

Shared care - how it affects your children

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Legal Matters

If parents separate they have to sort out the care arrangements for their non-adult children.

If they can sort that out in the best interests of the children, that is the ideal outcome.

The older the child, the more the child's views on the arrangements will be important.

One option is to share the care of the children between the parents. Though an increasing number of separated families are opting for shared care arrangements, what works best for some children may not work for others.

There is no presumption under New Zealand law that children will be better off living with Mum or Dad or one partner or the other. What is clear from the research in this area is that children do best when they have a good relationship with both parents.

The ability of the parents to be the adult and sort out matters in the best interests of the children is also very important.

You and the other parent need to consider what is in the best interests of your child/children and try to establish and maintain a good working relationship with

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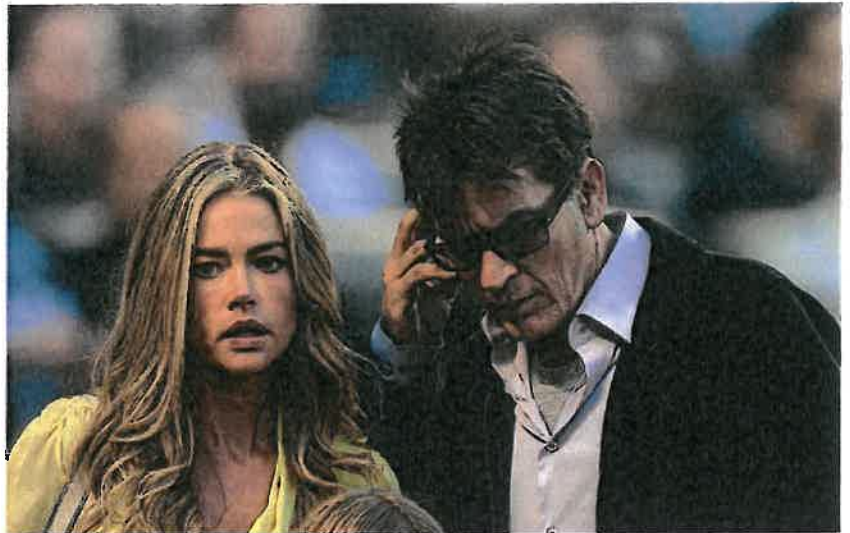
each other.

So, what is in the best interests of your child? There are no set rules about that but here are some factors to consider:

- Their age(s).
- Their temperament - are they a child who struggles with change?
- Your child/children's weekly activities.
- How close to each other do you and your ex-partner live - how much travel is involved for the children?
- Is there conflict between you and the other parent? If so, how much? That is relevant if changeovers are frequent and the children are being exposed to it.
- Each parent's ability to provide good quality care.

It is worth remembering that whatever care arrangements you agree on for your children, they may need to change over time as your children's needs and activities change.

Communication between parents is therefore very important. Keep in mind that while your relationship with your partner may be changing, your role as a parent is for life.



Charlie Sheen and Denise Richards had two daughters during their brief marriage, and struggled to deal with many issues - including custody - after they broke up. PHOTO: GETTY

Some parents are able to agree easily on the best arrangements for their children and others need some help.

The Ministry of Justice provides a free information programme called *Parenting Through Separation*.

This programme covers how separation affects children, what children need through separation, communication with children and former partners and keeping children away from arguments.

The programme is run in small groups and you attend a separate group to your ex-partner.

The care arrangements you agree on for your children do not have to be formalised by a lawyer or through the court, although in some circumstances it may be advisable to do so.

Some parents are unable to agree upon care arrangements and if that is you, or if you are unsure about the arrangements being proposed, it may be a good

idea to obtain legal advice.

■ Column courtesy of Rainey Collins Lawyers, phone 0800 788 484 or raineycollins.co.nz. If you have a legal inquiry you would like discussed in this column, email aknowsley@raineycollins.co.nz.

Our next free public seminar, dealing with employment discipline and performance issues, will be on June 2, from 12.15pm till 1.15pm. See our website.