



Holiday Access by Jodi L. Wyman

When separated parents try to work out time sharing arrangements for the children, they should remember to consider holiday time.

Most time sharing schedules tend to provide that the non-custodial parent has the children every second weekend and, if the parents live in the same city, some access during the week. Parents with shared custody design a schedule for the children to go back and forth every few days or every week, depending upon the ages of the children.

Every custody order or agreement should also address holidays. In particular, parents should think about spring break, Easter, summer holidays, Thanksgiving and Christmas. There are a variety of other holidays which may be important to some families, such as Hanukkah or Ukrainian Christmas.

Holidays are important not only because they are special times for family celebrations, but also because the children's time off from school can allow the non-custodial parent an opportunity for extra access. It is usually a child's school schedule which

keeps a parent from having more than weekend time with their kids, and so holidays can provide this extra opportunity.

Almost every custody order or agreement talks about the summer vacation, even if it does not mention any other holidays. Some parents only ask for a few extra days in the summer, while other families move to a shared parenting arrangement over the summer months. Because kids are not in school, they have far more flexible schedules in July and August, and can adapt to more time away from their primary home.

There is no one way for parents to divide holiday time. Some parents prefer to alternate the occasions. For example, one parent will have the children for Easter on odd numbered years, and the other parent will have even numbered years. Other parents prefer to share the holidays. Because spring break and Christmas are such long breaks from school, each parent can take one-half, and yet still have a nice stretch of time with the children.

Some parents even consider in-service school days, the

children's birthdays and their own birthdays in their custody order or agreement.

Two occasions that parents very rarely argue about are Mothers and Fathers Day. Regardless of the weekend access schedule, each parent usually has their respective day with the children.

Like everything in family law, holidays can become a source of conflict for divorced parents as well. The Court even sets aside extra time just for Christmas and summer holiday motions. If the parents cannot decide how to share the time, a Judge will have to. Parents can become hung up on an hour by hour analysis of how much time they have with their children, or they can spend hundreds or thousands of dollars fighting to have the children on Christmas morning instead of Boxing Day. The most important thing however is that they have quality time with their children and celebrate the holidays, whichever day it may be.