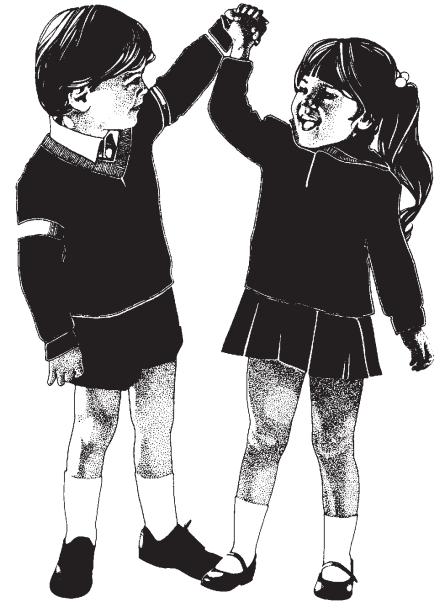
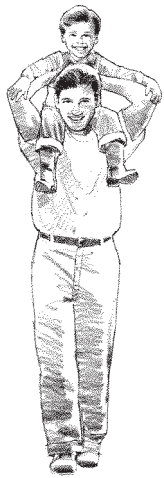


In Tennessee, a Parenting Plan is part of a divorce



Tennessee judges and lawyers want to make sure children are not hurt by a divorce. There is now a law to help make divorce easier on the children. This law says a divorce is not final until there is a written parenting plan. It reminds parents that the most important part of a family is the children.



What is a parenting plan?

A parenting plan is part of your final divorce order. It says what each parent will do for the children. It says how you will make decisions about the children. It says how parenting time will be divided between the parents.

Writing a parenting plan can help you work together for the good of your children. Parents usually must agree on some things until their children are adults. Making things clear in the plan can cut down on arguing later.

Who needs a parenting plan?

All parents who divorce after January 1, 2001 must have a written parenting plan.

What if you divorced before January 1, 2001? You only need a parenting plan if you make changes in your child custody or visitation.

Parenting plans are only needed in divorce court. What if you get custody of your children in some other court? You may not have to have a parenting plan.



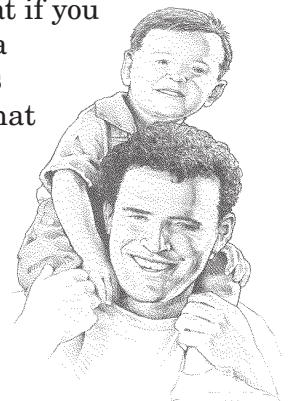
Both parents must go to a class on children and divorce

As part of the plan, both parents **MUST** go to this class. You don't have to go at the same time. In the class, you learn how divorce affects children and how you can help them.

Classes will be held in your area several times each month. Your lawyer will help you find one. If you don't have a lawyer, ask the Court Clerk for a list of classes. It is up to you to contact the class leader and sign up. You may have to pay for the class. If you can't afford to pay, tell the leader. You may get to go for free. Or you may have to pay only part of the cost.

Writing the parenting plan

You will need a copy of the **parenting plan forms**. Your divorce lawyer will give you the forms and help you with them. What if you are filing for divorce without a lawyer? You can get the forms at the Court Clerk's office. What if your husband or wife files for the divorce? They should file a temporary parenting plan with the divorce papers. If they don't, you should file a temporary plan.



On the parenting plan forms, you say what each parent will do for the children. You spell out when the children will stay with each parent, including holidays, vacations, and birthdays. You say how much child support will be paid. You say how you will make decisions about the children's medical care, education and religion. You say how you will settle future disagreements about the children.



What if you two can't agree on the long-term parenting plan?

One parent or both parents can give a short-term or **temporary parenting plan** to the Judge. The Judge can put this plan into effect **until the divorce is final**. The plan says where the children will live until the divorce is final. What if the parents can't agree? Then both of them give a temporary plan to the Judge. The Judge will decide.

The Judge may order you go to **mediation** together. This may help you agree on a temporary plan and a long-term plan. In mediation, a trained person tries to help you make a parenting plan you can agree on. The mediator is not a judge. The mediator does not give legal advice. The mediator can't make you agree unless you want to.

What if you can't afford mediation? You **MUST** tell the Judge. You may get mediation for free if you can't pay. Or the Judge may decide you only have to pay part of the cost. Or, the Judge may decide you don't have to go to mediation. But, only the Judge can decide about mediation.

Has your husband or wife ever hit, threatened or bullied you?

If so, you can ask the Judge to excuse you from mediation. You will **NOT** have to go unless you want to. If you **DO** want to go to mediation, there are special rules to help you. Please ask for the booklet called "Mediation in Domestic Violence Cases."

What if you still can't agree?

Then both parents write down a plan and give it to the Judge. The Judge can choose one of the plans or write a new one. Try to do everything your parenting plan says. This will help protect your children now and in the future.

What do these words mean?

The parenting plan forms have some new words. Here is what they mean:

- **Parenting responsibilities** mean your duties as a parent. These duties include making decisions and caring for your child. They mean feeding and clothing your child and helping to pay for what the child needs. They mean making sure your child is safe and feels secure. They mean deciding about the child's medical care, education and religion. They also mean deciding what other things the child will do. This includes things like taking piano lessons or playing football.



- **Residential schedule** means when the child stays with each parent. This includes birthdays, holidays, vacations, and other special times.

- **Temporary parenting plan** means a plan for where the child will live until the divorce is final.

- **The permanent parenting plan** means a written plan that becomes an order of the court. It says how almost everything about the children will be done after the divorce. It includes:

Where the children will live,
When they will spend time with the other parent,
What each parent has to do,
How much child support will be paid.



This brochure is a joint project of the Tennessee Bar Association Pro Se Subcommittee and the Administrative Office of the Courts. This pamphlet is not meant to take the place of legal advice. All cases are different and need individual attention.

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