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FAMILY/KIDS, RELATIONSHIPS

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Missouri governor Jay Nixon currently has a bill on his desk regarding shared parenting and parental equality after divorce. If he signs it, Missouri will join the list of states with child custody laws supportive of children experiencing the continued involvement of both of their parents after divorce or separation.

For decades it was assumed that “suitcase children,” who moved between separated parents’ homes each week, fared worse than their counterparts who lived with a single parent (usually the mother). However, recent research overwhelmingly supports joint custody, indicating that the benefits of maintaining close relationships with both parents outweigh any additional stresses from a mobile or complex living situation.

Shared parenting

“Shared parenting” has replaced the term “joint custody” as it shifts the focus to the child and eliminates the connotations of winning and ownership attached to “custody.” In a shared parenting situation, parental rights and responsibilities are allocated to both parents. In most shared parenting arrangements, the children regularly and frequently move between parents’ homes. The kids attend the same school and maintain their regular schedule of sports and social activities regardless of which house they happen to be sleeping at on a given night. Obviously both parents must live within commuting distance of each other to make such arrangements work.

Shared parenting requires both parents to be involved in the physical and legal care of the children, but it does not necessarily mean an equal, 50/50 division of time or child support. These and other significant aspects of parenting must be specifically addressed in a [parenting plan](#), which may need to be revisited as circumstances change and children grow. A parenting plan should identify how—or who—makes final decisions about the child and how information will be shared between parents. It could also spell out transportation and safety guidelines and set rules for contact with new partners and extended family, among other things.

Suitcase kids

While shared parenting has documented benefits, the issue of where children will sleep each night is still a big concern. The most common shared parenting arrangements aim for children to spend an equal amount of time with both parents. Two common scenarios are:

Alternate weeks: The most straightforward from a scheduling perspective, this schedule is often easiest for parents. Teens may also prefer this schedule, which they can keep straight in their heads, but this arrangement may involve more lengthy separations than some small children are comfortable with.

Two-Two-Three: While the logistics of this most mobile arrangement can be a headache, this schedule can be the least stressful option for young children, to whom a week away from Mom or Dad can seem like a lifetime. The two-two-three arrangement alternates each week. In the first week, the child spends Monday and Tuesday with Mom, Wednesday and Thursday with Dad, and Friday through Sunday back with Mom. The schedule flips the following week, giving Dad Monday and Tuesday and the weekend.

Bird nesting

Far less common, but growing in popularity, is the idea of “[bird nesting](#),” which puts the burden of mobility on the parents rather than the children. In a bird-nest arrangement, children remain in the family home at all times—it’s the parents who come and go according to an agreed upon schedule. The arrangement, which requires parents not only to agree on major parenting issues but also on more mundane aspects of housekeeping, can be quite complicated to implement. Depending on the specific arrangement, it can result in major expenses (with the parents maintaining three homes instead of two) or savings (as when one parent only spends a few days each month at the bird-nest house and can stay in a much smaller home the rest of the time). Regardless of the challenges, bird nesting is an arrangement that appeals to parents who want to minimize their divorce’s disruption of their children’s lives.

Bottom line

After a marriage fails, it is challenging, to say the least, to continue in the long-term partnership of parenting. But whatever the legal arrangement, joint custody works best when both parents [act like grownups](#). Even when everyone is acting with the children’s best interests at heart, [legal assistance](#) may be required to reach agreement on significant issues and to ensure that the parenting plan is legal and complete.

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