



Why Shared Custody Does Work By Jodi Wyman

Shared Custody, where separated parents have equal time and equal decision-making authority over their children, can be a challenge for parents. Normally they have separated because of a breakdown in their relationship, but they must get past those negative feelings and still work together and communicate regularly as parents.

When shared parenting works, it can offer great benefits for children. Bill 422, which would change the Divorce Act to create a presumption of shared custody, was introduced in Parliament. It was supported by research showing that children do best when both parents are actively involved in their lives, even after separation.

Research aside, even from the anecdotal perspective of a family law lawyer, the benefits for the family when shared custody works are clear.

First, a shared custody situation after separation most closely mirrors an intact family. Happily married parents can be good role models for children.

They see their parents working together, talking through disagreements, enforcing one set of house rules and values, and sharing the hard work of raising children. Parents who continue to co-parent in this way after separation will also role model these life skills to their children.

Most basically, a child who sees his mother or father only every second weekend simply cannot have the same relationship with both parents. Not only is there simply less time, but also because the “weekend” parent does not get to be involved in the weekday morning and bedtime routine, homework, school activities, most extra-curricular activities, and the day-to-day parenting activities. They lose out on these important aspects of parenting.

Not only does shared custody let both parents play an equal role in the day-to-day parenting of children, but also in the bigger decisions. Sole custody generally means that one parent can make major decisions about their child, such as health,

education or religion. Shared custody means that both parents can have input into these decisions and this aspect of parenting.

Equal time sharing also allows a child time to fully develop a relationship with step-parents, half-siblings, grandparents and extended family on both sides. With “weekend” parents, sometimes there is simply no time to do that.

The shared custody regime can be a huge benefit with teenagers. Parenting a teen can be a challenge for many families. A shared custody situation allows the parents to have a great deal of flexibility to cope with some issues that arise with teenagers.

For example, as their schedules begin to get busy with friends, school, sports and part-time jobs, they may not be able to follow the visitation schedule their parents or Judge have worked out. With shared custody, they can go back and forth between homes as their own schedules, or moods, dictate, without the parents

having to go back to court over the custody and child support clauses of their order.

Also with teens, there can be a temptation to play one parent against the other, or stay with the parent with the later curfew or fewer rules. With shared custody parents working together and enforcing consistent rules, this is not an option for teens.

Shared custody after separation can be a challenge for many reasons, but parents who are able to make it work for their children should be proud of themselves.