



The Most Important Job

Parenting Information *for* Families Living Apart

North Carolina Parent Education Handbook
October 2018



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This guide is designed for all couples that have children together, whether they have been legally married or not.

The issues discussed and ideas offered are applicable to parents who are not going to live together but need to find a way to share their children. Keep in mind that you, your situation, and your children are unique. Not every situation in this handbook will apply to you or your situation. You will need to pick and choose the information that is appropriate to your situation. Hopefully the information and ideas presented will make your family situation easier for you and your children.

The information contained in this handbook is for educational purposes only. If you have legal questions about custody, please consult an attorney. If you have questions about child development or parent education, please contact a professional in that area of expertise.

What is Access and Visitation?

The Access and Visitation Program is a resource for noncustodial parents to seek access and visitation with their children. Access and visitation coordinators work directly with non-custodial parents who want to have visitation or more visitation with their children. Coordinators assist non-custodial parents in removing barriers that prevent them from visiting their children.

Legal Custody is the care, control, and maintenance of a child awarded by a court to a relative, usually one of the parents, in a divorce or separation proceeding.

Physical Custody is the right to have the child live with the person awarded custody by the court. In North Carolina, a parent may have legal custody (ability to make decisions about school, health care, etc.) but not have physical custody (ability to spend time with or care for the child).

Visitation is a noncustodial parent's period of access to a child. The charge and control of a child is defined for a specific and limited period of time.

** For the purpose of this program, a noncustodial parent is defined as the parent who does not have physical custody of his / her child or the parent who does not have as much physical custody (i.e. visitation) as they desire.*

The purpose of the Access and Visitation Program is to increase noncustodial parents' access to their children, to improve the quality of the parent / child relationship and expand the scope and availability of support services for families, parents, and children.

The target population for the Access and Visitation Program is noncustodial parents, both mothers and fathers, who are experiencing barriers in gaining access to and visitation with their children. The program seeks to assist noncustodial parents who have existing visitation and custody court orders and child support orders established as well as those parents who do not have existing court orders for visitation, custody, or child support.

Role of the Access and Visitation Coordinator

Access and visitation coordinators identify the underlying issues creating barriers to a noncustodial parent having access to and visitation with their children. They also support and facilitate the non-custodial parent's access to their children. This is accomplished by referrals to social service agencies, offering assistance with mediation services (community or through the court via the Child Custody and Visitation Mediation Program), counseling, parent education, and visitation enforcement services.

When working with noncustodial parents, the access and visitation coordinator assesses the parent's needs and links him/her to services in the community such as housing, health care, financial assistance, mediation, parenting classes, support groups, supervised visitation centers, and job counseling.

When one parent has always exercised physical custody, the noncustodial parent may have few, if any, resources to assist him / her in gaining visitation with his / her children other than filing a lawsuit in court, which many noncustodial parents cannot afford. The assistance that the access and visitation coordinator provides is especially valuable as it is often the only service available to parents to help them either negotiate a mutual agreement or obtain a court order to define how both parents will be involved with their children.

Exercise 1

What do you want most for your child(ren)?

- Right now?
- Five years from now?
- When they are adults?

What Children Need

As parents going through custody mediation, we are often more focused on the amount of time, whereas children are often more focused on the quality of the experiences.

Parents are focused on securing their one-on-one connection with the children, whereas children want connection with as many caring people as possible.

Children need to feel

1. Safe
2. Accepted
3. Stable

Developmental Stages of Children

These guidelines have been developed using information from the book “Children of Divorce” by Mitchell A. Baris and Carla B. Garrity. This information might be helpful when creating a parenting plan that is sensitive to your child’s stage of development. However, every family and child is different. Specific decisions concerning your children should be made according to your understanding of what is best for them. You are encouraged to consult with an expert in child development if you have additional questions related to your child’s emotional development.

Infancy to 2¹/₂ Years Old

Developmental Tasks

Infants

- Learn to trust people and to feel safe with them
- Build attachment to caregivers so that healthy attachments to other people can be established later in life

Toddlers

- Begin to develop a sense of independence
- Become increasingly aware that they are a different person from their caregivers
- Develop use of language and begin crawling or walking
- Have increased ability and need to find comfort in other people and objects such as teddy bears and blankets

With Parents in Different Homes, Children May

- Feel a loss of contact with their caregivers
- Feel discomfort in a new environment

When Parents Fight, Children May

- Misbehave or demonstrate symptoms of regression (returning to behaviors that existed when they were younger)
- Demonstrate symptoms of insecurity and separation anxiety which could affect them in later developmental stages
- Experience difficulty trusting and attaching normally to parents and other people

2¹/₂ to 5 Years Old

Developmental Tasks

- Continue to build a sense of self
- Develop the ability to keep parents in their thoughts when separated from them
- Develop strong verbal skills in order to express their needs
- Toilet-train and develop ability to wash themselves
- Develop skills to regulate their emotions

With Parents in Different Homes, Children May

- Imagine that they are responsible for their parents not living together
- Imagine that they have the ability to bring parents back together if they behave
- Feel anxiety related to whether they will be well cared for
- Feel anxiety when alternating between the homes of each parent if reassurance and emotional safety are not provided

When Parents Fight, Children May

- Lose their mastery of previously attained developmental tasks which may complicate current and future phases of development
- Experience feelings of abandonment which may result in sadness, insecurity, and low self-esteem or may interfere with their present developmental stages

6 to 8 Years Old

Developmental Tasks

- Develop friendships and relationships beyond their immediate family
- Learn what is right and what is wrong
- Learn how to care about people and to negotiate their wants and needs with the wants and needs of others
- Learn increased self-confidence

With Parents in Different Homes, Children May

- Deal with sadness, anger, and anxiety related to their parents no longer being together
- Blame themselves for their parents not being together and may think that they must find ways to bring their parents back together
- Fear of losing one or both parents which may lead to feelings of anxiety

When Parents Fight, Children May

- Perform poorly at school
- Experience long-term depression
- Become preoccupied with the fact that their parents are not together
- Dream about their parents reuniting

9 to 12 Years Old

Developmental Tasks

- Continue academic and life skill development
- Develop an increased sense of abilities

- Develop relationships with other children based on similar interests and skill levels
- Begin to relate to the world beyond family and identify with people outside of their immediate family

With Parents in Different Homes, Children May

- Feel protective of one or both parents
- Feel intense blame toward one or both parents
- Demand to have adult problems explained to them, as well as wanting to participate in fixing adult problems
- Become aware of their own hurt and angry feelings and may express them intensely
- Feel shame regarding the breakup of their parents

When Parents Fight, Children May

- Perform poorly at school
- Partake in lying or other deceptive behavior
- Form a strong alliance with one parent against the other
- Experience loneliness, depression, or low self-esteem

13 to 18 Years Old

Developmental Tasks

- Develop their own identity which may or may not be similar to that of other family members
- Feel the loss of childhood simplicity and dependence
- Develop sexual feelings and learn how to handle them
- Develop an understanding of society's expectations of them

With Parents in Different Homes, Children May

- Desire independence from their family before they are ready
- Reject one or both parents
- Feel embarrassment regarding the breakup of their parents
- Feel distress regarding parents dating and relating sexually to new partners
- Replace parents by becoming loyal to peers

When Parents Fight, Children May

- Become delayed in their entry into adolescence
- Act out through the use of drugs, alcohol, or sex
- Turn to gangs or unhealthy peer groups to attain a sense of belonging
- Doubt their own capacity to have successful relationships
- Place too much importance on their peer relationships or withdraw from peer relationships altogether

Communication Tips

1. Find specific ways to share information **about your children** without conflict.
2. Be clear **what** information each of you would like to have and **when** you will exchange it. For example:
 - Health information – updates, concerns, needs
 - School – achievements, events, challenges
 - Habits, hobbies, friends, interests
3. Communicate directly with the other party, not through your child.
 - Children experience the pressure of remembering the message
 - Children experience the impact of seeing the reaction to the message

Direct communication doesn't have to be face-to-face or over the phone. If these methods lead to arguments, then find other ways to share information that don't involve your children as the messenger. Regular email updates, shared family calendars, and a parenting information journal are all tools that can help.

Exercise 2

List five things you would like your children to learn by observing you.

Conflict

Conflict between parents can be frightening. Children learn about managing conflict from watching others. Children need at least one calm parent. Conflict takes a toll on you as well as your children. Do you really want to be fighting with your ex-partner for the next 10 or 20 years? While some parents may feel conflict is unavoidable or the fault of the other parent, it is crucial that steps be taken to protect children and keep them out of the middle of parental conflict.

Some ways children can be caught in the middle of parental conflict

- Being used as messengers or informants to tell a parent about the other parent's personal life and household
- Hearing negative comments about a parent from the other parent or family members
- Being told too many details or inappropriate information about adult issues in a way that places blame on the other parent. (Example: The reason for the breakup was a parent's extramarital affairs.)
- Being used by one parent to carry the child support check or to convey messages about why the check is late

Children feel uncomfortable when a parent asks them to relay a negative message to the other parent or to answer questions about the parent and what is going on in his or her household. When parents won't communicate and ask the children to relay a negative message, the children are placed in a "no-win" situation because they want the love and approval of both parents. Children do not want to be the spy and should not be punished for forgetting to relay a message – especially a negative message – or answer questions about the other parent's household.

Exercise 3

- List some of the examples in the orientation video about the impact conflict has on children.
- How do you want your child(ren) to manage conflict when they are adults?
- What behavior(s) can you adopt now to model for them?

Parenting from Two Homes

There should be only one objective to sharing the lives of your children; and it applies whether you live with your children's other parent, are separated, divorced, or never lived together:

Cooperate with each other in making sound parental decisions for your child(ren).

People who have children together do not always agree with each other on how best to raise, teach, or discipline their children. It is not uncommon for parents to have disagreements from time to time. Understanding how these disagreements affect the child(ren) and learning methods to minimize or eliminate conflicts are real gifts parents can give their children. Cooperation requires the willingness and ability to work together.

Facts

- The divorce rate for first marriages in the U.S. is 40 – 50%
- The divorce rate for second and third marriages is 67 – 74%
- 33% of all single parents have never been married
- The probability of a couple's first cohabitation ending is 39 – 49%
- Children are seriously impacted by their parent's separation or divorce
- Single-parent families are 5 times more likely to live at or below the national poverty level than married couples
- Children who do not have both parents in their lives have a greater risk of living in poverty, exhibiting behavioral disorders, becoming pregnant, using drugs or alcohol, running away, dropping out of school, engaging in criminal activity, and committing suicide
- Children often believe their parent's divorce is their fault
- Children may wish their parents would get back together for years after their parent's divorce
- Children want their parents to stop fighting
- Conflict between parents is the number one killer of childhood happiness
- Parents who share parenting responsibilities raise healthier children

Well-Being

It is important for you to take care of yourself emotionally and physically so you can take good care of your children and parent effectively. Parenting can be stressful. Taking time for yourself is not selfish. You need to be relaxed, rested, and emotionally balanced in order to meet the needs of being your children's parent. When a parent is stressed with no outlet to relax, that stress and anxiety may be released upon the children.

Avoid using alcohol or drugs to deal with stress. Healthier ways to reduce stress include exercise, rest, a well-balanced diet, and support from friends, family, support groups, or spiritual practices.

Consider professional help if you get "stuck" in anger or depression. Seeking help is a sign of strength, not weakness. Some examples of when to seek professional help:

- A problem, behavior, or negative mood becomes chronic instead of periodic and does not get better over time.
- You feel unable to cope with the situation - helpless and hopeless.
- Your ability to be effective at home or work is decreased.

Exercise 4

Make a list of some of the ways you can react that will be helpful to your children's long-term well-being.

Safe and Effective Parenting

Mistreating a partner or former partner, including any form of violence or abuse is **NOT** responsible parenting.

Exposing children to violence is harmful to them. Children need their parents to treat each other with respect and not to be verbally, physically, or emotionally abusive.

Preventing violence is the responsibility of the parent who uses the violence and not the victim.

Children need to see their parents accept responsibility for their own actions and not blame their behavior on each other and especially not to see them place blame on a child.

Children need their parents to listen well to each other even when they are angry. Parents should not use anger as an excuse for insulting, demeaning, or intimidating the other parent.

Children need their parents to take equal responsibility for their care and support.

Remember: Safety for you and your child(ren) come first. If there has been violence in your family, tell your children violence is **NEVER** okay and reassure them that violence is not their fault. Have a safety plan of action if the violence or the threat of violence occurs.

Parenting Styles

Parallel Parenting

In domestic violence and high-conflict cases, it may be more appropriate to use parallel parenting. In these types of cases, cooperative parenting is not appropriate. Parallel parenting keeps parents separate and maintains some degree of safety. Parallel parenting enables each parent to remain an active part of the children's lives while reducing opportunities for conflict.

Tips for Parallel Parenting

Parallel parenting enables parents to communicate via email, a parenting notebook, or a third party to keep each other informed about issues involving the children.

- Adopt a business-like relationship.
- Stay focused on the present, NOT the past.
- Keep your children's best interest as your main focus.
- Phone calls should be for emergencies only and not within the children's hearing distance.
- **DO NOT** use the children as the messenger!

Cooperative Parenting

Cooperative parenting works when parents are able to talk with each other without arguing. It can be used when there are low levels of conflict. Both parents can come to agreements and can be flexible.

Tips for Cooperative Parenting

- Use a business-like approach when talking with the other parent.
- Remain low key, courteous, and respectful.
- Remain polite even when the other parent is acting negatively.
- Create a list of issues to be discussed and stick to it.
- Be specific about plans, schedules, and requests.
- Watch your tone.

Frequently Asked Questions

What are my rights as a non-custodial parent?

Parents have certain rights that are written in the law by the General Assembly. An attorney is the only one who can listen to the facts about your family and advise you about your legal rights as a parent. If parents or others caring for children have disagreements about their legal rights to a child, they can resolve the disagreement in a number of ways outside of court or with a lawsuit filed in court. If a lawsuit is filed in court, parties are usually given an opportunity to resolve their disagreement in mediation. If an agreement cannot be reached in mediation, a district court judge will be the one to decide.

Are there fees for filing a complaint and / or motion for visitation?

Yes, there are court fees for filing a lawsuit for custody or visitation. There is no fee to file a motion in an existing case. Be aware that only an attorney will be able to advise you whether it is appropriate in your situation to file a motion. Court fees are the same in every court in the state. These fees are set by the General Assembly, so they often change. If you cannot afford to pay the filing fee for a complaint, you can complete a Petition to Sue / Appeal as an indigent (AOC-G-106) and take this form to the Clerk of Superior Court, who will decide whether you qualify to have this fee waived.

What will happen after I file a complaint for custody / visitation?

In many courts, you may be required to attend a parent education class, custody mediation orientation, and custody mediation. The educational session and custody mediation are usually held on the same day and usually lasts 2-3 hours. At the custody mediation orientation, the custody mediator explains the custody mediation process and might give you a date for your mediation session.

What happens if I file for visitation and the custodial parent doesn't attend parent education?

The answer depends on the local court's rule about attending parent education. A common practice for when a custodial parent does not come to the first custody mediation orientation / parent education session is that the court will send a second notice ordering them to appear (attend). If they do not attend after the second notice, they might be ordered to come to court and explain to the judge why they did not attend the session. The judge then decides what to do.

Resources

North Carolina Access and Visitation Program

919-890-1211

www.NCcourts.gov/programs/access-and-visitation-program

North Carolina Lawyer Referral Services

800-662-7660

www.ncbar.org/public/lrs

Legal Aid of North Carolina

866-219-5262

www.legalaidnc.org

National Fatherhood Initiative

www.fatherhood.org

LawHelpNC.org

A guide to free and low-cost legal aid

www.lawhelpnc.org

North Carolina Advocates for Justice

Free legal information through a phone call or email exchange

800-688-1413

www.ncfreelegalhelp.org

Notes

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PREPARED BY



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