

Instructions for Child Visitation Schedule

The Child Visitation Schedule provides a place for you to specify the agreement you have reached regarding the custody and visitation for your children. Often this is the most emotionally charged and difficult area for people to reach an agreement. However, in many ways deciding the custody arrangement for your children is the most important thing on which you and your spouse need to reach an agreement.

First, in most cases, who is better qualified to decide what is best for their children than their parents? Second, unlike other issues you must resolve when separating from your spouse the obligation to care for your children is a responsibility you will share until the children are on their own. Third, it gives you and your spouse control over how your life will continue after your separation. If you eventually file for divorce and have not reached an agreement regarding the custody of your children there is simply no guarantees on how the judge will decide. Finally, if you have an agreement that everyone can live with there is less likely to be fighting and tension later.

This Child Visitation Schedule and the Separation Agreement are designed for people who have reached an agreement regarding the terms of their separation. Keep in mind that you are able to change the agreement to meet the needs of you and your spouse, and it is a good idea to consult the laws governing separation, and child custody in the state in which you live or lived while married. In particular it is important to note that the laws on child custody differ from state to state, though the major factor used by the courts in each state is the “best interests of the child” standard. When drafting your parenting plan you should always consider what is in the best interests of the children.

In addition, the Separation Agreement and the Child Visitation Schedule use the terms “custodial” parent and “noncustodial” parent. Custodial parent means the parent with whom the child/children will live with the majority of their time and in general this parent will be responsible for the daily needs of the child/children. Noncustodial parent refers to the parent that has the children less but has visitation and probably shares in the responsibility of making the major life decisions for the child/children. The terms used to describe child custody arrangements are not the same in each state. If you are planning to file your agreement with the Court or if you are planning to file for divorce and want to have your Separation Agreement be included in this process you may want to consult the laws of your state to determine the terminology used in your state. In many cases, this information can be found at your local courthouse.