

Child Friendly Exchange Handbook



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PART I: Child Friendly Exchanges

Introduction

Most court-ordered parenting plans have provisions that honor the child's right to spend time with each parent. Access (or "visitation") should be considered in the same light as school attendance – it's mandatory in most cases. Exchanging the child between parents can be a challenge for a number of reasons.

Exchanges provide opportunities for the child to see parents at their worst or to observe that their parents have the child's best interest at heart, demonstrating respect for their feelings and their right to love and enjoy being with both parents.

Exchanges are the last remnant of family life for your child. It's the one occasion on which they will routinely see mommy and daddy at the same time. Exchanges are prone to emotional upheaval. Hassles over exchanges create stress and anxiety that affect the way your child views you. What experiences and memories are being created for your child during exchanges?

"Children do best and feel most secure when parents make the child's physical and emotional welfare a top priority."

*Dr. Al Ravitz, Clinical Psychiatrist
New York University Child Study Center*

Assessing the Situation



Common Sources of a Child's Exchange (dis)Stress:

- Sees parents argue, hit or hurt each other
- Hears parent, relatives, others badmouth parent(s)
- Unable to take things child needs or likes (homework, nice clothing, favorite toy)
- Coordination of child's homework, activities are disregarded by parent(s)
- Questioned about a parent's private life
- Unreliable transportation or safety concerns about transportation, inadequate seat restraints
- Parent arrival is late or does not show up
- Another person sent to handle exchange without advance arrangement
- Frequent changes to schedule by parents
- Exchange time nears with unresolved schedule or transportation issues
- Scheduling activities during time with other parent without other parent's consent
- Child asked to negotiate changes to schedule
- Child asked to carry message between parents
- Child not prepared to make exchange
- Child expected to be sad (for parting parent) and happy (for arriving parent) at the same time

Does your child show signs of Stress at exchange time? These are common indications

- ☹ Child is quiet, withdrawn
- ☹ Child acts nervous or fearful
- ☹ Child has physical complaints: stomachache, headache, or nausea, etc.
- ☹ Child is aggressive (yelling, punching, etc)
- ☹ Child is acting like a younger child (regression in skills indicates discomfort)

You may wonder what your child's exchange situation is like compared to other families. Parental conflict is a major factor in stressful exchanges. Here are some factors to consider in deciding how serious your situation is compared to others. Check the box with the most serious activity you have experienced with the co-parent.

Parental Conflict Aggression scale

7	Severe	Physical injury
6		Physical contact
5		Property damage
4		Threats to person/property
3		Aggressive legal action
2		Arguing
1	Mild	Put downs

While all of these are undesirable, anything above 3 endangers the well-being of your child and requires your immediate attention to make positive changes to decrease your child's exposure to a dangerous level of stress.

Sources of Exchange Stress for parents:

- Arguments with the co-parent (any issue)
- Frustration over unresolved disputes
- Dread of unpleasant or invasive phone calls
- No communication with other parent
- Others badmouthing you, especially to child
- Conflict over time spent with child
- Unsure where child staying or child care arrangements
- Hassle over exchange of child's clothes, etc.
- No coordination for getting child to activities
- No coordination for completing child's homework
- Late exchanges, no shows, or denials
- Lack of flexibility in scheduling
- Uncertainty, too much change in scheduling
- Different interpretations of schedule
- Child acts out during or after exchange
- Fighting during exchanges
- Threats to call police or go back to court
- Police come to exchange site



The more boxes checked from these lists, the greater the stress you and your child are experiencing during exchanges. Although one parent rarely has total control over the situation, there are things in your control that you can do to reduce the stress of exchanges ... even if the other parent does not cooperate. Please read on.

How stressed are you?

In the past month, how often have you....

1. been upset because something unexpected happened?
2. felt you were unable to control important things in your life?
3. felt nervous or “stressed?”
4. felt unsure about your ability to handle personal problems?
5. felt things aren’t going your way?
6. found you could not cope with all you had to do?
7. been unable to control irritations in your life?
8. felt you are not on top of things?
9. been angered because of things outside of your control?
10. felt difficulties were piling up so high you could not overcome them?

If you answered “sometimes” or “fairly often” to most of these questions, you are probably finding it hard to cope. Feelings of hopelessness and anger are often reactions to high levels of stress.

“Buffering” helps minimize stress. The principal buffers are:

- ♥ Social support from dependable friends and family
- ♥ Seeing yourself as a good and likeable person
- ♥ Maintaining a sense of humor
- ♥ Staying physically fit, getting adequate sleep, eating a balanced diet and avoiding stimulants
- ♥ Having a spiritual reserve that helps you calm yourself when faced with stress
- ♥ Take a realistic view of the situation and what is in your control

How a child views exchanges:

👁️ The child must be present for the exchange. The child does not have a sense of control over the situation.

👁️ The child may be sad to leave one parent and at the same time happy to see the other parent. It is hard to deal with these feelings at the same time.

👁️ The child picks up cues from each parent about how to behave during exchanges. If parents are low-key about the exchange, the child is relaxed. When a parent becomes increasingly agitated as the moment of transition draws near, so does the child.

Exchanges should be thoughtfully arranged for your child’s physical and emotional comfort.

👁️ High conflict exchanges are a source of guilt for the child. The child thinks the parents are fighting because of the child.

👁️ Reluctance to exchange causes the child to worry. The child becomes anxious about how the parent will cope while they are away.

👁️ Delays and hassles in exchanging the child decrease a child's self-esteem. The child feels less important or un-important because the parents' focus is elsewhere.

👁️ The child observes how the parents treat each other. This may be the one remaining experience the child has of good times as a family. It can also be a painful reminder of the separation of the family.

👁️ When exchanges routinely involve hassles between parents the child wonders if the parents are more interested in fighting each other than caring for the child.

👁️ When parents make exchanges painful the child may dread the next exchange. The child may be so anxious about exchanges that it is hard to enjoy being with either parent.

Family courts regard "access" to both parents as the birthright of the child.

When ordered, it is as important as mandatory school attendance.

Who is at fault?

It is common for parents to assume that the child's reluctance to participate in the exchange or acting-out after the exchange is the fault of the other parent. Usually it is the result of dynamics created by both parents. Parental conflict and squabbles about and during exchanges are a leading cause of a child's loss of respect for both parents. There are changes one parent can make that will impact exchanges positively even when the other parent does not seem to cooperate.



Establishing boundaries

We each set boundaries to make ourselves feel safe and to support our identity as individuals. Boundaries help everyone else understand what we consider respectful. Boundaries need to be adjusted after separation or divorce. Separated parents need their own psychological and physical space. Pushing boundaries seems like interference and is rarely welcomed. Allow yourself to set limits - to mark those areas of your life that are open to the other parent and those that are not. For example, you should decide whether you can tolerate the other parent entering your home to handle exchanges or whether it would be better if the other parent just came to the door or waited in the car.

Having a Specific Plan Helps

Every exchange is a hassle when parents do not have a plan. Parents can either agree together on plans or fall back on the parenting plan ordered made by the court. The court order is meant to be the default plan when parents disagree. When parents do not see eye to eye it is important that the fall back plan be specific enough so that everyone knows what is required. Open-ended plans, like “reasonable access” or “frequent visits,” are invitations to chaos and unfairness when parents are in conflict. The schedule should be so specific that a stranger could look at your plan and figure out what day a child spends with which parent and how the exchange will take place. It is better to identify days specifically. “Alternating” periods gets more and more confusing as time passes from the starting date. For example, a plans that identifies “first, third and fifth Wednesdays” is more precise than “alternating” Wednesdays. Terms that can be interpreted several ways should be clarified to remove confusion. For example “Holidays” and “summer” are confusing terms when the specific holidays or time frame for summer are not given.

Developing specific plans and schedules for taking care of the child reduces conflict so each parent can focus on being the best parent they can be.

Changes Require Mutual Agreement

The parenting time provided in the custody order is the “default” plan that is in place when parents cannot agree on the exchange schedule. Do not assume that you can make changes on your own unless the court order specifically says that you can. Even if you can make “unilateral” decisions, you must be fair to your child and the other parent or you will create an environment that increases stress and degrades the atmosphere for exchanges of your child.

If a parent does not agree with a change proposed by the other parent, both parents are required to follow the schedule in the court order.

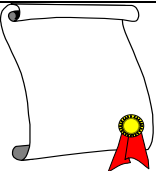
Provide Reasonable Advance Notice

No one likes to make snap decisions without adequate information and a chance to think. Therefore, the usual knee-jerk reaction is “no.” If negotiating a change is important enough to bring up do it sufficiently in advance to create a climate for success. Make the proposal respectfully, providing details and the reason for the request, and set a time in the future for the other parent to give you an answer. Rather than making a “demand” that is just as easy to turn down as to grant, consider making an open-ended request that starts a dialogue that can lead to a negotiated approval.

See examples of requests under “Parent-Scripts”

Document the Arrangements

During periods of emotional upheaval, people are forgetful. Under stress, it is normal to forget details that have not been written down. Confirm changes by writing notes or sending e-mails to clarify the arrangements, to eliminate misunderstandings, and avoid tension. Written notes head off accusations and excuses. The parent who slips up cannot shift the blame.

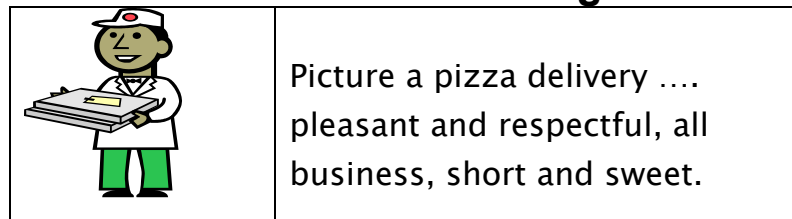
Example of documenting:	
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“Here is my understanding of today’s phone conversation. On Thursday, December 14th, I will pick up Junior after school and take him to dinner. I’ll bring him home by 8:00 P.M. I’ll call the sitter on Monday to explain that Junior won’t come home after school on Thursday. If I don’t hear from you by this weekend, I will assume this is your understanding as well.”

Mark your calendar and make a copy of the note before mailing it to the other parent. The other parent posts the note in a public place (e.g., refrigerator, cork board) as a reminder to both parent and child. There is no need for future phone calls between the parents and far less possibility of misunderstanding. If a parent wants to change the plans, the entire procedure starts over again.

Adapted from Mom’s House, Dad’s House (1997)
by Dr. Isolina Ricci

The “Good Exchange”



Keep it simple. Exchanges are not the time for parents to discuss business with each other.



Be courteous. Focus on your child. Discuss business before or after, not during the exchange.




Each parent has a detailed parenting schedule, preferably on a calendar, to reduce misunderstanding, and they have compared their schedules.



Any change in the time and location of the next exchange is confirmed with the other parent at the current exchange.



The child is ready to go in advance with all clothes and other items packed. Don’t forget medications or supplies needed to complete homework. Inform the other parent in advance if the child is going to need anything special for activities after the exchange.

Avoiding Exchange Pitfalls	
It's possible to reduce the stress and drama of exchanges	

- **Try, try, try to be on time.** Allow extra time for travel in the event of traffic delays, etc. If you are frequently late or fail to show up for an exchange, your child will think he is second fiddle to more important priorities.
- **Be the parent.** Making, canceling or changing parenting time plans is the responsibility of the parents. Do not ask your child to handle this. Using your child to convey messages to the other parent, during exchanges or otherwise, injects your child into the conflict between the parents. This is a no win situation for your child.
- **Plan in advance.** Don't wait until the last minute to speak to the other parent about any changes in the schedule. Both parents should be clear about what is going to happen. Uncertainty increases anxiety and defensiveness. Use dispute resolution services to work this out , if necessary. Never try to work out changes during an exchange. It creates too much tension and makes it hard for parents to focus on how your child is handling the exchange.

7 Ways to Prepare Your Child for a Good Exchange

- ☺ Clearly inform your child of exchange plans.
- ☺ Talk about the transition matter-of-factly with the expectation that your child will go.
- ☺ Help your child gather items to take to the other parent's house. Consider giving your child a special place to put things that go back and forth.
- ☺ Make sure your child is fed (as appropriate) and dressed for the transition.
- ☺ Your child should finish any chore or activity in time to have a few moments to say goodbyes and adjust emotionally for the exchange.
- ☺ Don't sulk. It doesn't help for your child to feel guilty that you are staying behind. Let your child know that you have plans other than brooding by the window and are going to be fine until she returns.
- ☺ Encourage your child to be friendly to the other parent during the exchange. Otherwise your child may be torn between his natural inclination to love both parents and hints to gain approval by showing loyalty to only one.

Dealing with Transitional Anxiety

Your children may seem overactive or uncooperative after an exchange. Think how you feel when you first arrive home from a trip or vacation: you are probably tired and not quite sure how to settle in. “Bouncing off the walls” is a sign your child is experiencing transitional anxiety. It may take months for your child to feel exchanges are normal. Re-entry of a cranky or exhausted child is often harder on you than the child. Help your children by keeping exchanges consistent. This is not a situation that will be fixed by denying your child contact with the other parent. An interruption in contact will just increase your child’s anxiety when exchanges resume.

To help ease your child’s anxiety:

- Let your child discuss conflicted feelings of simultaneously being happy to see one parent and unhappy to leave the other parent.
- Start a familiar activity - a favorite TV show or video, playing a game, listening to music, cooking or eating.
- Be tolerant of the clinging, crying child who doesn’t want a parent to leave. Change is stressful. It’s a natural reaction that will ease with time.
- Different homes can have different rules. Remember different does not necessarily mean “worse.” Avoid criticism and stretch your tolerance level for parenting differences that are not harmful to your child.

Adapted from Divorce Book for Parents (1996) by Vicki Lansky

Child’s Travel Checklist (an example)

Things to do before I leave:

- Feed my fish
- Get my homework together
- Check for clean clothes
- Check supply of medicine
- Check the weather (rain? cold?)
- _____
- _____
- _____

Things to bring with me:

- Clothes
- A coat (when it’s cold)
- Medicine (if taking)
- My iPod
- The book I’m reading
- Homework I am working on
- Pager or cellphone
- _____
- _____

*Adapted from Mom’s House, Dad’s House for Kids (2006)
by Dr. Isolina Ricci*

Parent's Exchange Checklist

(an example)

- The parenting schedule is written down on my calendar. Both parents agree on the schedule.
- The location and time of the next exchange has been confirmed with the co-parent.
- We have arranged for appropriate transportation and seat restraints for the exchange given our child's age and capabilities. Both parents are aware of the schedule for use of public transportation (bus, train, aircraft).
- I have informed the other parent of any special clothing or equipment our child should have for the exchange.
- We have a plan to help our child complete homework assignments before and after the exchange.
- I am aware of any medication or medical attention our child will need while in my care. I know how to contact the child's healthcare providers.
- I have an emergency contact number for the co-parent while the child is with me. Our child knows how to reach each of us (if age 5 or older).
- I have provided the co-parent with an itinerary and contact information while the child is traveling with me out of town.

Dispute Resolution Options

Tip for negotiating with the co-parent:

- ☞ Take a "time out" before reacting. Have a plan to succeed at resolution.
- ☞ Gain ground by directly expressing needs and concerns instead of blaming and threatening.
- ☞ Focus on your child's needs. Refuse to get into a swearing match over who is right or wrong.
- ☞ Try to offer the co-parent choices instead of an ultimatum.
- ☞ Always, always focus on solutions.
- ☞ Practice the Golden Rule: How would I feel if I was on the receiving end of this?

**DO the right thing even if
you don't FEEL the right thing.
Absolutely do not argue
in front of your child.**

CONSIDER MEDIATION – it can empower you to find a satisfactory solution that the co-parent can also commit to. See resource list in back for services.

Family Access Enforcement

A parent may file a family access motion if a parenting time order (“visitation”) is denied or interfered with without good cause. The form for the motion is available on the court’s website (www.circuit7.net) or by contacting the exchange hotline (816-736-8402). The motion and filing fee are given to the Circuit Clerk, who issues a notice (“summons”) informing the other parent that the motion has been filed. All family access disputes are referred to Court Services for informal dispute resolution before any formal hearings are held before a judge. The parents have a choice of mediation, arbitration, or a combination of the two processes.

A court can impose any of the following remedies if it finds that no good cause existed for the denial or interference with parenting time:

- Order compensatory time in an amount not less than the time denied
- Order counseling and/or order the offending parent to pay for counseling
- Require the offending parent to post security for future compliance with the parenting time order
- Assess a fine up to \$500 (paid to the state)
- Grant attorneys fees and court costs

Parents may use mediation to adjust the parenting time schedule or make other changes that make exchanges more child-friendly.

PART II: SPECIFIC CONCERNS

Troubleshooting:

Alternatives to Face to Face exchanges

When face-to-face exchanges of your child on the doorstep are stressful you should consider alternatives that will distance you and the co-parent. It may be wise to revise the parenting time schedule so that exchanges can take place at times and places where the co-parents do not have direct contact with each other. For example, extending weekend periods from the end of school on Friday until the start of school on Monday allows the school to act as an exchange facilitator.

Door to Curbside: Children old enough to carry their own bags can make the trip from the front door to the curb and back again. The receiving parent can drive up to the curb and signal the arrival. The parent delivering the child can escort the child to the door and watch from a distance as the child goes to the vehicle curbside.

School or Child care: School and child care centers can make good exchange locations because people trained to be attentive to the needs of children are present. You should contact your child’s school or child care provider in advance to learn their exchange policies and get their consent to help out. It is important to respect staff as a part of the exchange team. Be appreciative to those assisting your child with exchanges.

Public Locations: Public places, like parks, that have people present encourage parents to be on their best behavior. Pick a spot that is well lit and near to a street. Watch out for vehicular traffic while on foot in parking lots.

Stores or restaurants: These are places that also invite the public but can bar anyone who is disruptive. Good behavior is necessary to use this location for an exchange. Some parents don't like using stores or restaurants because the child expects to buy or eat something while on site. Again, watch out for vehicular traffic while on foot in parking lots.

Police Stations: Police stations are usually not a good place for exchanging children. People in distress and under arrest frequent police stations. It's a scary place for children. Officers are generally in the field and not on hand. Staff is not trained to monitor exchanges and is reluctant to intervene unless a criminal offense is involved. Exchanges at police stations give your child the impression that parents are not capable of making exchanges like most families. This undermines your child's confidence that their welfare is your top priority.

Troubleshooting: Child Abuse

Abuse defined by a loving parent is somewhat different than abuse defined by child protection authorities. Things you may consider abusive, such as refusing extra time to attend a cousin's birthday party or allowing the child to eat pizza at every meal, does not rise to the level of abuse that attracts the concern of child protective agencies. Officially "abuse" is any physical injury, sexual or emotional abuse inflicted on a child, other than by accidental means by an adult household member. Reasonable discipline is not considered abuse. A child suffering abuse as defined by law may be shielded from harm by an Order of Protection against the abuser. It is important to note that a child order of protection is not available if any prior order regarding custody of the child is pending or has been

entered. The matter must be brought to the attention of the court having "continuing jurisdiction" over the child.

It is a criminal offense for a person to knowingly act or act with criminal negligence in a manner that creates a substantial risk to the life, body or health of a child under age 17. It is a criminal offense for a parent to knowingly engage in sexual conduct with their child.

A parent genuinely concerned about abuse of a child subject of a custody order should take steps to bring the situation to the attention of the authorities and the court. You should consider a professional evaluation or to help you decide whether the child is really in danger or whether your fears have been magnified during emotional turmoil. A parent who intentionally interferes with the co-parent's access (when abuse is not substantiated) under the guise of concern for the child's welfare loses credibility with the court and authorities and will be less able to protect the child in the future.

Troubleshooting: Child Abduction

When parents are in disagreement over parenting time it is normal for each to wonder if the other parent will take off with their child. Concealment of the child, or abduction, is most likely to occur when the child is in a custody tug-of-war between parents. The U.S. Department of Justice reports that the majority of children abducted by a parent are returned within seven days, and only 10% of reported abductions last for a month or more. The U.S. State Department reports few child abductions involve a child leaving the country. Passport application requirements have been tightened to make it difficult for one parent to obtain a passport for

a child without the consent of the other parent. It is important for parents to distinguish between generalized fear of abduction and a likely threat.

A parent is more likely to abduct their child when there is a history of violence or child abuse, lack of stable ties to the community, erratic employment, trouble with finances, easily transferable job skills, connection to financial support while on the move, and making threats to abduct the child. Tips to discourage child abduction are discussed in a briefing brochure available from Family Court Services.

It is a criminal offense for a parent of a child not subject of a custody order to:

- Take or conceal a child without good cause and with an intent to deprive the co-parent of access.
- Take or conceal a child from the co-parent while a custody case is pending prior to entry of a custody order.

It is a criminal offense for a parent of a child who is subject of a custody order to:

- Take a child from a person entrusted with custody by court order
- Intentionally fail or refuse to return a child visiting out of state to the co-parent in Missouri
- Remove or conceal a child in or out of the state of Missouri without giving written notice of relocation with intent to deprive the co-parent of access

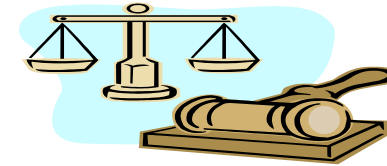
It is a defense to child abduction or parental kidnapping if the parent with custody or visitation rights failed to return the child as a result of circumstances beyond the parent's control and makes a reasonable attempt to notify the other person within 24 hours of when

parenting time expired, and returned the child as soon as possible.

It is also a criminal offense to intentionally assist in the abduction, parental kidnapping, or concealment of a child.

On conviction a parent or legal custodian may recover restitution for reasonable expenses incurred in searching for or returning the child.

Taking a child across state lines to interfere with custody also violates federal law.



Troubleshooting: Gatekeeping

Some co-parents fall into a pattern of sharing parenting time in a manner where one parent pleads for time with the child and the other parent resists it. This makes it difficult for the child to develop appropriate bonds with both parents. When a court subsequently enforces parenting time, the child is now at a disadvantage in relating to the co-parent. For the co-parent seeking access the dynamics of begging are demeaning and cause resentment.

“Gatekeeping” is a term that describes a parent’s attempt to control the co-parent’s interactions with the child. Anxious feelings may be the cause of the desire to limit and control the co-parent's access to the child. When anxiety is overblown, people tend to avoid situations that are not really threatening. Fear distorts

perceptions, which explains why some parents may be seen as reckless or careless when in reality they are not.

Restrictions placed on access between a parent and child means they are less familiar with each other. As a result the child and parent are less comfortable with each other. The restricted parent then appears less competent and less capable of making sound decisions. Your child needs to create a strong bond with both parents to feel comfortable and confident with each co-parent. Hands-on parenting demands that each parent have time alone with the child for bonding. Gatekeeping works against developing that bond and against hands-on parenting.

Co-parenting means sharing not only the caregiving chores, but the responsibilities of decision making and problem solving as well. When the relationship between the child's mother and father is stressful, co-parenting attempts may be compromised. In general, fathers will withdraw from their child when things are not going well with the mother, whereas mothers may draw even closer to their child when things are not going well with the father. Many have the false belief that as long as a child has one loving, caring parent, it really doesn't matter if the other parent is involved. Research in child development indicates that the child needs both parents.

Adapted from: Fathering for Life Part 1: Preparing for Successful Fathering by Ron Klinger, PhD

Troubleshooting: Hit or Miss Parenting

There are many possible reasons for a parent being unreliable about parenting time. A parent may feel uncomfortable about their role in the child's life under new circumstances and unsure how to behave with the child. A parent may be ducking their children's emotional reaction to separation. A parent may have feelings of inadequacy to parent, and so on. Some parents are just not responsible or punctual for anything and aren't about to change overnight.

Most children would prefer sporadic contact over no contact at all. It is hard for a primary residential parent to accept this preference when he sees his child's disappointment over missed visits. You can help your children by being supportive and listening as your child talks about her feelings. Don't let resentment make you say negative things to your child about the other parent. Unreliability probably bothers you more than it does your child.

Adapted from Divorce Book for Parents (1996) by Vicki Lansky

Troubleshooting: Others Butt In – whose business is it anyway?

You child's extended family will be interested in having a relationship with your child. It is likely the co-parents will establish new partner relationships as well. Some families focus on how additional adults add strength to child rearing and others focus on fears that their relationship with the child will be diminished.

There is also potential for loyalty conflicts to interfere with parenting business. It is a challenge to keep everyone centered on what's best for the child and avoid bickering between themselves.

Some of the trigger points for problems are:

- lack of communication about changes in family structure and relationships
- not giving the child sufficient time to come to terms with changes in family structure and relationships
- the perception of discriminatory treatment between biological and step-family members
- falling into the “labeling” trap, competing over who is a parent and who is not
- cutting the child off from extended family
- attempting to create a “new” nuclear family when your child in reality has two family households

Assess what is going on. Emotions are about *something*. Try to understand the concerns behind the emotion. Realize that anger does not mean the absence of love --- it is a part of loving. A family member who really doesn't care will not have emotions about what is going on. Is the conflict about people seeking to have their status honored? Reset appropriate boundaries between parent and ex-partner issues. Parents have an obligation to their child to do the right thing even when they don't feel the right thing. It may be easier temporarily for a parent to avoid engaging with a co-parent by pushing the parenting role off on another family member. In the long run, however, co-parents need to find a way to conduct parenting business that focuses on what is best for the child. Although it is unfortunate for the child when a parent is not engaged in co-parenting, there are worse consequences when co-parents and others war with each other over status roles.

Troubleshooting: Police

All custody orders in Missouri, by state law, include a paragraph authorizing law enforcement officers to enforce the rights of custody and visitation set out in the court order. This does not mean that the police become a parent's private enforcement agency. The authority of the police is limited to situations where there is no confusion about which co-parent is entitled to parenting time at the given moment. A valid, and usually certified, copy of the court order must be shown to police. Often there is confusion about which parent is rightfully on duty. For example, parents may have previously agreed to change times so they are not the same as in the court order or the order itself may be read in several different ways. Unless a criminal offense has occurred or the child is in immediate danger, police will be reluctant to interfere. It is a matter that the court can sort out at another time.

The upshot of calling police to assist with exchanges is the affect it has on the child. Asking the police to intervene hikes up the conflict between parents and makes it even more likely the exchange will involve significant stress for the child. Your child may perceive the situation as dangerous when police are present and is likely to fear that one or both parents are going to jail. This is not a pleasant setting for the beginning or end of parenting time with your child.

Troubleshooting: Relocation

Relocation for your child means a permanent change of your child's principal residence (90 days or more).

Written notice of a proposed relocation of the child or a parent must be given in writing by certified mail to the co-parent at least 60 days in advance. There is a continuing obligation to update relocation information when it becomes known.

A parent may file a motion to prevent relocation within 30 days of receiving a relocation notice. The parent wanting to relocate has the burden of proving that the proposed relocation is made in good faith and in the best interest of the child. The court may change the parenting schedule to assure continuing frequent and meaningful contact and can allocate the transportation costs and/or adjust child support as appropriate to balance the burden on parents.

Failure to provide notice of a proposed relocation may be grounds for modifying custody or visitation, ordering the return of the child, and awarding reasonable costs and attorneys' fees for the co-parent objecting to relocation.

Troubleshooting: Running Late

It takes effort to be punctual. Some people assign more importance to being on time than others. If you are a punctual person and the other parent is not, conflict is only a few minutes away! Examine whether there is an important reason for arriving or departing at a specific time or whether you are only experiencing irritation with the lack of respect for your desire for punctuality. Most judges expect parents to tolerate lateness of up to thirty minutes! To minimize exchange stress for your child you should decide whether the battle over the clock is worth fighting.

Find out whether the time set for the exchange is unrealistic. Work schedules, traffic and other commitments may be making it hard for the other parent to be on time. If there is a time problem, be willing to grant some leeway or adjust the time for exchanges.

It will be tricky to gain cooperation from the other parent since it will seem that you are just trying to dictate terms or control the other parent's life. Putting the other parent on the defensive will probably make the situation worse. Respectfully requesting that both of you work to re-negotiate the time of exchanges is one tactic that has some likelihood of success.

Another solution is to change matters within your own control. How much will you let the frustration and inconvenience of delay get to you? Decide how you are going to handle delays constructively. Perhaps there an activity you can enjoy while waiting. Another family member may be willing to make the exchange or wait with the child when you have to be elsewhere. Consider negotiating a "deadline" time with the other parent, when you will get a call if there will be a delay.

Adapted from Joint Custody with a Jerk (1996) by Julie Ross & Judy Corcoran

Troubleshooting: Supervision concerns

Few parents are comfortable with an "out of sight, out of mind" attitude when it comes to their child. Every parent harbors some fears about the care and safety of their child when out of sight. It alleviates a lot of anxiety for both parents to be fully informed about who and how

their child is cared for. State law requires parents to keep each other updated on the identity and location of child care providers being used. Any individual or organization providing care for 4 or more children who are not related to the provider must be licensed by the MO Dept. of Health and Senior Services (DHSS). Records of licensing, inspections, and suspensions are open to the public.

Concerns about child care skills of unlicensed care providers, such as family and friends, may be relieved by arranging for all care providers to attend child care classes. Local hospitals, school districts and social agencies offer short term programs of this nature. Parents as Teachers, a program offered by each local school district, is another great way of educating family members about child care and child development.

A child care provider who is impaired by alcohol, prescriptions, or a controlled substance may have questionable supervision skills while under the influence. It is important to distinguish between the use of alcohol and use to the level of impairment. The legitimate use of lawful substances will not trigger action by a child protection agency or courts unless use reaches the level of impairment. If an impaired parent begs off parenting time beware of scolding or berating the parent. It is better for the safety of your child that the parent voluntarily gives up parenting time than to conceal dangerous impairment in the ability to care for and supervise the child.

Including a "right of first refusal" in your child's parenting plan is one way to reduce the concern about care by others. Each parent gives the other parent the first opportunity to care of the child when a parent is not able to provide care. A third party caregiver would only

be used when both parents are unavailable. Parents can also specify others who get the second and third right of refusal, and so on.

When closer supervision of parent and child is required for the safety of the child, parenting time may be arranged in the presence of other adults. It is important that the adult(s) supervising be fair and impartial. Many supervised parenting plans start out with good intentions but create more stress and anxiety as loyalty conflicts are created. Be sure to secure the consent of all persons who wish to play this role in advance. Another option is to use the facilities of a supervised visitation center where people who are neutral and trained to supervise visits can make your child as comfortable as possible. Most families do not need permanent supervised visits. Parents should work on a plan to obtain counseling, child care training, and developing other options for contact between parent and child. Usually as the child gets older and more self-reliant the need for intensive supervision decreases and more relaxed arrangements can be implemented.

Troubleshooting: Threats and Violence

Every parent has the duty to respond to concerns about their own health and safety. Family violence can and does happen during times of emotional turmoil. It is every parent's responsibility to exert self-discipline at these times to protect the child from exposure to violence.

Domestic violence includes physical harm (hitting, kicking, slapping, throwing things, etc.) or threatening physical harm (with or without a weapon), coercing you

to do something or refrain from doing something by threats or use of force, harassing you (causing emotional distress by stalking, lingering at your home, peering in windows, following you, etc.), forcing or attempting to force you to engage in any sexual act, or holding you against your will. Placing a person in fear of imminent serious bodily harm by threat of force is also domestic violence. This includes threats of violence or other threats such as “I will hit you”, “If you leave, I will hurt you,” or “If you tell anyone, I will kill you,” so long as the act causes substantial emotional distress.

“Domestic assault” is a criminal offense in the state of Missouri. Persons within a family, household, or adults who are in or have been in a continuing social relationship of a romantic or intimate nature may not threaten or cause physical injury to each other.

If you are in any physical danger, seek help immediately. If you are uncertain how to proceed, call a hotline, the police, a court advocate, the emergency room at your local hospital, your family doctor, or a therapist for advice.

You may also seek relief for yourself by filing for petition for a full order of protection. This can be done without paying court costs in advance. Fees may be waived by the court. You do not need to be a citizen or legal permanent resident to get protection. The Court Advocate at the courthouse can assist you during regular business hours. Police officers can assist you on nights, weekends, and holidays. When a petition for a protective order is filed, a judge will review it and decide whether to issue a temporary (*ex parte*) Order of Protection. A court hearing for the Full Order of Protection, at which all people involved have an

opportunity to appear, will be held in approximately fifteen days. A Full Order of Protection may be granted for six months or one year and is renewable. Violation of a valid order of protection is a criminal offense.

Adapted from Mom’s House, Dad’s House (1997) by Isolina Ricci; Domestic Violence and the Law: A Practical Guide for Survivors (1998) by The Young Lawyers’ Section of The Missouri Bar; A Framework for Understanding the Nature and Dynamics of Domestic Violence (2006) by The Missouri Coalition Against Domestic & Sexual Violence

Troubleshooting: Transportation

The operator of a motor vehicle in which the child is riding must be licensed. Driver’s licenses for persons under age 18 have restrictions on the number of persons under age 19 who may ride in the vehicle with them and also the hours of operation, unless a licensed driver over the age 21 is in the front seat of the vehicle. All drivers must have liability insurance coverage. A driver whose license has been suspended may only operate a vehicle upon issuance of an order for limited driving privileges. An LDP restricts the time and places where the recipient may operate a motor vehicle.

Missouri law requires that children under the age of 16 riding in a car to be restrained as follows (all equipment must meet Federal Motor Vehicle Safety Standards): Child passenger restraint system affixed to vehicle by safety belt or universal attachment system:

- Child less than 4 years old regardless of weight
- Child weighing less than 40 pounds, regardless of age of child

Child booster seat to elevate child to properly sit in a safety belt:

- Child between ages of 4 and 8 who weighs between 40 and 80 pounds and is less than 4 feet 9 inches tall (or may be placed in a child passenger restraint system)

Vehicle safety belt:

- Child between ages of 8 and 15 who weighs at least 80 pounds and is at least 4 feet 9 inches tall (or may be placed in a child booster seat)
- A child who would otherwise be required to use a booster seat may sit in the back seat if the vehicle is equipped with a lap belt only, not a combination lap and shoulder belt

Most domestic airlines have special rules for children traveling by air, especially for children traveling without an adult companion. The age at which children may travel alone has been raised since 2001 in light of terrorism alerts. Children over age 2 must have their own seat. A seat will also have to be purchased for a child under 2 who will use a seat restraint. Depending on the age of your child the airline may limit travel to direct flights with no connections and may restrict the location of seating on the aircraft. Most restraints used in automobiles are acceptable for use in aircraft, but must bear the federal safety approval label to be used. The Federal Aviation Administration has also approved a ACSD (aviation child safety device) which is a four point shoulder harness that combines with the aircraft lap belt. You should be prepared to show documentation of your child's age when making a reservation for air travel. Some airlines add a surcharge to the cost of the ticket for unaccompanied minors. Each airline also has rules for check-in and arrival so that airline personnel can readily identify the child and

adults designated to handle the exchange. Last minute substitutions who will handle the exchange will not be possible. In most cases special forms must be completed in advance. Airline websites should be consulted for details.

Similar restrictions are made by Amtrack and commercial bus lines. Check the carrier's website or consult a ticket agent for details.

Troubleshooting: Your child is the problem

At various times all children will say they don't want to see or talk to a parent. Sometimes a child doesn't want to see a parent because it conflicts with another activity. Activities and visiting with friends are important for a child to build a social network and self-esteem; however, they need to be balanced with time with parents and family. Activities should not take precedence over parenting time without the on-duty parent's consent. As a child reaches pre-teen and teen years the desire for time with peers gets stronger. Parents must be realistic about apportioning time with an active teenager.

As children reach their teens, their personal relationships with each parent will come into play. Each teen has times of not talking to a parent even when a family is living together; this also occurs within separated families. Knowing when hostilities are hormonal in nature is one of the finer parenting lines to decipher.

A parent can also intentionally or unintentionally affect the child's desire to spend time with the other parent. A parent who makes the child a companion may foster guilt in the child about leaving the parent alone while spending time with the other parent. Children tend to cling to the more vulnerable, less dependable parent when they sense the other parent is committed to the child.

Sometimes a child does have a personality conflict with a parent and visits may be unpleasant. Visits may just be boring, particularly if the parent doesn't spend much time interacting with the child. The child may be angry at the parent and blame the parent for the separation of the family. The child may be having difficulty accepting the parent's new partner and confused about the role that person plays in family life. On occasion, one parent may attempt to influence the child in order to weaken the bond to the other parent.

If your child doesn't want to spend time with the other parent, it is important to let him or her know this is not an option. This is especially important with a young child. Ask your child to verbalize his or her reasons. Listen carefully. Do you detect anger, a loyalty bind, an unrealistic interpretation of adult words? Counseling may be required to make the child comfortable spending time with both parents when the foregoing issues are involved.

Children are also capable of manipulating exchange situations when they figure out that their parents are not focusing attention on them. Children are capable of saying and doing things to try to reunite parents, make them feel guilty, or to divide and conquer."

If you see your child using some of these techniques, check out whether it is literally true or if your child is manipulating the situation:

⊙ Telling one parent that the other parent made comments that were not made to get a reaction (example: "Mommy said I don't have to mind you.")

⊙ Telling parents things to drum up sympathy (example: "Daddy didn't give us anything to eat all day.")

⊙ Trying to get a parent to go to bat for them with the other parent (example: "Mom doesn't want me to spend any time with my friends. Can't you ask her to let me go to the pajama party?")

⊙ Making threats to get the child's way (example: Dad let's me do whatever I want. I want to stay with him.")

It's wise, if possible, to find out what the other parent says about it before accepting what your child says at face value.

Part III: Parent Scripts

The examples that follow are templates for effective interactions and communications with the co-parent.

Suggestions for Effective Communication with Your child's Co-Parent

- Pick a neutral, public place (like a coffee shop) to discuss important issues. This will keep the discussion more balanced. People tend to behave better in face-to-face discussion than on the telephone. Telephone communications are so instantaneous that they can quickly spiral out of control. When face-to-face is uncomfortable consider using mail or e-mail and remember to keep the tone respectful.

Rule of Thumb: If it's important enough to bring up, it's too important to bring up at the screen door during an exchange.

- Be polite. Avoid disrespect, sarcasm, put-downs, accusations, or assumptions.
- Remain calm. Take a time out if you feel emotions getting out of control.
- Set goals prior to a discussion and stay on the topic. When parents dwell on past problems, the present issue will not get resolved. Keep the topic child-centered. Avoid making it personal.
- Be an effective listener. You'll pick up ideas by listening. It is possible to listen without agreeing. Forget about trying to "go one up" on the other parent.

- Focus on developing solutions. A solution to a problem is far more important than who is to blame.
- Reword issues so you can talk about what is in your child's best interest instead of parent demands.
- Identify points of agreement. Once you have identified some things you can agree upon, both of you will feel like winners.
- Be flexible instead of insisting on getting "your way" about everything. Your child will benefit by your ability to reach a decent resolution.

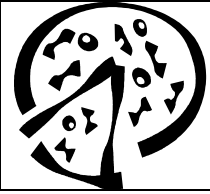
Use "I" Messages

Part of effective communication means attacking the problem, not the person. One way to attack the problem is to use "I" messages rather than "you" messages. An "I" message can often prevent the other person from becoming defensive. The other parent will feel attacked if you say, "You are always late. Would you please get here by 6:00 sharp from now on?"

An "I" message is a statement of your feelings or how you are affected by the situation and a specific request for action. For example, "I feel frustrated when the kids are picked up late. It would make things easier for them if we could come up with an exchange time we all could depend on."

Adapted from Making Divorce Easier on Your Child (2002) by Nicholas Long & Rex Forehand

PARENT - SCRIPTS



An Exchange like a Pizza Delivery

Parent 1: "Hi."
Parent 2: "Hi. How are you?"
Parent 1: "O.K. And you?"
Parent 2: "Fine. Here's Junior."
Child: "Hi."
Parent 1: "Hi Junior. Ready to go?"
Child: "Yes. I have homework"
Parent 2: "His math book is in his bag."
Parent 1: "You'll pick up Junior at 7:00 on Sunday night?"
Parent 2: "Yes. See you then, Junior."
Child: "O.K. Bye."
Parent 1: "Bye."
Parent 2: "Bye."

Limit your conversation to simple greetings if further discussion often leads to arguments. Find other ways of conveying information the other parents needs in order to take care of the child:



Call the other parent the night before



Place notes in a folder in the child's diaper bag or back pack



Email information to the other parent



Send a letter

Requesting change in schedule

Requests should not wait until the last minute. Trust and respect are built on consistency and predictability. Frequent and last minute changes undermine it. Avoid demands and ultimatums. It's easy to blow them off with a simple "no."

Demand: "I want to keep Junior tonight so he can attend his cousin's birthday party."

Request: "Junior is interested in attending his cousin's birthday party next Wednesday. It is in the evening and I am willing to keep him overnight. Give it some thought and let me know Sunday how this will work out."

Writing notes or sending e-mails can provide clarification of a schedule change and eliminate some of the verbal cues that cause tension in oral communication. Confirm schedule changes by a note or e-mail. Documentation avoids accusations and excuses. The parent who slips up cannot shift the blame.

Note/E-mail Example:

"Here is my understanding of today's phone conversation. On Thursday, December 14th, I will pick up Junior after school and take him to dinner. I'll bring him home by 8:00 P.M. I'll call the sitter on Monday to explain that Junior won't come home after school on Thursday. If I don't hear from you by this weekend, I'll assume this is your understanding as well. Take care."

Adapted from Mom's House, Dad's House (1997) by Isolina Ricci

PARENT SCRIPT: DOCUMENTING CHANGES

Mark your calendar and make a copy of the note before mailing it to the other parent. When the other parent receives the note, it is then posted in a public place (e.g., refrigerator, cork board) as a reminder to both parent and child. There is no need for future phone calls between the parents and far less possibility of misunderstanding. If a parent wants to change the plans, the entire procedure will need to be repeated.

Sample Plan for Changes to the Schedule

We agree that changes to the schedule will only be made when we both agree to it. Changes will be handled in the following way:

- 1. The parent on-duty with the children during the time in question will have the final say about changes during that time.*
- 2. The parent agreeing to a change must give the parent requesting a change two or three options for make-up time. The parent asking for the change must accept one of those options.*
- 3. Switching times will be for like times: weekdays for weekdays, vacation days for vacation days, etc.*
- 4. Traded time will be made up within four to six weeks.*
- 5. When a parent does not exercise on-duty time without arranging the change in advance with the other parent, there will be no reciprocal trading necessary.*
- 6. A parent will not make an arrangement or commitment that involves the other parent's on-duty time, effort or expense without first obtaining the agreement of the other parent. The only exception is reserving a spot in an activity pending the other parent's approval.*

Adapted from Mom's House, Dad's House (1997) by Isolina Ricci

PARENT SCRIPT: CHANGE OF ADDRESS

Missouri law requires parents to notify each other in writing every time they change address. The notice should be sent by certified mail at least 60 days in advance (or as soon as possible). It's a good idea to also have a copy put in the court file and to keep a copy for your records. The failure to provide notice may be grounds for the court to modify the parenting plan.

Notice of Proposed Relocation must include:

1. intended new address
2. home phone number at new residence, if known
3. date of intended move
4. a brief statement of the specific reasons for the proposed relocation of the child
5. a proposal for a revised parenting schedule taking into account the new distance involved

Bibliography

Building a Parenting Agreement That Works (Nolo Press, 2005) by Mimi Lyster

Co-Parenting Survival Guide (New Harbinger Publications, 2001) by Dr. Elizabeth Thayer & Dr. Jeffrey Zimmerman

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Mom's House, Dad's House (Simon & Schuster, 1997) by Dr. Isolina Ricci

Mom's House, Dad's House for Kids (Fireside Books, 2006) by Dr. Isolina Ricci

101 Ways to be a Long-Distance Super Dad...or Mom, Too!, (Blossom Valley Press, 1996) by George Newman

IMPORTANT PHONE NUMBERS

Clay County Services

Information	816-407-3600
Circuit Clerk (Civil)	816-407-3850
Children's Division	816-781-8900
Clay County Court Advocate (domestic violence)	816-407-3869
Mediation Programs	816-736-8400
Exchange and Visitation Services Hotline	816-736-8402

Legal Help

Lawyers Referral Service	816-221-9472
Legal Aid of Western Missouri	816-474-6750
Missouri Bar Association	573-635-4128

Parenting

BraveHearts Program for Dads	816-468-6336 x228
National Center for Fathering	1-800-593-DADS
Parent Link	1-800-552-8522

On-Line Resources

www.courts.mo.gov/casenet
Real time courts dockets and case information
www.circuit7.net
MO statutes, Form 14, Family Court Services, Case information on Case.net
www.courts.mo.gov
Court rules, parenting plan guidelines, Form 14 (child support)
www.mobar.org
Legal Pamphlets, Parenting Plan Guidelines & Forms
www.marchmediation.org
Mediation Resources, Form 14 link
www.uptoparents.org
A free, confidential, and interactive website for divorcing and divorced parents who are experiencing unnecessary hurt and expense
www.proudtoparent.org
A free, confidential, and interactive website for never married parents who are experiencing unnecessary hurt and expense
www.outreach.missouri.edu/parentlink
FAQs and resources on parenting

Free Brochures available from Family Court Services

A Parent Briefing about Exchanges

A Parent Briefing about Legal Representation

A Parent Briefing about Parental Kidnapping

A Parent Briefing about Parenting Plans

A Parent Briefing: What's this about Parallel
Parenting?