

How to Prepare For Your Mediation Appointment With Sample Parenting Plan

Children benefit greatly when parents are able to work through conflicts and reach agreements during mediation. Research tells us that conflict between parents harms children, and that harm can be magnified when children go between two homes. Reducing the level of conflict has many positives: 1) parents are able to make joint decisions; 2) children do not get pulled into the conflict and are not turned into messengers, allies or decision-makers; 3) a burden is removed from children, allowing them to focus on what is important to them: school, friends, activities, growing and developing and enjoying their family. Please take some time to consider what part you play in continuing the conflict. Consider what steps you can take to begin to reduce the conflict.

Please review the **Sample Parenting Plan** below and familiarize yourself with what typically goes into a Parenting Plan. Begin thinking about what you would like in your Parenting Plan. Not all of the areas will apply to each family. Think about other areas that may be specific to your family situation and let the mediator know what you believe is important to include. Please come prepared to discuss what you believe is in your child(ren)'s best interest and how you can work with the other parent/party to achieve that.

Take some time to write/type your ideas on the Sample Parenting Plan below. If it is safe to do so, please share your proposed parenting plan with the other parent at least 3 days before the mediation session to allow time for other parent to review and respond.

Come prepared to discuss issues important to your child(ren). Come prepared to look at your own assumptions about the other parent and identify potential areas of agreement.

**STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT**

_____,
Petitioner,

v.

D-202-DM-_____

_____,
Respondent.

SAMPLE PARENTING PLAN

Pursuant to the Court Clinic Referral Order filed on (*DATE*), the parties attended mediation on (*DATE*) and agreed to this Parenting Plan. As the parents of [*name(s) of child(ren), age(s)*] we agree that this Parenting Plan is in the best interests of our child(ren). This Parenting Plan will begin on [Date] and remain in effect until further order of the Court. The terms and conditions of all prior orders not expressly modified by this Parenting Plan shall remain in full force and effect.

LEGAL CUSTODY

We agree to share Joint Legal Custody of *[name(s) of child(ren)]*. Neither one of us will unilaterally make a major change affecting *[name(s) of child(ren)]* in the areas of religion, residence, medical, dental care, counseling services, child care, education, or recreational activities. We will agree before making any change to the above areas. If there is a disagreement, we will attempt to resolve the issue by the method(s) detailed in the Dispute Resolution Section below. Until there is an agreement, NO change will be made.

STATUS QUO

The present status quo is:

- a. **Residence:** _____
- b. **Medical Provider:** _____
- c. **Dentist:** _____
- e. **Counselor:** _____
- f. **Daycare:** _____
- g. **Education:** _____
- h. **Religion/Church:** _____
- j. **Extracurricular Activities:** _____

PERIODS OF RESPONSIBILITY

As the parents, we agree to work together, cooperate with each other and respect requests for changes to the regular timesharing schedule. We agree to be flexible when changing the schedule and will consider *our* needs first. We agree that *[name(s) of child(ren) 's]* schedule, schooling, and developmental needs will change over time. We agree to make future Parenting Plan adjustments keeping *[name(s) of child(ren) 's]* best interests in mind.

1. **Regular Timesharing:**

2. **Exchanges for regular timesharing:** We agree that exchanges will:

3. **Holidays:** Holidays and special days take precedence over the regular timesharing schedule. We agree that any holidays or special days not specified in this plan will follow the regular timesharing schedule unless we agree otherwise. We agree to be flexible to ensure that *[name(s) of child(ren)]* enjoy(s) the holiday time. ***Below are some typical holidays. Let the other parent/party and mediator know how you think the child(ren) should spend holiday time with both of you. For split days indicate split in Times sections. Indicate regular schedule if holiday is not one celebrated. There are 5 additional lines for other holidays/special days that you would like that are not listed.***

Holiday	Times	Even Year	Odd Year
<i>Example:</i>	<u>9 am to 9 am next day</u>	<u>Parent 1</u>	<u>Parent 2</u>
New Year's Eve/Day	_____	_____	_____
Easter	_____	_____	_____
Mother's Day	_____	_____	_____
Father's Day:	_____	_____	_____
Thanksgiving:	_____	_____	_____
Christmas Eve:	_____	_____	_____
Christmas Day:	_____	_____	_____
New Year's Eve:	_____	_____	_____
New Year's Day:	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. **Vacation Time:**

5. **Telephone Contact:** We agree that *[name(s) of child(ren)]* will have open and flexible contact with each parent. We agree that neither parent shall prevent *[name(s) of child(ren)]* from contacting the other parent.

6. **Travel within the United States:** We agree that neither of us will remove, cause to be removed, or permit removal of *[name(s) of child(ren)]* from the State of New Mexico, except for temporary visits (both routine and vacation), which do not interfere with the time-sharing schedule, without the written consent of the other parent, or resolution of the dispute.
 - a. **Itinerary:** All travel plans will include the following in an itinerary: the destination, dates and times for departure and return, the mode of transportation, and a telephone number where *[name(s) of child(ren)]* may be reached.

7. **Communication:** We agree to communicate with each other by (select all that apply) electronic mail, text, telephone, Our Family Wizard, other (*define*). We agree to communicate as needed about issues related to *[name(s) of child(ren)]*. We agree that each of us is ultimately responsible for staying informed about *[name(s) of child(ren) 's]* school functions, parent-teacher meetings, and recreational activities, but we agree to share information as we obtain it. In the event either parent has an urgent issue, we agree to communicate by telephone and indicate the urgency of the call. The other parent agrees to respond within ___ hours (*define timeframe*).

8. **Emergencies:** We agree that in the case of a medical emergency we will contact the other parent concerning treatment of *[name(s) of child(ren)]* as soon as possible. If the other parent cannot be reached, any decision for emergency medical treatment will be made in the best interest of our *[name(s) of child(ren)]* by the available parent.
9. **School Involvement:** We agree that both parents will be involved in *[name(s) of child(ren)]*'s academic development by participating in parent/teacher conferences, field trips, after school activities and homework. We also agree to exchange information whenever possible, however, we acknowledge that each of us is ultimately responsible for obtaining information about *[name(s) of child(ren)]*'s progress on a routine basis. We agree that both parents will have access to school records, teachers, and activities.
10. **Changes:** We agree that we may make changes to this Parenting Plan if there is mutual agreement. If the change is one-time, we agree this can be done verbally or by text/email. If the change is long-term, then we agree to put the new agreement in writing and sign it and file with the Court.

DISPUTE RESOLUTION

If either of us wishes to modify the current Parenting Plan, we agree to take the following steps:

1. **Verbal Proposal:** We agree to speak with each other first before any change is made. We agree that we will respond to each other no later than _____ (*define timeframe*) from the date and time the request was made. If no agreement is reached, we will proceed to the next step below.
2. **Written Proposal:** The parent requesting the change will give the other parent a proposal in writing, including reasons for the requested change and will provide information so that the other parent is able to review the request. The parent who receives the proposal will review and consider the proposed change and will respond within _____ (*define timeframe*) in writing. If the parent does not agree with the proposed change, that parent will respond in writing and explain why and submit a counter proposal if possible. If no agreement is reached, we will proceed to the next step below.
3. **Mediation:** We agree to participate in mediation through either the Court Clinic or a provider in the community. We understand that a new Court Clinic Referral Order is needed to return to the Court Clinic if the Court Clinic case is closed.

If the above dispute resolution steps are not successful, we understand that either of us may bring the matter to the Court's attention.

CO-PARENTING

Agreements for Co-Parenting

1. We understand that co-parenting effectively is in the best interests of *[name(s) of child(ren)]*.
2. We understand that our parental conflict has a debilitating effect on the overall development and in particular, the psychological health, of *[name(s) of child(ren)]*.
3. We agree to work to make our co-parenting relationship effective and strong. We will consider co-parenting classes, co-parenting counseling and/or our own individual counseling, if needed, to improve our co-parenting.
4. We agree to be actively involved in *[name(s) of child(ren)]*'s life/lives.
5. We agree to communicate and be flexible about *[name(s) of child(ren)]*'s needs, especially as those needs change due to growth and development.

6. We agree to be supportive of *[name(s) of child(ren) 's]* relationship with the other parent and be positive about that relationship.
7. We agree to give permission to *[name(s) of child(ren)]* to enjoy the relationship with the other parent.
8. We agree that we shall not interfere with the other parent's relationship with *[name(s) of child(ren)]*.
9. We agree that we will not align *[name(s) of child(ren)]* against the other parent or the other parent's significant other and family.
10. We agree to openly discuss any relationship that may be having a negative impact/influence on *[name(s) of child(ren)]*.
11. We agree to be respectful and civil with each other, significant others and relatives when we attend *[name(s) of child(ren) 's]* school events, sports and other activities.

Think about other co-parenting agreements (non-financial) that you would like.

Thank you for taking the time to review/complete the Sample Parenting Plan in preparation for your mediation session.

The Court Clinic Team

Court Clinic Website

<https://seconddistrict.nmcourts.gov/about-this-district/family-court/family-court-clinic/>

