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TIP SHEET

PRESENTING INFORMATION ABOUT PARENTING

If you are applying to have primary responsibility for your children, you will need to provide the court with information about why you are the parent who can best meet their needs. Because courts want to see as much stability for children as possible, your information will have to relate to both your past parenting and your plans for parenting your children in the future.

If you have a lawyer, they will prepare your court documents, including this information, but they will find it easier and quicker to do this if you provide them with the information they need, even in point form. If you can, try to provide the information in chronological order.

If you don't have a lawyer, you will prepare your court documents yourself. We encourage you to work with a women's legal advocate to assist and support you with this task.

Whether you are working with a lawyer or preparing your court documents yourself, the following list of questions can help guide you in collecting the information you need.

PAST PARENTING

- Did both you and your partner want to have children?
- Did your ex-partner take time away from work when each of your children was born? How much?
- Did you breastfeed your children? (It is not a negative factor if you did not.)
- Are you still breastfeeding a child? (This is relevant to determining appropriate parenting arrangements.)
- How long have you been/were you at home with your children?
- Which one of you took time away from work to be at home with the kids when they were little?
- What is your regular schedule in terms of work/time at home?
- What is your partner's regular schedule in terms of work/time at home?
- Which one of you misses work if a child is sick or has a medical or other appointment during the workday?
- Who does the school/child-care centre/babysitter call first if there is an emergency with one of the children?
- Were/are you the primary parent?
- How did you and your ex-partner make decisions related to the children?
- Were/are you the one who managed the children's day-to-day activities? Include such activities as:
  - Getting children to child care/babysitter/school
  - Making or arranging for school lunches

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- Overseeing homework
- Getting children to extracurricular activities
- Chauffeuring children to social activities

- Were/are you the one with responsibility for the children's infrastructure? Include such responsibilities as:
  - Finding a doctor, etc., for the children
  - Arranging and getting children to doctor, dentist, etc., appointments
  - Registering children for extracurricular activities, March Break activities, summer camps, etc.
  - Making child-care arrangements
  - Organizing children for school trips
  - Organizing children's social activities such as play dates, birthday parties, etc.
- Who attends parent/teacher appointments?
- Who have the children been living with since you and your ex-partner separated?
- How much time are they spending with the other parent?
- Who does most of the organizing so this can happen?

YOUR PLANS FOR THE FUTURE

The more consistency you can show between the arrangements for the children before you separated and your plans for the future, the better. For example, even if you have to move, if the kids can continue attending the same school, the court will see this in a positive light.

Your parenting plan should address your proposal for how you and your ex-partner will make decisions about the children, how you will share information related to the children, and how the children's time will be shared between the two of you. While it needs to be detailed, it should also include some flexibility for unexpected circumstances.

Above all else, your parenting plan should address and reflect any safety concerns you have for yourself or for your children.

IN TERMS OF THEIR LIVING ARRANGEMENTS:

- Are there any safety issues to be considered?
- Are you prepared to commit to remaining within a certain geographic distance of where you live now/where your ex-partner will be living/where extended family live?
- How will you make decisions about whether you can move outside this area with the children?
- How will your children move back and forth between your home and your ex-partner's home?
- What schedule are you proposing?

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- How do you propose each of you will communicate with your children when they are with the other parent?
- How do you think you and your ex-partner should make decisions if either of you wants to change the schedule?
- Do the children's belongings move from home to home or will each of you be expected to maintain the basics in terms of clothing, toys, etc.?
- How will the children's social lives continue relatively uninterrupted when they are spending time in both parents' homes?
- How will you ensure the children maintain their relationships with both extended families, especially grandparents?
- Do you need to have any limitations placed on the children's contact with your ex-partner's family?

IN TERMS OF VACATIONS AND SPECIAL DAYS:

- How will you arrange regular vacation times?
- Will you each be allowed to take the children away for vacation? If so, will there be any restrictions on this?
- Do you have any concerns about your ex-partner travelling out of the country with your children?
- How will you arrange special days like birthdays (your children's, yours and your partner's), Mother's Day, Father's Day, extended family celebrations, etc.?

IN TERMS OF EDUCATION:

- How will you and your ex-partner make decisions about your children's education?
- Who will attend parent/teacher interviews and other school appointments?
- Will you both attend school functions like concerts and graduations?
- Who can give permission for a child to participate in a school trip?
- Who will be responsible for signing consent forms, paying for extras at school, etc.?
- Who will be the primary contact person for the school in case of an emergency?
- Who will be responsible for taking time off work if a child is sick?

IN TERMS OF HEALTH CARE:

- How will you and your ex-partner make decisions about your children's health care?
- What will you do in an emergency?
- Does either of you have workplace health benefits? How will you ensure these continue to apply to your children?

IN TERMS OF RELIGION/CULTURE:

- How will you and your ex-partner make decisions about religion or culture for your children?
- What will you do if you have differing beliefs about these issues?

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EXTRACURRICULAR ACTIVITIES:

- How will you and your ex-partner make decisions about extracurricular activities for your children?
- Who will pay for them?
- Who will take kids to and from extracurricular activities?
- Will you both attend events, or will you take turns?

CHILDREN WITH SPECIAL NEEDS:

- What are these needs?
- How were they managed before the separation?
- How do you propose managing them now and in the future?

EVIDENCE OF PARENTING

As you put this information together, anticipate that your ex-partner may try to paint a very different picture of your relationship. Even if you have been the stay-at-home parent taking on most of the child-rearing responsibilities, he may try to convince the court that he has been the primary parent. He may also present an unrealistic plan for how he intends to parent in the future. For this reason, make a list of where you can go to find evidence to support the information you have provided to the court. For example:

- Teachers or daycare workers who can confirm that you have been the parent most involved with dropping off/picking up the children, attending school events and school trips, participating in parent-teacher interviews, etc.
- Coaches and others who can confirm your role in the children's extra-curricular activities
- Parents of your children's friends who know you are the parent who has taken kids to the movies and other social activities
- Your family doctor, dentist and others who can confirm your role in managing the children's health care
- Co-workers or supervisors who know when you took time off work to deal with a sick child or a family emergency
- Proof of maternity leave time

You may think it is obvious that you have been the main parent to your children. Unfortunately, it is not uncommon for abusive men to make misleading claims about their role as a parent, so you need to be ready to prove what you know to be the truth.

It is also important for you to be honest in terms of your ex-partner's role. If he has been an active parent, say so. If he was not so active but was really good at one particular activity with the children, say so. Don't use the legal case to be vindictive, however angry you are with your ex-partner. It is not fair to your children, and it can make you look bad to the court.

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