

How to make a PARENTING PLAN

Please can you tell us about parenting plans?
We have been in a relationship for 6 years.
We have a 6-year-old daughter. We are no
longer in love and are ending our relationship.
Can we make a parenting plan?

Please can you tell me about parenting plans?
I have never been in a relationship with the
father of my child. We have a 1-year-old son.
The father has hardly had any contact with us.
Can we make a parenting plan?

REPUBLIC OF NAMIBIA

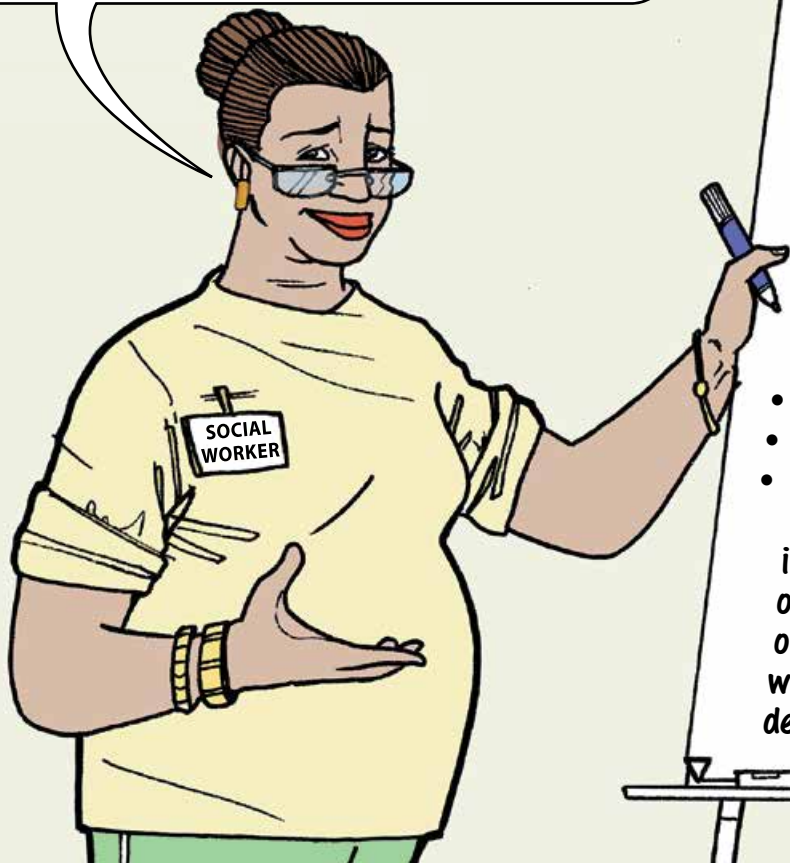
**Ministry of
Gender
Equality
and
Child
Welfare**

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WORKERS'
OFFICE**

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Yes. A parenting plan explains how parents intend to exercise their rights and duties towards their children. Parents can make a parenting plan if both of them want to do this, whether they are married or unmarried. The purpose of a parenting plan is to reduce conflict between the parents, especially where the parents do not live together.

When you make a parenting plan, you need to include enough detail for the plan to be useful. But you don't need to give details about every little thing. The plan needs to be flexible and realistic.



THINGS YOU MIGHT INCLUDE IN A PARENTING PLAN

- Where the child will live
- How maintenance will be shared
- Contact with the child by the parent who does not live with the child
- Contact with the child by extended family and other important people in the child's life
- Issues relating to schooling
- Issues relating to religion
- Issues relating to health (such as an agreement about including the child as a dependant on a parent's medical aid scheme, or about when both parents will be involved in health care decisions)

Some people will make a very simple parenting plan. Other people will make a very detailed plan. What you put into your plan will depend on your situation.



MORE THINGS YOU MIGHT INCLUDE IN A PARENTING PLAN

- Responsibility for Christmas and birthday presents
- Use of safety equipment (such as agreeing that the child must always wear a bike helmet)
- How the child will be disciplined
- Access to electronic devices and supervision of their use
- Photographs (such as rules about putting photos on Facebook)
- Bedtime routines
- Piercings and tattoos
- Pocket money
- Haircuts

Parenting plans can be made independently or with help from a lawyer, a social worker, a traditional leader or someone with experience in mediation.

Even though our romantic relationship is finished, we are still friends. I think we can make a parenting plan by ourselves. Let us think about what we need to include.

Yes, that is a good idea.



How can I make a parenting plan? Thomas, Sam's father, will not answer the telephone when I call him.

You provide the care for Sam. So you and I will make a draft plan. Then I will call Thomas and ask him to meet with me at my office. Thomas and I can talk about the draft plan together.



The viewpoint of the child should be considered when the plan is being made. The input that the child gives will depend on the child's age, maturity and development.

How is the child coping with the separation of the parents? Is the child upset by the situation?

Children may say what you want to hear rather than what they really think.

Is the child old enough to help make decisions about what goes into the plan? If the child is still young, you may need to explain the plan to the child instead of asking the child for input.

Remember that as your child develops you may need to revise your parenting plan. Even if your child is too young to give input now, it may be appropriate for your child to give input at a later stage when the plan is revised.

If the parents cannot agree on something, consider whether it is appropriate to ask the child to make a decision. Try to avoid asking a child to choose between the parents.

Consider asking another person to assist you when you involve the child. Then the child will not feel as though he or she is in the middle of a conflict between the two parents.





There are three different ways to finalise a parenting plan:

1. The plan can be kept private within the family.
2. The plan can be registered at the children's court.
3. The plan can be made into a court order.

Before a parenting plan is made into a court order, the court must attempt to contact the most important people in the child's life. This could include the child's care-giver, a grandparent or other extended family member, or anyone else whom the court or a social worker has identified as having an important role in the child's life.

SIX MONTHS LATER ...

Now that Simone is your new girlfriend I think we should add some new points to our plan.

Yes, we should agree on what Jessica will call Simone.



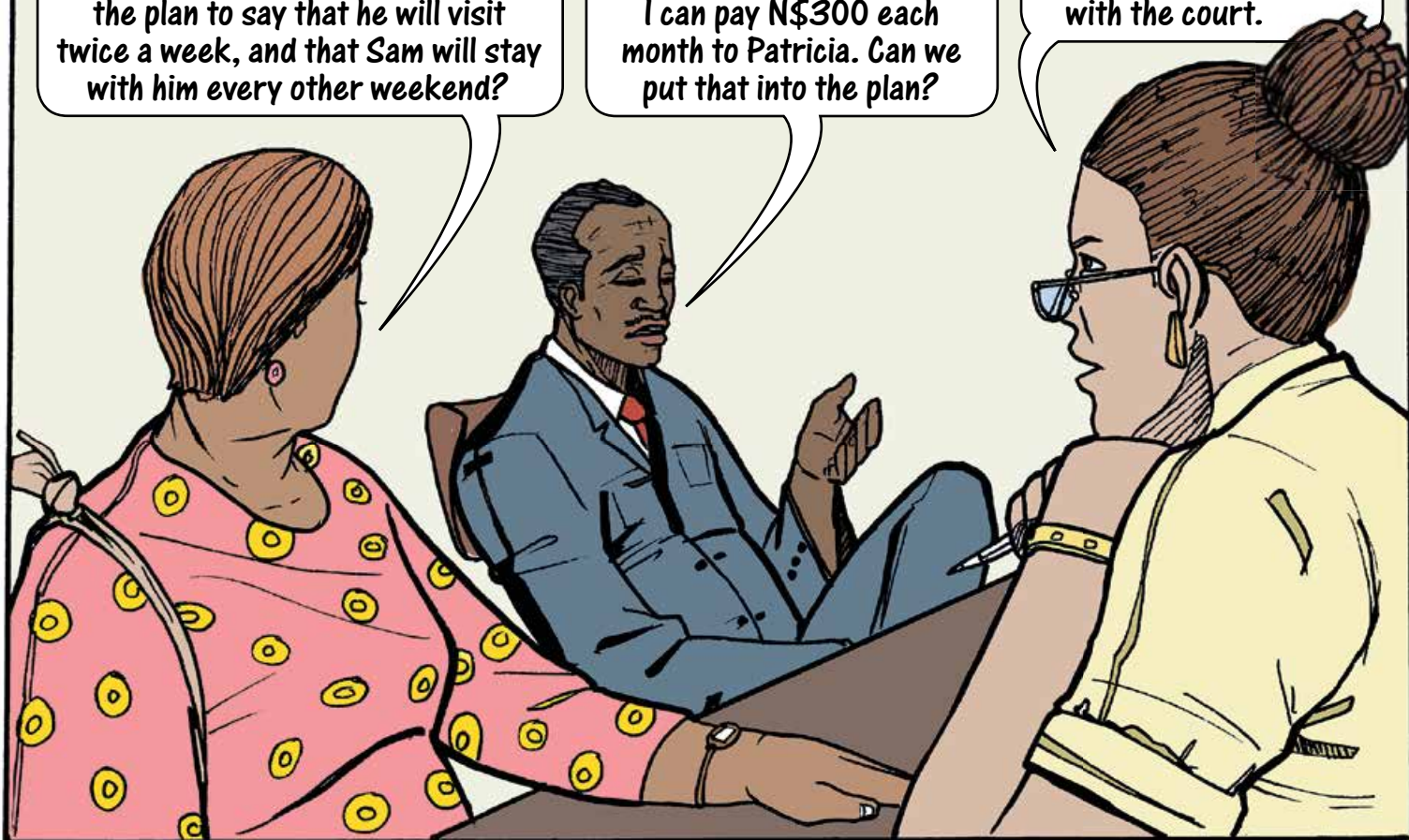
I would also like to limit the number of gifts Simone is buying for Jessica. Children love gifts but she is buying too many expensive things. I am a part-time secretary and do not earn a big salary, so I cannot compete.

I am glad we are talking about this. I did not mean to cause a problem. You are right. Let us agree on how much we should each spend on gifts.

The parenting plan is working very well. It has helped us to work together to care for Sam. The plan says that Thomas will only visit Sam once a week but he would like to come more often. Can we change the plan to say that he will visit twice a week, and that Sam will stay with him every other weekend?

In the past I was not paying maintenance regularly. But now I know that I have a duty to pay maintenance, and I want to support Sam. I have got a better job and I can pay N\$300 each month to Patricia. Can we put that into the plan?

These are really good changes. You need to notify the clerk of the court about the changes and make sure that they are registered with the court.



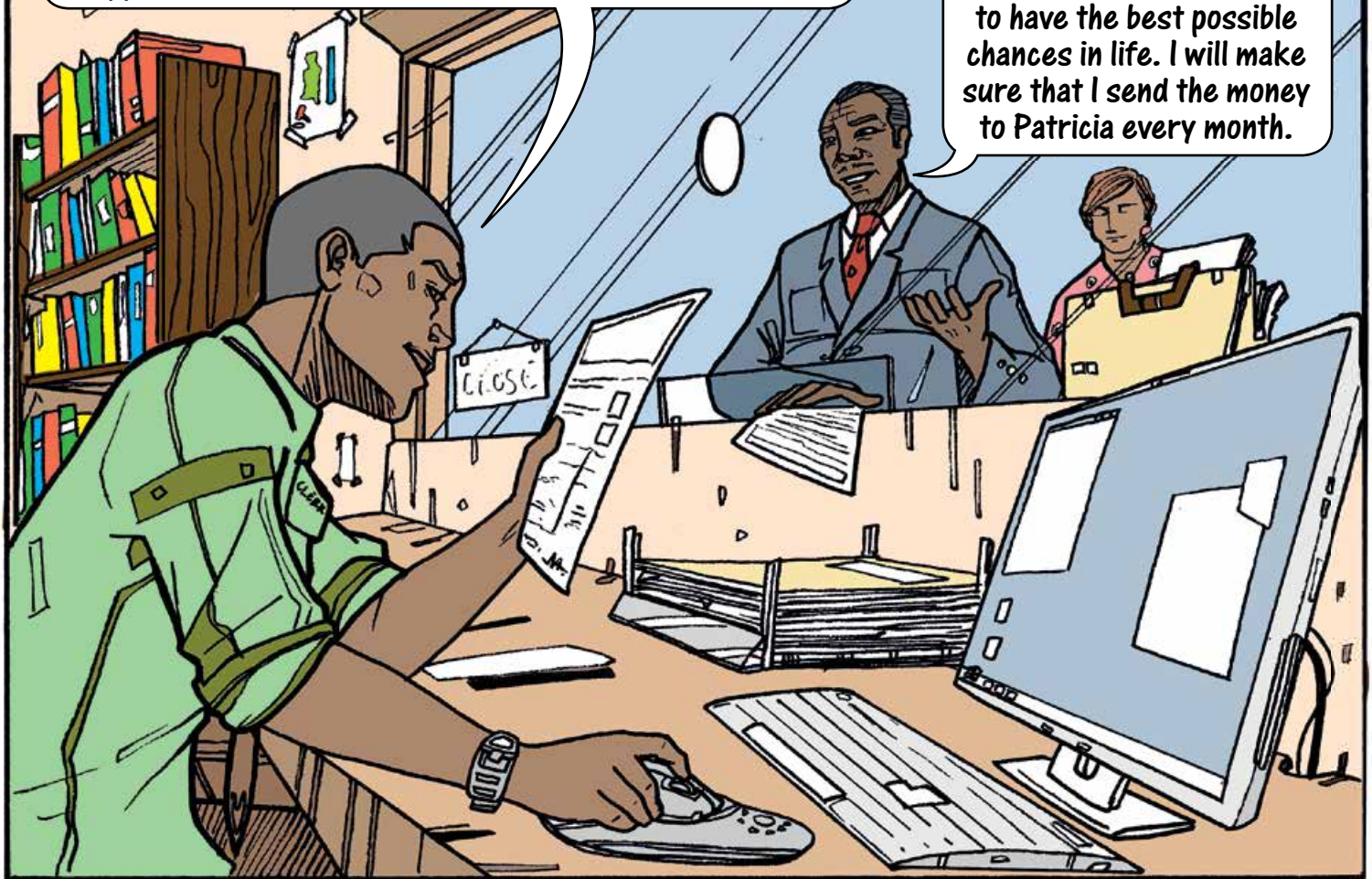
Do you remember my friend John? He and his girlfriend have made their parenting plan into a court order.

What is the difference between registering a parenting plan at the court and having the parenting plan made into a court order?

When a parenting plan is made into a court order, the parents can ask the court to assist if the plan is not followed, or if there is a dispute about what was agreed. A parent who wants to change or end this kind of parenting plan must apply to the court to change the court order.

I see you have added a provision on maintenance. Because your plan is registered with the court, the agreement to pay maintenance has the same weight as a maintenance order. Thomas, if you do not pay the maintenance, Patricia can approach the maintenance court to ask for assistance.

I understand. I know that I have a duty to pay maintenance, and I want to make my contribution. Sam is my child and I want him to have the best possible chances in life. I will make sure that I send the money to Patricia every month.



What is a parenting plan?

A parenting plan is an agreement between parents about the exercise of their parental rights and duties.

Who should make a parenting plan?

Parenting plans will most often be useful between parents of a child who do not live together, particularly if they were never married. Parenting plans might also be useful to divorced parents, if the divorce order did not include sufficient detail on all of the child-rearing issues which concern them.

How can a parenting plan be helpful?

Parenting plans are intended to help parents co-operate in raising their children. Parenting plans can help families make decisions before problems occur, to reduce the potential for conflict and protect the best interests of the child. They can also help prevent disputes because they serve as a written record of what has been agreed.

For example, perhaps parents who have never been married are disagreeing about the father's access to the child. They could make an agreement saying that he will visit the child every other weekend, and that the child will spend one Christmas holiday with the mother's family and the next one with the father's family.

If you would like more information about how to make a parenting plan, you can speak to someone at the Ministry of Gender Equality and Child Welfare.

If you would like to make a parenting plan, you can ask a lawyer, a social worker, a traditional leader or someone with experience in mediation for help.



If you have a comment or question about this comic, contact the Legal Assistance Centre:

SMS: 081 600 0098
Email: comic@lac.org.na • Fax: 061 234 953
Post: P.O. Box 604, Windhoek, Namibia

We would like to hear your feedback about this comic.

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Illustrations, design and layout:
TAFY TANG ARTS AND PERRI CAPLAN

Original funding:
EMBASSY OF FINLAND IN NAMIBIA

Funding for reprints:
EUROPEAN UNION

Printing:
JOHN MEINERT PRINTING (PTY) LTD

Publisher:
GENDER RESEARCH AND ADVOCACY PROJECT,
LEGAL ASSISTANCE CENTRE, 2018

This publication was reprinted with the financial support of the European Union. Its contents are the sole responsibility of LAC and do not necessarily reflect the views of the European Union.