking
- damaging your property on purpose.

Coercive control may be, but is not always, combined with physical violence or threats of physical violence.

conciliation

refers to a process that begins after one of the parties makes an application to Supreme Court (Family Division). A conciliator is a court officer who helps parents sort out what to do about family law issues such as parenting arrangements and what the next steps might be. Conciliation usually takes place when one or both parties do not have a lawyer.

consent order

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

counsellor

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

court order

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

custody

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

day-to-day decisions

refers to daily decisions regarding the child such as meals, clothing choices, bedtimes and chores, for example. The parent with care of a child will normally be permitted to make day-to-day decisions that concern their time with the child.

decision-making responsibility

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

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

Responsibility for important decisions can be made in a number of different ways, including:

- *Shared decision-making responsibility*: The parents will consult each other and make the decisions together.
- *Sole decision-making responsibility*: One parent makes the decisions and informs the other.
- *Divided decision-making responsibility*: The parents divide responsibility for decisions (for example, one parent will make decisions about health and religion, and the other parent is responsible for other decisions, for example, on education).

divided decision-making responsibility

this is an arrangement where parents arrange decision-making responsibilities so that the parents are required to consult with one another for all major decisions, but one parent will have the final responsibility for decisions in some domains, such as health care and religion, while the other parent will make the final decision about other matters, such as education and extracurricular activities.

division of property

a division of property in family law refers to how married spouses divide what they own, including dividing debts connected to marital property (sometimes called marital or matrimonial property). The legislation that sets out rules around division of marital property is the *Matrimonial Property Act* and it applies to married spouses and registered domestic partners.

Divorce Act

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

equal parenting time

See [shared parenting time](#) below.

family dispute resolution

family dispute resolution is also known by the term “alternative dispute resolution” (ADR). This refers to various ways of resolving disputes rather than having a judge making decisions for the parents. There are a number of different types of dispute resolution including negotiation and mediation and [judicial settlement conference](#). Mediation is a form of dispute resolution that occurs outside the courtroom and can be carried out by a professional mediator or other professional or even trusted community member like a religious leader.

family justice services and programs

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

family violence

abuse against children or adults in a family. The abuse can be physical, sexual, financial or psychological. Neglect can also be a form of family violence. The *Divorce Act* says that family violence is behaviour that

- is violent or threatening;
- makes a person fearful about their safety or someone else's; or
- is a pattern of [coercive and controlling behaviour](#) (one person trying to dominate and control another over a period of time).

Family violence includes many different types of behaviours and experiences. It is not only physical violence or abuse, but also includes psychological, sexual and financial abuse, harassment and stalking. It can also include threats to harm or kill a person or an animal, such as a family pet and can include destruction of property or threats to destroy property.

final decision-making responsibility

refers to a type of “sole decision-making responsibility” where parents are expected to consult about major decisions, but one parent will have the final say if they are unable to agree after meaningful consultation.

gatekeeping

refers to behaviours and attitudes of a caregiver that either facilitates and supports a child’s relationship with the other parent or restricts and limits the role of the other parent. While facilitative and supportive gatekeeping strategies are preferred for building healthy relationships between parents and healthy parent-child relationships, limiting the child’s contact with a parent due to concerns of abuse or neglect may be necessary to be a “protective gatekeeper.”

good enough parenting

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

guardian

an adult who has a right to parenting time and decision-making authority over a child who is not a parent nor may that person necessarily be biologically related to the child. A guardian, like a parent, will have the authority to act for a child, such as registering a child for school.

intersectionality

a term used to describe three aspects of lived experience: a reference to personal identities such as race, class, gender, age, ability, sexual orientation, ethnicity and culture; the social structures of oppression that impact these identities; and how these identities and social structures intersect and interact.

joint decision-making responsibility (formerly known as joint custody)

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

judicial settlement conference

this is a way of resolving disputes without going to trial. In this meeting a judge will meet with partners (where there is no child) or the parents (where there is a child) and help them reach an agreement. It is a voluntary process which means

that you do not have to reach an agreement if you do not feel the agreement is fair, or in the best interests of your child. If an agreement is reached then it is written down and called a “consent order” because it was made with the consent of both parties, as opposed to being imposed on them by a judge.

legal advice

involves taking general legal information and applying this information to the specific facts of a case. For example, a lawyer may tell a person what they should do or what a likely outcome of their case may be based on the facts that the person has given them. Only a lawyer can provide you with legal advice.

majority of parenting time

this refers to a parenting arrangement where one parent has the child 60% of the time or more. This used to be known as “sole custody”.

mature minor

refers to a child who is under the age of majority (19 in Nova Scotia) but may nevertheless be in a position to make their own medical decisions and to receive their own health information if they show they understand the nature and significance of making these decisions.

mediation

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

mental health professional

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

negotiation

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

non-residential parent

when children are with one parent, the other parent may be referred to as the “non-residential parent”, and vice versa.

parental alienation

a situation where a child’s resistance or refusal to have contact with a parent is considered to be based largely on the negative attitudes and behaviors of the other parent rather than based on the child’s actual experience with the rejected parent. Parents concerned about alienation should seek assistance from a lawyer or mental health professional familiar with these complex cases.

parental decision-making

See “[decision-making responsibility](#)” above.

Parenting and Support Act

a Nova Scotia law that applies to people who are not married but lived together in a common law relationship, or persons who have not lived together but have a child together, or those who are married but are separated and have not filed for divorce. The *Parenting and Support Act* deals with parenting arrangements (parenting time and decision-making responsibility) as well as support. Access a copy of the [Parenting and Support Act online](#). While there are some similarities to the *Divorce Act*, the two acts are not exactly the same.

parenting arrangements

the arrangements parents make for the care of their children after a separation or divorce. This includes arrangements about where the children will live, and who will be responsible for making major decisions about issues such as where the children will go to school, their religious education, their medical care, their after-school activities and so on. Parenting arrangements were historically referred to as “custody” and “access,” though these terms are being used less.

parenting information program

this program will be completed by parents who have made an application to court to sort out parenting arrangements. The program is focused on helping parents understand the impact of conflict on children, how to improve communication between parents about their children’s needs and to teach parents how to avoid placing children in the middle of conflict.

parenting plan

a written document that sets out how parents will raise their children after separation or divorce.

Parenting Plan Tool (Federal Department of Justice)

the *Parenting Plan Tool* is a free online tool that was developed to help parents create their own parenting plan. The parenting plan tool was developed for making parenting arrangements under the *Divorce Act*, although the tool may still have useful information for parents making parenting arrangements under provincial or territorial law. The tool can be accessed [here](#).

parenting time

the time that a parent (or guardian) spends with care of a child under an agreement or court order. The person with parenting time has the responsibility for making day-to-day decisions related to their caring for the child, such as related to feeding and discipline. Parenting time is usually divided between the parents based on a parenting schedule. One parent may have most of the parenting time. This is called “primary care.” Or parents may share parenting time about equally. This is called “shared parenting time” or “equal parenting time”. Or the schedule might be something in between.

parenting time schedule

a schedule parents put in place, or they receive by court order, of the time the child spends with each parent or guardian. Each parent’s or guardian’s time with the children is called “[parenting time](#)” (see above).

primary care

refers to when a child lives primarily with one parent (usually at least 60% of the time or more).

primary caregiver

refers to the parent who has “primary care” of the child (see above).

primary residential parent

if the child spends the majority of time with one parent (60% or over), that person may be referred to as the primary residential parent. The other parent may still have shared decision-making responsibility.

registered domestic partner

where persons are not married but wish to be treated at law like married persons, they may register their relationship at Access Nova Scotia and become registered domestic partners. This will give unmarried persons a presumptive equal division of matrimonial property including pensions and if one partner dies without a will, the other partner will be treated the same as a married spouse.

relocation

refers to any move that will likely have a significant impact on the child's relationship with anyone with parenting time, decision-making responsibility or contact time in relation to the child.

resident parent

when children are with a parent, that parent may be referred to as the “resident parent”, and when they are with the other parent, that parent will be referred to as the “resident parent”.

resistance to contact

a child's resistance to one parent is not necessarily due to parental alienation but may be a result of the conduct of that parent or other factors, including a high level of conflict between the parents.

right of first refusal

this refers to an arrangement where some parents may agree that if the parent with scheduled parenting time is unable to be with the children, the other parent should have the first option to provide care for the children, and should be contacted before other childcare arrangements are made.

section 7 expenses

see special expenses below.

separation agreement

a written document that reflects an agreement between separated or divorcing parents about the legal issues that face them, including division of property and support, and usually parenting. It has legal effect and is often also incorporated in

a consent Court Order. A parenting plan may be incorporated into a separation agreement, or be attached to it, or can be a complete separate document.

shared parenting time (or equal parenting time)

a parenting arrangement where the child lives at least 40% of the time with each parent. This may affect the amount of child support payable under the Child Support Guidelines.

shared parenting

as a social concept rather than a legal term, this refers to a situation where both parents have substantial time with the child and have joint decision-making responsibility. Increasingly in Canada the terms “shared parenting” or “shared parenting time” are being used as synonyms, to refer to cases where each parent has the child at least 40% of the time.

sole decision-making responsibility (formerly sole custody)

when one parent is responsible for making all the major decisions affecting the child such as the child's education, religion and health care. Generally, the child will live primarily with this person.

special expenses

special or extraordinary expenses are extra expenses for your child. Special expenses are sometimes called Section 7 expenses. Usually, parents share special expenses based on their incomes. These expenses must be affordable for the family. They must also be necessary because they are best for the child. Some examples of special expenses are: the cost of child care after income tax deduction and any subsidies; medical expenses not covered by insurance (for example, braces); and activities outside of school (for example, sport, art or music lessons).

Children who are attending university or college may need support from their parents to cover their expenses even though they are over the age of majority. In these cases the court will look at:

- whether this is the child's first degree or certificate
- the financial circumstances of the parents
- where the child lives during the school year
- student loans or income earned by the child.

split parenting time (previously known as split custody)

is an arrangement where siblings reside primarily with a different parent. In this arrangement at least one or more children reside most of the time (at least 60%) with one parent, and one or more children live primarily (at least 60%) with the other parent.

spousal support

this is money paid by one spouse (married or unmarried) to the other to contribute to their living expenses or to compensate them for sacrifices made during the relationship that has impacted their career or employment opportunities after separation. This can be paid monthly or even as one lump sum. There are Spousal Support Advisory Guidelines that are not law but may help the parties determine how much spousal support to pay.

status quo in parenting arrangements

this is the parenting arrangement that the parents have been following after separation but before the court makes a formal order. Sometimes judges will want to create stability for a child and may not want to change the arrangement that the parents have been following.

step-family

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

step-up parenting plan

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

temperament

this refers to a child's typical way of responding to the world, including their emotions and behaviours. This could include how easily the child adjusts to new situations, how active they are, what their moods are like or how they are able to pay attention in situations.

trial

this is a court proceeding where both parties have the opportunity to present their case before a judge. They can call witnesses to give evidence and can give evidence themselves. Following the presentation of the evidence, the judge will reach a decision on what orders to make. This may also be called a “hearing.”

virtual parenting time

this is when a parent uses technology like the phone or video calls on platforms like zoom or facetime to connect with their child.

Voice of the Child Report

a report prepared by a professional, such as a social worker, summarizing the results of interviews with a child. The child meets alone with the professional preparing the report alone. The report focusses on the child’s perspectives and preferences around parenting issues. The report may also contain information on how the interviews with the child were conducted, what information was used to prepare the report and any other important information about the process of preparing the report.

RESOURCES

Quick Links

[Nova Scotia Family Law](#): Find information related to family law in Nova Scotia, including parenting arrangements, child and spousal support, property, family violence, child protection and more. You can also access court forms, learn about court processes and access information about programs and services in Nova Scotia.

[Legal Information Society of Nova Scotia](#): Legal Information on many legal issues, including family law, housing, employment and family violence. You can also ask a legal question on the website, via email or by calling 902-455-3135 (Halifax Region) or 1 800 665-9779.

[Nova Scotia Courts](#): Find information and contact information for Courts in Nova Scotia.

Parenting Arrangements

ADDITIONAL RESOURCES FOR PARENTS ON PARENTING PLANS

Link to Federal Government Guide: [“Making Plans: A Guide to Parenting Arrangements after Separation or Divorce”](#)

Link to Nova Scotia Family Law materials on [“What are Parenting Plans?”](#) and [“Parenting Arrangements FAQs”](#).

[What are Parenting Plans?](#): Information from Nova Scotia Family Law

[Parenting Arrangements FAQ's](#): Frequently Asked Questions about parenting arrangements answered on Nova Scotia Family Law's website.

[Parenting Plan Checklist](#): Issues to consider when developing a parenting plan.

[Parenting Plan Tool](#): Justice Canada's free online tool to create a parenting plan.

[Making Plans: A guide to parenting arrangements after separation or divorce](#): Information about parenting after separation or divorce including how to make decisions about parenting arrangements for your children.

[How children react at different ages and stages](#): Learn about children's responses and needs to separation or divorce at ages and stages of development.

[Parenting Information Program \(PIP\)](#): An online information program for parenting who are separating or divorcing or parenting apart. This program is mandatory when an application is filed in the Supreme Court (Family Division), however, may also be attended voluntarily. The PIP provides information about the impact of parental conflict on children and how to improve communication about the needs of the children.

Family Violence and Safety Planning Resources

[Making Changes](#): A book for people experiencing intimate partner violence, including Nova Scotia-based resources. Includes information on understanding abuse, emergencies, safety planning, deciding to stay or leave, legal matters and children.

[Safely on Your Way](#): A legal information and resource guide for survivors of intimate partner violence and their service providers in Nova Scotia.

[Safety Planning](#): Information from the Nova Scotia Advisory Council on the Status of Women on safety planning.

[Transition House Association of Nova Scotia \(THANS\)](#): Find a transition house in Nova Scotia. Anyone needing support can call or text the provincial toll-free line at 1-855-255-0220 (24/7)

[Government of Nova Scotia – Intimate Partner Violence Resources](#): Information about programs and services available in situations in intimate partner violence, including early lease termination, domestic violence leave from work and accessing intervention programs.

[Getting your tax benefits and credits when in an abusive situation](#): Information about accessing tax benefits and credits, including the Canada Child Benefit (CCB) if you are facing an abusive or violent situation.

[Community Agencies & Family Justice Services](#): A list of provincial resources, including resources for African Nova Scotians, LGBTQIA+ individuals, Immigrants and Newcomers, Indigenous families, persons with disabilities, seniors and more.

[Immigration options for victims of family violence](#): Information from the Government of Canada about protections available to newcomers experiencing family violence to support them to leave abusive situations without fear of losing their immigration status.

Child Support

[Child Support Table Look-Up](#): Use the table look-up to help find the base amount of child support.

[The Federal Child Support Guidelines: Step-by-Step](#): Information, instructions and worksheets about child support after separation or divorce.

Resources about Children

[Because Life Goes On ... helping children and youth live with separation and divorce](#): information about supporting children through separation or divorce, including communicating with children and protecting them from conflict.

[Direct Family Support for Children \(DFSC\) Program Income Guidelines](#): Financial help for families caring for a child with a disability.

[Alberta Family Wellness Initiative](#): Information about the science of brain development in children and supporting health outcomes.

[Reporting child abuse or neglect](#): Information about the duty to report child abuse and where to find a child welfare agency in your area.

Spousal Support

[Fact Sheet - Spousal Support](#): Information about spousal support rules for married couples who divorce under the *Divorce Act*.

[Spousal Support Advisory Guidelines](#): The guidelines do not provide advice on entitlement to support but suggest appropriate ranges for spouses entitled to support. The Guidelines are not law, but judges often base decision using the guidelines.

Division of Property

[Matrimonial Property, Pensions & Debts](#): Information from Nova Scotia Family Law on matrimonial property for married spouses.

[Common Law Property, Pensions & Debts](#): Information from Nova Scotia Family Law on common law property, pensions and debts.

Travel

[Consent letters](#): Information about consent letters for children when travelling outside of Canada.

Relocation

[Fact Sheet: Moving after separation or divorce?](#) Government of Canada fact sheet on relocation and the rules around relocation.

[Notice of Relocation Form](#)

[Objection to Relocation Form](#)

Legal Advice

[Nova Scotia Legal Aid](#): Free legal services for a range of legal issues including family, child protection and criminal law. Includes the child protection early intervention office (Dartmouth).

[Summary Advice Counsel](#): Free basic legal advice appointments for family law matters for those without a lawyer.

[Legal Information Society of Nova Scotia Lawyer Referral Service](#): Receive a referral to speak with a lawyer for no more than \$20.

[National Directory of Professionals Assisting Self-Represented Litigants](#): Directory of lawyers and legal professionals across Canada who may be willing to offer self-represented litigants affordable assistance in the form of unbundled legal or limited scope services.

[Dalhousie Legal Aid Services](#) : Dalhousie Legal Aid Service is a community-based legal clinic in Halifax. Law students work alongside lawyers to provide legal services to qualifying persons.

[Nova Scotia Barristers' Society Lawyer Search](#): A directory of lawyers in the province of Nova Scotia.

Additional Legal Information and Justice Support Services

[Family Navigation Program](#): Available across the province. Navigators can assist with providing info about the court process, making appropriate referrals and offering support and assisting with safety planning.

[Family Law Information Program \(FLIP\) Centres](#): In Halifax and Sydney only. The FLIP can help with legal information, court forms, finding a lawyer, services/programs and community resources.