

Parenting Arrangements – Answers

- 1) What does it mean to have parenting time?

Parenting time is the time a child spends in a parent's care, whether or not they are actually with that parent or engaged in some other activity, like school or sports. Usually when a parent is exercising their parenting time, they are able to make day-to-day decisions about the child's care.

- 2) Who can decide on a parenting arrangement?

Parents can agree on a parenting arrangement themselves. If they cannot come to an agreement, they can use a Family Dispute Resolution process like mediation to help them come to an agreement. If they still cannot come to an agreement, they may have to apply to the court to put a parenting order in place.

- 3) What can a court do when a parent is allowed to see their child but there are concerns for the child's safety or care?

The court can order that the parent's parenting time must be supervised. This allows a parent who may have addiction issues, a history of emotionally or physically abusive behaviour, or who is unable to otherwise supervise the child to spend time with their child under controlled circumstances.

- 4) Which parent has the right to access school and medical records of a child?

Both parents who have parenting time with a child usually have a right to access school and medical records and other reports about a child's development. In rare circumstances, a court may restrict the right to this access. This is a right to information only, not a right to be consulted in decision-making.

- 5) List 5 factors the court must consider when determining the best interests of the child.

While the court must consider anything relevant to the child's best interests, the *Divorce Act* specifically mentions:

- The child's needs;
- The nature of the child's relationship with each parent;
- The willingness and ability of each parent to maintain the child's relationship with the other parent;
- The child's history of care;
- The child's preferences, if they are known;
- The child's cultural, linguistic, religious, and spiritual upbringing;
- Any plans for the child's care;
- The willingness and ability of each parent to care for the child;
- The willingness and ability of each parent to cooperate with one another in matters concerning the child;
- Any history of violence in the family; and
- Any existing court order or proceeding that is relevant to the child's well-being.