

# COLLABORATIVE TEAM DIVORCE

## Parenting Agreement Worksheet Minnesota Version

This worksheet will assist Minnesota couples working with Collaborative Team professionals to draft a parenting plan which meets the needs of their children and satisfies the requirements of the law. ***This Plan is intended to become a part of the legal agreement you file with the court, and to meet the requirements of Minnesota Statutes 518.1705 regarding Parenting Plans.*** The 3 elements of a Minnesota Parenting Plan are: 1) a schedule of time each parent spends with the child; 2) a designation of decision-making responsibilities regarding the child; and 3) a method of future dispute resolution, Minn. Stat. 518.1705, Sub. 1 (a) (1) – (3).

### As you use this worksheet, keep in mind:

- The Parenting Agreement Worksheet is a tool to create a unique parenting plan which will meet the needs of individual families. Parents are encouraged to use it as a working document and to change specific items or add to the plan based on their particular circumstances.
- The worksheet may be used for separating, divorcing or never-married parents, or edited for use with other primary care givers, such as grandparents.
- The language is gender-free and does not specify “mother” and “father.” Parents are asked to include language that fits for them or to remove language they do not want included. For example, parents with teenage children may delete the descriptive language regarding infants and toddlers.
- Under Minnesota Statutes 518.1705, parents may describe themselves as “parents” and not “custodians” in their Parenting Plans. They may devise other terminology to describe their parenting (such as “shared parenting” or “primary residence”) so long as those terms are defined in the terms of the Plan. One paragraph in the Plan is required to be included for interstate enforcement of laws such as the Uniform Interstate Family Support Act (Minn. 518C) and other laws, and that paragraph does require a label of custody to be assigned; however, that label is not relevant to use of the Plan in Minnesota.
- A chart is provided to help schedule parenting time, including ongoing, vacation, and holiday schedules. Holiday and access scheduling is created with as much detail as possible, including pick-up and drop-off times, to avoid future conflict.
- Parenting Plans are not intended to be used by families with histories of domestic abuse, child abuse or parental abandonment,*** Minn. Stat. 518.1705, Sub. 6. In some instances in which incidents of domestic abuse have occurred, it may be appropriate to use parts of the parenting agreement worksheet as a tool to decide how to parent separately, to reduce the potential for parental conflict in future.

# *Parenting Plan*

## *Minnesota Collaborative Team Practice*

**Parent's name:**

**Address:**

**Parent's name:**

**Address:**

**Children:**

Name: Date of Birth: Age:

Name: Date of Birth: Age:

Name: Date of Birth: Age:

Name: Date of Birth: Age:

Name: Date of Birth: Age:

*We have reviewed with our child specialist or coach our own parenting histories, including how we were parented as children, and how we have parented our own children. As a part of this review, we have taken a close look at how we discipline our children, what family rituals have been important to our family, and how we can best parent our children in the future.*

With our child specialist or coach, we have discussed:

- 1) Our separate histories (how our own parents approached discipline and provided love and affection)
- 2) What we believe our own parents did right, and what they may have done wrong
- 3) Any mental health, chemical dependency or abuse history which may exist in our respective families of origin
- 4) Our own parenting strengths and struggles

### **Parenting Philosophy**

*Based on these discussions, we agree that our children need to experience love and affection from both of us. We understand that our level of cooperation in our parenting partnership is the single biggest predictor of success in our children's future. As part of this parenting partnership, we need to make certain that: 1) our children are not used as message carriers between us; and 2) we need to support each other's parenting. This means that we will give our children messages that they are loved and appreciated in both our homes.*

## Models of Development and Tasks:

*The Role of Development in Determining Children's Needs in Divorce: We understand from meeting with our Coach or Child Specialist that children have the following needs:*

### 1. Infants and Toddlers (Birth – 2 ½ years):

#### a) Infants:

- a. To establish a sense of trust in their environment and people around them.
- b. To form an effective attachment through parents who consistently and promptly respond to their needs.
- c. To become comfortable with others who interact with them.
- d. To express their own needs through crying and/or other signals.

#### b) Toddlers:

- a. To develop an increasing sense of self-awareness through exploration of their world.
- b. To develop an increasing sense of independence through feeding themselves, “play dates”, etc.
- c. To begin and practice speech development.
- d. To start exhibiting self-control and self-regulation in sleeping, feeding and toileting.

#### c) Both Infants and Toddlers:

- a. Need frequent contact with both parents.
- b. Need extra care in changes to schedules and routines.
- c. Need to bond with parents such that both parents recognize their signals for food, comfort, sleep and nurturance.

#### d) What Infants and Toddlers need from Parents:

- a. To establish a schedule that is consistent, predictable and routine.
- b. Where there has been no history of separate parenting previously, to start with a schedule of more frequent contact, perhaps for shorter periods of time.
- c. As the child develops, times may increase.
- d. If parents have separate residences, work to construct familiar surroundings in both homes.
- e. Where there are older siblings, to start by blocking parenting time to include both siblings, such that the older sibling is support for the younger sibling in making the transition between homes.
- f. Send along personal objects, such as stuffed animals, toys, familiar blanket (best to have two identical in each home), photo album.

### 2. Preschoolers (2 ½ - 5 years) need:

- To increase a sense of individuality
- To use verbal skills to express thoughts and feelings, questions, and ideas
- To imagine and fantasize; test curiosity and explore.

**a) Need from Parents:**

1. Encouragement in the development of verbal skills – role models.
2. Support in expressing feelings and ideas.
3. Understanding as they express fantasies, without presuming that the idea was planted by the other parent.
4. Feeling of safe, secure, familiar environment, gradually expanding to explore new places.
5. If there are older siblings, to begin to schedule some one-on-one time for both parents with individual children.
6. To watch for “shock value” statements and behavior, such as use of bad language to get attention; not to assume that parenting in the other home has necessarily deteriorated.
7. Watch for “interrogation” tendencies; learning better parenting skills to connect with important issues in the children’s lives.
8. Conditioning positive regard for the other parent.
9. Helping children look forward to transitions by exchanging information on events to be anticipated in both homes.

**b) Needs in divorce:**

1. Establish a consistent, predictable and routine schedule.
2. Scheduling overnights with both parents as children develop.
3. Send along and return personal objects to which child is attached.
4. Resist the temptation to criticize the other parent and those residing in his or her home, other family members, and friends.

**3. Elementary School (5 – 12 years) children need:**

- Need to develop relationships and cooperate with peers and adults.
- To develop academic and athletic skills.
- To learn organizational skills which need to be applied both at home and at school.

**a) Need from Parents:**

1. For both parents to reflect back to the children self-esteem, self-worth, moral development and personal security.
2. Assistance to help the child identify with and model the activities of the parent who is same gender as child.
3. To help children become more aware of their parents as individuals.
4. Help children deal with fear of losing either parent; dealing with feelings of sadness and anger about divorce.
5. Watching for children who feel self-blame, depression and a need to attempt(s) to reunite parents.
6. Help children to increase ability in grasping concepts of time and days.
7. Taking a fresh look at the parenting schedule, now that children may be more comfortable with fewer transitions and longer periods of time with each parent.

**b) Needs in Divorce:**

1. To establish and follow a predictable schedule.
2. Gradually reduce frequency of transitions and increase length of access.
3. Encourage and assist in phone contact with each parent.
4. Avoid criticism of either parent or others close to other parent or child.
5. Advise school personnel of stresses child may be experiencing; seek help for any school-related problems.
6. Encourage and support the child in maintaining contact with friends, school, extra-curricular and other activities.

**7. Adolescents (12-18 years) need:**

- Need to establish identity and self-worth.
- To develop appreciation of rules and regulations of society.
- To begin process of separating from parents, such as separate time with friends.
- To develop academic and athletic skills.
- To make and sustain quality friendships with age mates.
- To continue the process of gender identification
- To question values and beliefs both of themselves and of the parents, often by challenging parents' core beliefs concerning religion or politics.
- To explore dating experiences.
- To learn to manage sexual impulses.
- To develop work ethics, objectives and goals in their academics, work and as a foundation for future success in life.

**a) Needs from parents:**

1. To recognize children may mourn the loss of childhood, dependency and the protection of family.
2. To recognize that the challenging of parents' beliefs and values are not oppositional but identity formation.
3. To allow children to have doubts about their relationships with peers and family members.
4. Recognize that parents may need to stay engaged even though children are giving inconsistent signals and messages about needing "their own space"; making a consistent effort to remain connected even though children do not demonstrate benefit from connection.
5. To give children permission to be embarrassed or angry about their parents' relationship.
6. To recognize children need the support and involvement of both parents.
7. To recognize that children may act out by using drugs or engaging in other unhealthy behaviors to attain a sense of belonging.
8. To recognize need for consistency in family rules.
9. To recognize the importance of peer relationships, and that these may even be more important than time with family.
10. To recognize that the parenting schedule may need to be revised, because children may prefer long blocks of time with either or both parents.
11. Recognize need to continue monitoring of school progress.

**b) Needs in Divorce:**

1. Seek input from the children in establishing a schedule.
2. Allow sufficient flexibility in any schedule to provide for activities and time with friends.
3. Consistently apply rules and expectations.
4. For both parents to be seen as responsive to children's needs, such that they are both able to bend rules in reasonable ways when necessary.
5. Avoid the assumptions that moods swings are caused by the other parent.

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**5. Adoption:**

We, as parents of adopted child (ren) understand that our separation and divorce will necessitate that we implement specialized parenting interventions.

We understand that our separation/divorce may activate "fear of abandonment" feelings in our child (ren). We will be observant for indications of "acting out of these abandonment feelings" i.e. stealing, telling lies, hoarding food, increase in tantrums and testing limits. We understand that teens may act out by drinking and use of drugs and sex.

We will work together to support them during this time of separating and divorce in the following ways:

1. Assuring them that they are loved and will always be loved by both parents.
2. Assuring they will always have a home and they will still be part of a family and be taken care of.
3. Assuring them that the divorce is not their fault.
4. Listening to them.
5. Not becoming reactive if acting out occurs and we will work together with our child to problem solve.
6. We will not talk about the each other in a negative manner.

We do understand that generally the mother is the target/focus of the child's anger and acting out. We will work together to deal with this. We will not triangulate with the child against the other parent. We will remind each other of the dynamic (the mother being the target) that is operating and not blame each other.

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<sup>1</sup> Mitnick, M. "A Parental Guide to Making Child Focused Visitations Decisions." Unpublished paper.

<sup>2</sup> Mitnick, M. "Children Who Resist/Refuse Visitation." Unpublished paper.

<sup>3</sup> Kelly, J. (1998) "Marital Conflict, Divorce, and Children's Adjustment." Child and Adolescent Psychiatric Clinics of North America. 7, (2), 259-271.

<sup>4</sup> Kelly, J. (1996) A Decade of Family Mediation Research: Some Answers and Questions. Family and Conciliation Courts Review. 34, (3), 373-385.

## I. Major Decision Making

### \_\_\_\_\_ Minnesota Statute 518.1705, subd. 2 (a) (2)

**A. Discipline and Boundaries:** We agree on the following guidelines for discipline and boundaries in our own respective homes:

1. **Pre-school (age birth through 5 years)**
  - a. Bedtimes:
  - b. Behavior problems:
  - c. Reading/Kindergarten readiness:
  - d. Early friendships:
2. **Early Latency (ages 6 through 10)**
  - a. Bedtimes:
  - b. Behavior problems:
  - c. Homework routines:
  - d. Friends:
  - e. Activities:
3. **Preadolescent (ages 11 through 13):**
  - a. Bedtimes:
  - b. Cell phone/Ipod:
  - c. Friendships:
  - d. Activities:

## **B. Family Rituals:**

After meeting with our child specialist and coach, and seeking out the feelings of our children, we believe that the following rituals have been important to our family: (fill in: birthdays, holidays, Christmas Eve, Christmas Day, time spent with extended family, etc)

Based on this discussion, we agree to respect these rituals as follows:

1. Holidays:
2. Vacations:
3. Contact with extended family:
4. Religious upbringing:

## **C. Education**

Each parent will contact our children's school to get information about our children's needs, progress, special events, and parent-teacher conferences. We agree to share our children's

school information with each other. Recognizing that college or technical training is important, we will encourage and support our children's efforts for further education.

1. **Parent-Teacher Conferences.** We have made the following arrangements for attending parent-teacher conferences:

2. **Events.** We have the following agreement for attending school or extracurricular events our children participate in:

3. **Other:**

4. **Major decisions about our children's education will be made by:**

( ) Both parents or ( ) Parent

#### **D. Medical Care**

It is important to provide our children with good medical care. This may include dental, physical health, and psychological/counseling services for our children's guidance and behavioral health. We have discussed who will make appointments; attend appointments; receive reports; and transport our children; and how information will be conveyed to the other parent.

1. **Medical appointments.** We agree that primary responsibility for scheduling appointments shall be as follows:

2. **Emergencies.** To assure that our children receive immediate medical attention, each parent may consent to emergency medical treatment for our children without waiting for the consent of the other parent. The other parent will be notified immediately.

3. **Other:**

4. **Major decisions about our children's medical care will be made by:**

( ) Both parents or ( ) Parent

#### **E. Religion and Cultural Heritage**

1. We have discussed attendance at religious and cultural events and have agreed as follows:

2. Major decisions about religious or cultural events involving our children will be made by:

( ) Both parents or ( ) Parent

## **II. Parenting Time Schedule**

\_\_\_\_\_ **Minnesota Statute 518.1705, Subd. 2 (a) (1)**

Transitions: *We have discussed with our child specialist or coach the fact that transitions between our homes are frequently the most difficult experiences our children will have as a result of our separation or divorce. In recognizing this fact, we plan in the following ways to be sensitive to our children's needs as they transition from one home to another:*

1. Saying goodbye to one parent and hello to the other:
2. Exchanging information about what each parent will be doing with the children, to help the children look forward to the transitions:
3. Exchanging information about homework to make sure the homework assignments are done:
4. Having transitional objects (favorite teddy bears or other items) available for the children in each home, to make sure the children do not feel like "visitors" in either home:

**A. On-Duty/On-Call Parenting Schedule:**

1. Weekly schedule:
2. Summer schedule:
3. Transportation:
4. First offer of care:
5. Use of others to provide primary care:

*We recognize there will be times the schedule will need to be changed because of changes in our lives and the lives of our children. We agree to be open to make adjustments.*

*We recognize decision making is an important part of parenting. We agree that each parent will need to make ordinary decisions about daily care during his or her on-duty parenting time.*

*We agree to treat each other with respect, be on time, and provide as much advance notice as possible with any schedule changes.*

**B. Holiday Schedule:**

Below is a list of holidays and special occasions frequently included in holiday schedules. Parents are encouraged to make changes and additions to develop a plan that reflects the occasions that

are meaningful to them and their children. **The following holiday parenting time plan supercedes the usual ongoing parenting time arrangement:**

Odd-Numbered Years

Even-Numbered Years

**Birthdays:**

**Holidays:**

Easter  
Passover  
Mother's Day  
Memorial Day  
Father's Day  
July 4th  
Labor Day  
Yom Kippur/Atonement  
Ramadan  
Thanksgiving  
Hanukah  
Christmas Eve  
Christmas Day

**Other Religious or Cultural Holidays:**

**School Breaks:**

Spring Break  
Winter Break  
MEA Weekend

**C. Vacations**

We want our children to spend enjoyable vacation time with each parent. We have discussed the following ways that we will support our children's vacation planning:

1. **Vacation Arrangements.** We agree to the following process for planning vacation time with our children each year:
2. **Notice.** We agree to give the other the parent the following advance notice before the anticipated vacation dates if the vacation affects the usual parenting time or holiday schedule:
3. **Vacation Transportation.** We agree to the following vacation transportation plan:
4. **Emergency Contact During Vacation.** Each parent will supply the other with emergency contact information for vacation periods as follows:
5. **Non-emergency Vacation Telephone Contact Between Children and Other Parent.**  
We wish to have our children contact the other parent during our vacation time with our

children as follows:

#### **D. Other Ongoing Contact with Our Children**

**1. Phone Calls.** Phone calls are one of the many ways positive contact with parents can be encouraged and continued. We agree to allow each parent to have phone contact with our children as follows:

**2. Mail and e-mail.** We agree our children and each parent will be able to contact each other by mail and e-mail as follows:

#### **E. Long Distance Contact**

If either parent lives a significant distance from our children we agree to develop a plan to maintain good contact with our children. This may include e-mail, videotape and audio tape in addition to mail and telephone contact. We agree our children and each parent will be able to contact each other as follows:

#### **F. Participation in Children's Activities**

We agree our children benefit from our support of their extracurricular, athletic, religious, arts, and cultural activities. We agree to the following plan:

1. In making decisions about our children's activities we will consider our children's interests as well as the impact these activities may have on the time our children spend with each parent. Based on these considerations, we agree that our children should participate in the following activities:

2. We agree to consult with the other parent before registering our children for activities that may have an impact on the other parent's parenting time.

3. We have made the following agreement for parent participation and attendance at our children's athletic, arts, and cultural activities:

4. We agree to share information regarding our children's activities with each other.

#### **G. Child Care**

1. We have talked about child care, including who chooses the child care provider, picks up and/or drops off our children, emergency contact information, and who is able to visit our children at daycare. We have agreed as follows:

2. We recognize that as our children get older, we will need to review and make changes about alternate care; to agree on the age our children may be left alone; and to agree on for how long our children may be left alone without supervision.

3. We have discussed who will be responsible for our children if our children are sick or need to stay home from daycare or school. We have agreed:

4.. We have discussed if we would like to be the first choice for back-up care in situations when the other parent needs someone to care for our children. We have agreed that if the parent needs care for or more hours:

## H. Family Relationships

We recognize our children will benefit from maintaining ties with extended family members and other people important to them. We agree that each parent will take primary responsibility for maintaining these relationships and to accommodate changes in the parenting schedule for special family occasions such as weddings, reunions, funerals, graduations, etc.

## I. Parental Cooperation

Children need both of their parents' love and support.

1. We agree to leave our children out of adult discussions about our parenting plan and all other aspects of our separation/divorce/break-up.

2. We will not discuss the other parent in a negative way in the presence of or within the hearing range of our children and will not allow others to do so. We will advise others about the importance of not speaking negatively about either parent around our children. ***In addition, we agree to support our children in loving each of us, so that the children feel free to express love and attachment to both of us in each other's homes.***

3. Direct Communications. We will encourage our children to discuss their grievances against a parent directly with the parent in question. We will discuss our concerns directly with the other parent without our children present.

4. Expectations and Routines. We agree to support consistent expectations and routines for our children, which may include shared expectations regarding homework, curfew, bed-time, television or phone restrictions, and chores. We agree on the following expectations:

5. Parental Communication. We recognize that communication between parents is very important and we agree to keep communication open by:

Telephone:

Joint Calendar:

Journal:

E-mail:

Parenting Meetings:

Other:

## J. Transportation

1. We recognize that time with the other parent is important and agree to arrange transportation as follows:

*2. We will help our children gather the things they will need to take to the other parent's home and/or school, and agree to be patient in helping our children stay organized in this way, particularly about homework assignments.*

#### **K. Clothing**

We agree our children will need clothing and personal hygiene supplies in both parental homes. We agree to provide them in the following way:

#### **L. Financial Responsibility/Expenses**

The details regarding the financial support of our children are included in the terms of the proposed Stipulated Judgment and Decree, to which this Parenting Plan is attached. In making these plans for the financial support of our children, we have given particular attention to the following specific items:

1. **Sports:** Our children have in the past participated in the following sports:

As a result, in future, we agree that they should have sufficient time and resources, as well as our support, to participate in the following sports:

2. **Activities:** Our children have in the past participated in the following activities:

As a result, in future, we agree that they should have sufficient time and resources, as well as our support, to participate in the following activities:

#### **M. Introduction of Significant Others to Children**

Each parent will be sensitive to the children's perceptions and needs when considering introducing them to a significant other, and will give the other parent notice if/when such an event will occur. If there is an issue or concern expressed by either of the children, the parents will listen sympathetically, and will address the issue directly and openly with the other parent. If the issue can not be resolved by working together, and the child's concerns remain unaddressed, a mutually agreed upon parenting expert or Collaborative Team Professional will be contacted to assist with a recommendation.

### III. Parenting Description

\_\_\_\_\_ Minnesota Statute 518.1705, Subd. 4

We understand that Minnesota's Parenting Plan legislation, Minnesota Statutes 518.1705, Subd. 2 (a) (3) (c) permits us to refer to ourselves as "parents" for the terms of this parenting plan, rather than "custodians". We may also apply other terms to our parenting, such as "shared parenting" or to designate that one home is to be the "primary residence" of the children.

We prefer to refer to ourselves as "parents" and apply that definition of "shared parenting" as that is defined herein above in detail.

We understand that Minnesota Statute 518.1705, Subd. 4, requires a separate designation of parenting *solely for the enforcement of the final Judgment and Decree outside of Minnesota, where this designation is required for that enforcement. We understand that this designation has no effect under the laws of Minnesota or other jurisdictions which do not require this designation.*

For purposes solely of interstate enforcement, we choose the following label for our parenting:

Legal custody: \_\_\_\_\_ (joint, sole)

Physical custody: \_\_\_\_\_ (joint, primarily with one parent, sole)

### IV. Future Dispute Resolution

\_\_\_\_\_ Minnesota Statute 518.1705, Subd. 2 (a) (3)

We understand that Minnesota's Parenting Plan legislation, Minnesota Statutes 518.1705, Subd. 2 (a)(3) requires us to choose forms of dispute resolution which will be used in the future should we be unable to agree on revisions to this Parenting Plan, or experience disagreement on how this Plan should be applied or interpreted.

We agree that in the future we shall first make our best efforts to resolve any differences over our parenting on our own without the use of outside help for conflict resolution. However, in the event we cannot agree, we will use the following forms of alternate dispute resolution, as they may be appropriate or as we may choose to do so: use of a financial specialist to assist with budget or financial needs; use of a child specialist or coach to assist with other parenting needs; return to Collaborative Team Divorce with collaborative attorneys; or to make use of a one-mediator model for all aspects of disagreement. *We agree that we will not schedule any contested court appearances until we have made a good faith effort to utilize these forms of dispute resolution.*

**A. Changes to Our Parenting Agreement**

We agree to review our Parenting Agreement periodically as our children's developmental needs, activities, and interests change. We may make temporary or permanent changes to our Parenting Plan as mutually agreed. Changes to this plan must be confirmed by a Court Order to be enforced by the Court. If we are unable to agree to a change, this plan will prevail.

**C. Residential Moves**

1. We agree to discuss how our children will be affected by changes in residence and to renegotiate our parenting schedule, as needed, to meet our children's needs.
2. We agree that neither parent will move our children to another state without the consent of the other parent.

**V. Change of Primary Residence**

**\_\_\_\_\_ Minnesota Statute 518.1705, Subd. 9**

Neither parent currently has a desire to move away from the Twin Cities Metropolitan area. Any decision to move the children's residence shall be made on the basis of the Best Interests of the Child, as provided by law under Minnesota Statute 518.17. In the event that a move might be contemplated in the future, we will discuss the anticipated move and attempt to reach agreement as to the impact on the current schedule and other aspects of the Parenting Plan. If we are unable to reach agreements through our own discussion, we will utilize a mutually agreed upon parenting expert or Collaborative Team Professionals to address the issue.

In the alternative, we may agree:

1. That we will not move the children out of the \_\_\_\_\_ area until they have graduated from secondary school; or

2. That in the event one of us must move more than \_\_\_\_ miles from our current residences, that we will renegotiate our Parenting Plan in good faith; or
3. (Other) \_\_\_\_\_