

Parents' Guide to  
Caring for Children  
after Separation

New Zealand Family Courts

# Putting Your Children First



# WHERE TO GO FOR HELP

## HOW TO CONTACT THE FAMILY COURT

Listed under Justice Ministry  
– District Court in the Blue Pages  
of the phone book. Ask to speak to  
the Family Court Co-ordinator.

More Family Court information from:

- Website:  
[www.justice.govt.nz/family](http://www.justice.govt.nz/family)
- Booklets for Children and Teenagers
- Detailed brochures available in  
print or on the website

## PARENTING THROUGH SEPARATION

A free information programme for parents  
0800 211 211  
Or contact your local Family Court

## HELPLINES

Barnardos  
(Greater Auckland area)  
0800 4 PARENT (0800 472 7368)

Plunketline  
For any concerns relating to your  
family or child – 0800 933 922

Women's Refuge Crisis Line  
For local phone numbers look in the  
alphabetic listings or in the Personal  
Help Services part of the Blue Pages  
at the beginning of the phone book.

Chinese Lifeline  
For Mandarin and Cantonese  
speaking adults and children  
0800 888 880

## HELPLINES FOR CHILDREN

What's Up (for up to 18 years)  
0800 WHATS UP (0800 942 8787)

Kidsline (for up to 18 years)  
0800 KIDSLINE (0800 543 754)

Youthline (for 10 years and older)  
0800 376 633

## COUNSELLING AND SUPPORT

Contacts for local Counsellors and  
support services can be obtained from  
the Family Court. Ask your local Family  
Court Co-ordinator.

## NATIONAL ORGANISATIONS WHICH OFFER COUNSELLING AND SUPPORT OR ADVICE

Relationship Services  
0800 RELATE (0800 735 283)  
[www.relate.org.nz](http://www.relate.org.nz)

Barnardos  
(ask about child and family  
services available locally)  
0800 222 345  
[www.barnardos.org.nz](http://www.barnardos.org.nz)

Māori Women's Welfare League  
Whānau Toko i te ora (parenting programme)  
04 473 6451

National Directory of Family and  
Community Services  
[www.familyservices.govt.nz](http://www.familyservices.govt.nz)

Citizens' Advice Bureaux and  
Community Law Centres

New Zealand Father and Child Society  
[www.fatherandchild.org.nz](http://www.fatherandchild.org.nz)

Skylight  
[www.skylight.org.nz](http://www.skylight.org.nz) – 0800 299 100

Putting Your  
Children  
First



## HELPFUL BOOKS FOR YOU:

- Trish Allen  
*You're Still Mum and Dad*  
David Ling, 1997
- Rhonda Pritchard  
*When Parents Part, How Kids Adapt*  
Penguin 1998
- Jan Rodwell  
*Repartnered Families*  
Penguin 2000

## AND FOR YOUR CHILDREN:

- Lois Tonkin  
*What about Me? – a Guide to Separation and Divorce for Children* Skylight 2003  
(question and answer format answering typical questions children ask, for 5-12 year olds)
- Jacqueline Wilson  
*The Suitcase Kid*  
Corgi Yearling 1993 (story about how 10 year old Andy deals with life after her parents separate and enter into new relationships)
- Fred Rogers  
*Let's Talk About It: Divorce*  
GP Putnam's Sons 1996 (for pre-school and younger primary school aged children)
- Karen Bryant-Mole  
*What's Happening: Splitting Up*  
Wayland 1992 (for older primary school aged children)
- Janine Amos  
*Separations Divorce*  
Cherrytree Books 1997
- Anne Fine  
*Step by Wicked Step*  
Puffin 1995 (story about five children who are all from separated families and each tell their story when they are thrown together during a storm)





# Putting Your Children First

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He aha te mea nui o te Ao?  
Ko ngā tamariki.

What is the greatest thing in this world? It is children.

# INTRODUCTION

## PUTTING YOUR CHILDREN FIRST

Your relationship with your partner may be changing, but your role as a parent is for life. When you separate, there are a lot of issues to sort out, but the most important is your relationship with your children. Your children need you to put them first.

**“The welfare and best interests of the child must be the first and paramount consideration.” Care of Children Act 2004**

It's what the law says because it's what your children need.

## REACHING AGREEMENT

The best decisions for your children are where:

- You both co-operate with each other
- You and your children (when they are old enough to tell you what they think) work together to sort out arrangements for their future
- You reach agreement without fighting and arguing
- You encourage your children to express their feelings and be involved in the plans – this will help them adapt to their new lives
- You both stick to the arrangements, but are flexible and co-operate if they need to be changed for your children's sake
- There are as few as possible changes to other parts of your children's lives

**When we split up 7 years ago I just looked at Jamie, who was 2, and I promised him I'd still be his Dad. He's always been with me as much as he's with his mum. That's meant big changes for my work and where I live, but I look at other separated dads who hardly ever see their kids and I think, no way...**

**Mike**

## WHAT IS BEST FOR YOUR CHILDREN?


Your children need both of you, regardless of the issues in your relationship. They also need to keep connected with family and whānau (grandparents, uncles and aunts and cousins) and friends.

### MAINTAINING THESE RELATIONSHIPS IS IMPORTANT FOR THEIR:

- Self esteem and mana
- Emotional development
- Ability to deal with difficult times
- Ability to adjust to your separation
- Family relationships and whanaungatanga

Children are not able to see the situation in an adult way. A child's perspective is mostly self-centred and this may sometimes seem hurtful and unfair, but you need to respect it.





“Aha koa kua mahue  
aku mātua ko au  
tono tā rāua tamāhine”

Although my parents have split up, I am still their daughter.

# FIRST THINGS FIRST – YOUR CHILDREN

## WHAT DO WE HAVE TO DO FIRST?

As soon as you stop living together you need a plan so that your children keep seeing both of you

- Make this your first priority
- Keep this separate from the other things which you will need to sort out later, like property
- Agree on an initial plan, with your children if they are old enough, for where your children will live and how they will see both of you



- A more long term plan can be worked out later
- If your ex-partner wants a plan you don't like:
  - It's probably better to agree to see your children on your ex partner's terms in the meantime, rather than not seeing them at all until you get final agreement
  - Make sure your ex-partner knows you are not happy with the plan and that you want it changed
- Remember, time not seeing one parent seems much longer for children, especially for little children under 6
- Even a short time without contact can be hard for children

## VIOLENCE AND EMERGENCY SITUATIONS

### WHAT IF THERE IS VIOLENCE OR ABUSE TOWARDS ME OR MY CHILD, OR IF ONE PARENT HAS A DRUG OR ALCOHOL DEPENDENCY?

- Your child's safety and your own safety come first
- You **do not** have to let any person have contact with your child if that puts you or your child at risk

### HOW CAN SUPERVISED CONTACT HELP?

Supervised contact can be arranged (and may be paid for) by the Family Court to enable safe contact between your children and their other parent.

It can also be used so you don't have to see your ex-partner at changeover times.

Speak to your lawyer or the Family Court for more information.

**Family violence and abuse have a huge impact on children – don't put them at risk. Get help now.**

- Contact the Police dial 111 or Women's Refuge Crisis Line (see p.2 for contact details) or Child, Youth and Family phone 0508 FAMILY, 0508 326 459
- To find out about protection orders see a lawyer

### WHAT IF I THINK MY CHILD'S OTHER PARENT IS GOING TO TAKE OUR CHILD OVERSEAS?

- The Court can order that your child is not to be removed from New Zealand
- Phone a lawyer urgently to discuss your options
- If you don't know who to see, phone the Family Court urgently (see p.2 for contact details)

**“I wanted to ring Sarah every night, but she didn't say anything, she was only 5 and I felt like crying. I'm so pleased I didn't give up though, it was worth it. We still talk every day on the phone now, and I think I've got a better relationship with her than a lot of Dads who haven't split up.”**

**Derek**

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# UNDERSTANDING YOUR FEELINGS AND SOME IDEAS FOR HELPING WITH THEM

## WHAT MAKES IT ALL SO HARD?

After the separation:

- You may be in a state of shock
- It's completely natural to have very strong feelings, and to find it difficult to be reasonable at first



### You might be feeling a mixture of -

- Hatred
- Regret
- Foolishness
- Fear for yourself
- Fear for your children
- Isolation
- Loneliness
- Blame
- Guilt
- Confusion
- Anger
- Worry about the future (money, housing)
- Frustration
- Hopelessness
- Grief
- Shame
- Embarrassment
- Relief
- Jealousy
- Resentment
- Shock
- Disappointment
- Exhaustion (especially if you are now looking after your children on your own)
- Sadness

### WHAT HAPPENS IF I LET MY FEELINGS TAKE OVER?

Things will get worse because you're more likely to:

- Be unreasonable and not think clearly about what's best for your children
- Try to get your children to take sides
- Punish your ex-partner
- Get revenge
- Remove your ex-partner from your life and from your children's lives

### HOW CAN I BE MORE REASONABLE?

- Accept your emotions and your feelings towards your ex-partner
- Stop blaming yourself and your ex-partner
- Communicate with your ex-partner. If it's difficult get help (see p.2 for contacts)
- Take positive steps to help yourself cope

## IDEAS FOR COPING ...

- Take good care of your health, especially –
  - Eat well and get some exercise
  - Remember it's OK to cry
  - Do something you enjoy, take up a hobby or an interest
  - Try not to rely on drink or drugs – you will be able to deal better with what's going on for you and your children. Ring the Alcohol and Drug Helpline 0800 787 797 for help if you need it
  - Get as much sleep as you can
- Stop and think about how you feel and what to do
- Tell people what's happening, especially whānau and friends, tell them what they can do to help, make sure you keep in touch
- Ask for help to look after your children when you need a break
- Talk to other parents you know who have split up
- Talk to a counsellor – contact the Family Court Co-ordinator to arrange this
- Re-build your trust with your ex-partner in ways you can manage
- Focus on the things which are better since you've separated
- Organise support from friends and whānau
- Work at developing friendships if you are new to the area
- Let the children see you laugh
- Keep a diary – record how you and your children feel so you can see how much stronger you feel as time goes on
- If you don't feel like things have got any better for you after 6 months, see a counsellor for help (see p. 2 for contacts)

Be strong for your children. It helps if you focus on what you know will make your children happy.



# HELP FROM FAMILY, WHĀNAU AND FRIENDS

## WHAT CAN THEY DO?

They can give lots of practical support –

- Offer to look after your children so you can have time to look after yourself and sort things out
- Let you know how special your children are to the whole family and whānau
- Help your children have some quiet, relaxing time away from conflict
- Be a “listening ear” for you and your children

## If necessary, your family and whānau can take on some ongoing responsibilities for your children.

- Sometimes the best place for children is with others, either for a short time (if parents need a break to sort out their own personal issues) or long term
- The Family Court can support family and whānau members taking on this role and becoming carers or kaitiaki by making guardianship and parenting orders. Talk to a lawyer or the Family Court on how this can be arranged





listen to  
what i've got  
to say



# COMMUNICATING WITH EACH OTHER AND WITH YOUR CHILDREN

## HOW CAN I COMMUNICATE WITH MY EX-PARTNER ABOUT THE ARRANGEMENTS FOR OUR CHILDREN?

### It helps if you –

- Don't discuss arrangements where your children can hear you
- Focus on supporting your children and don't talk to them about your relationship with your ex-partner
- Set aside a good time and place for talking about the arrangements for your children, perhaps a telephone call after the children are asleep
- Don't blame your ex-partner
- Put yourself in your children's shoes and ask what's really best for them
- Get someone to help you sort out arrangements who won't take sides – like a counsellor

There is a free information programme for parents called Parenting Through Separation. Call 0800 211 211 or contact your local Family Court to find a programme in your area.

**The Family Court will arrange free counselling to help you sort out arrangements for your children.**

### COMMUNICATION TIPS

- Listen to your ex-partner without interrupting
- Use words like – “I like it when ...” “I feel ...”
- Don't use blaming words like – “You always ...” “You never ...”

**Your children will benefit if you can work things out without fighting**

**“The kids are grown up now – we've been separated for years, but we've still always celebrated the kids' birthdays and weddings together. The kids have said it's been fantastic for them we've done it this way. We're even friends now, really, but there are things we could never discuss.”**

**Helen**

# HOW CAN I LOOK AFTER MY CHILDREN'S FEELINGS?

## WHEN PARENTS SPLIT UP, CHILDREN OFTEN:

- Feel confused and insecure because they don't understand what's happening
- Blame themselves
- Cover up their emotions

**You might think your children are OK because you're too busy just coping to notice what's going on for them.**

Remember:

- This is a time of major change for them as well as for you
- Children don't usually have the skills to understand when they need help
- Each of your children has different needs

**Talking with your children is important – keep communication as open as you can:**

- **Find times for your children to be alone with you without distractions (car trips can be good)**
- **Ask them if they have any questions about what's happening**
- **Ask them how they feel**

**Listen to your children**

**Show them you are listening**



## ANSWER YOUR CHILDREN'S QUESTIONS

- Answer your children's questions briefly and tell them honestly what's happening (even if they seem too young to understand)
- Don't pass on 'adult' information or details of conflict between you and your ex-partner

“Often children want their parents to get back together. If you know this is not going to happen tell your children, then they can work through the changes instead of waiting and hoping that you’ll get back together”

Family Counsellor

## REASSURE YOUR CHILDREN

Tell your children **many times**:

- It isn't their fault that you're splitting up
- **You still love them** even though you have split up
- Splitting up is very common
- Be affectionate – give your children lots of hugs



## TELL YOUR CHILDREN THEIR FEELINGS ARE OK

- Let your children know you want to hear how they feel - but don't pressure them
- Just listen - don't feel you have to fix their feelings. It's painful, but you can't
- Tell your children it's normal to have the kinds of feelings they've told you about
- If they say they're worried, try to find out what's on their mind and reassure them

## PRACTICAL IDEAS TO HELP YOUR CHILDREN DEAL WITH THEIR FEELINGS

- Help your children notice when things are getting easier and there's less conflict as time goes on
- Help your children keep up their usual routines, especially contact with family, whānau and friends
- Make sure people like your children's teachers know what's going on at home
- Plan something positive together to look forward to

## WHAT IF I'M WORRIED ABOUT HOW MY CHILDREN ARE COPING?

If you're worried about how your children are reacting or you're struggling to deal with their emotions and behaviour, talk to their school guidance counsellor, a health professional or a counsellor. For organisations you can contact, see page 2.

## HOW CAN I MAKE SURE OUR CHILDREN HAVE A SAY?

Work as a team with your children to make the best possible arrangements for their future.

### Always ask for their views

- Children older than 11 are especially likely to have views about the future
- **Don't pressure your children to make choices**

### Respect your children's right to say nothing

- They may want to leave all the arrangements to you. Let them know this is OK
- They might prefer to have their say through a counsellor or another family member

## THE DECISION-MAKING PROCESS

If your children want to help decide, then:

- Explain you can't promise to follow their suggestions
- Make sure they have all the important information
- Help them understand the options
- Let them know they can ask you for guidance, then be honest and keep their best interests in mind

### TAKE YOUR CHILDREN'S VIEWS INTO ACCOUNT

If your children do tell you what they want:

- Try to fit their wishes into the arrangements
- If this can't be done make sure you explain why

I want to  
see both  
yo



# PLANNING YOUR CHILDREN'S LIVING ARRANGEMENTS

## WHAT ARE THE BEST ARRANGEMENTS FOR DAY-TO-DAY CARE AND CONTACT?

These will be different for every family because of your different arrangements and circumstances.

### When planning for the future:

- Put your children's interests first
- Ask your children what they think
- Talk to each child alone about their separate needs
- Remember that, generally, the more equal time your children can spend with each of you, the better
- Remember, your children's sense of time is different from your own. A child under six finds a week a long time.
- Plan changeovers carefully. If they tend to create conflict, ask friends to help by doing them at their house so you can avoid seeing your ex-partner. Or ask the Family Court Co-ordinator about supervised contact.
- Work out what's practical and realistic for your family
- Write down the arrangements you have agreed on and stick to them



### LOOK AT LOTS OF OPTIONS:

- Children spend a week at a time with each parent, with a meal and a night stay at the other parent's home during the week (especially to break up the time for little children)
- Children spend half their time with each parent with a midweek swap over at school
- Arrangements can be managed by teenagers themselves as they get older

- One parent has day-to-day care during the week, and the children have contact with the other parent every other weekend and for half the school holidays
- Parents live close to each other, with the children moving between houses
- Children stay in the family home and parents take it in turns to stay there with the children (perhaps as a temporary arrangement)
- Regular contact with other members of the family and whānau is kept up

## WHAT OTHER THINGS DO WE ALL NEED TO PLAN?

**Special occasions, school holidays, birthdays, school, sports and other functions, major family and whānau get-togethers.**

- Remember how important these events are for your children
- Listen to what your children want to do
- Plan to make them successful for your children
- Make sure you sort out well in advance what's going to happen and let everyone know, especially your children
- These times can be very hard for everyone, especially in the first year after separation, but they usually get easier as time goes on



Plan regular discussions with your ex-partner about your children. Don't wait for something to go wrong when it will be harder to sort out.

**“At Christmas I stayed in Auckland so Moana and Tamara could spend some of the day with their Dad like they wanted. My family in Wellington wanted us down there and they were furious, they just don't get it – I'm not giving in to my ex-partner, I'm looking after my girls.”**

**Kathy**

## HOW CAN I HELP MAKE THE ARRANGEMENTS WORK WELL FOR THE CHILDREN?

### GETTING ON WITH YOUR EX-PARTNER

#### Do :

- Stick to the arrangements for the sake of your children
- Only make changes without your ex-partner's agreement in an emergency (and be understanding if your ex-partner has to do this, you may be in the same situation next week)
- If you change arrangements with your ex-partner to suit yourself, make sure you tell your children yourself, don't leave it to your ex-partner
- Always keep your ex-partner up to date with your contact details for emergencies
- Co-operate and be fair
- Be kind and supportive on issues around your children

**“I need to be able to feel proud of my dad”**

**Rangi, aged 12**

#### Don't :

- Don't keep fighting, especially in front of your children
- Don't try to find out about your ex-partner's life by using your children as spies
- Don't ask your children to pass on messages to your ex-partner
- Don't say mean things about your ex-partner in front of the children

**“I don't like Dad talking about how he hates what Mum does – she's still my mother – I'm part of her”**

**Caitlin, aged 11**

## GETTING ON WITH YOUR CHILDREN

### Do :

- Stick to the arrangements, otherwise your children will be disappointed
- Let your children know what the plans are
- Make your children your first priority when it's your turn to have them
- Have fun with your children, leave your work until later
- Look for free fun activities
- Keep communication with your children open
- **Tell your children that you love them !**

**“Ko ngā tamariki te tirohanga atu mō ngā whakatipuranga”**

**The children represent our future generations**

### Don't :

- Don't ignore your children – if you have to, ask them to wait till you can give them your full attention
- Don't force your children to take sides
- Don't ask your children to spy on your ex-partner by providing information
- Don't ask your children to pass messages to your ex-partner
- Don't feel bad if you can't afford to buy things your children ask for – your time and love is what they really want



# MOVING AWAY

## WHAT IF I AM THINKING ABOUT MOVING?

- Talk about it with your ex-partner first
- This could make the separation more difficult for your children, especially if it means:
  - Being apart from their other parent
  - A break in contact with family, whānau and friends
  - A new school



## WHAT IF MY EX-PARTNER HAS MOVED AWAY?

Many parents live apart in ways that make weekly or even monthly contact difficult with their children. Don't let this stop you encouraging your children to have contact.

- Keep in contact by phone
- Look out for cheap calling specials and for cheap airfares
- Use the internet and 'MSN Messenger' type chat services to stay in touch
- Use the school holidays and plan contact well ahead

# NEW PARTNERS

## WHAT CAN I EXPECT FROM MY CHILDREN WHEN I HAVE A NEW PARTNER?

Be patient:

- New partners may make the separation harder for your children to cope with
- Make time for your child to be with you without your new partner
- It's best for your children if you delay living with anyone else until they've had time to get used to you splitting up
- Listen to what your children say about your new partner without feeling you have to change their minds or agree with them

- Understand your children’s point of view
- Children often feel they cannot accept your new partner without feeling disloyal to their other parent
- Be realistic about what to expect from your children
- Don’t ask your children to call your new partner ‘mum’ or ‘dad’

## WHAT IF MY NEW PARTNER HAS THEIR OWN CHILDREN?

Be patient:

- Step families can be very difficult for children to adjust to on top of your splitting up
- Ask your children to tell you how they feel about the situation, listen to what they say and try to help

“Try and take into account the kids’ views because the kids know what they want more than the parents do because they’re them”

Kirsty, aged 12

## RECORDING THE ARRANGEMENTS YOU’VE AGREED ON

### WHAT DO WE DO IF WE’VE AGREED ON ARRANGEMENTS OURSELVES?

For most children the best solution is when you keep them involved and reach agreement yourselves.

**You do not have to see a lawyer to record your agreement and you do not have to go to Court.** Most people never need to go to Court.

- *Unwritten or verbal agreements*  
You can make an informal, verbal agreement between yourselves
- *Written agreements*

Sometimes it’s better to write the arrangements down and both sign them to show you agree. This is often called a parenting agreement. An easy to use Parenting Plan booklet can help you document these arrangements. Ask your local Family Court for a free copy or visit [www.justice.govt.nz/family](http://www.justice.govt.nz/family) to download a copy. You don’t need a lawyer to make this kind of agreement about your children. A written agreement can be made into a Court Order. This might be useful if conflict arises later on

# WHAT TO DO IF YOU CAN'T AGREE

## HOW CAN WE SORT THINGS OUT FOR THE CHILDREN IF WE CAN'T AGREE OURSELVES?

### COUNSELLING

- A counsellor is a neutral person who can help you both understand and deal with the things which have got in the way of you reaching agreement
- You can talk to a counsellor on your own, together, or a mixture of both – this could really help sort out the issues about arrangements for your children
- Contact the Family Court Co-ordinator at the Family Court to arrange some free counselling sessions

### APPLYING FOR A PARENTING ORDER FROM THE FAMILY COURT

You can apply for a Parenting Order at any time, but if you haven't tried to reach an agreement through counselling the Court will usually require you to go to counselling first. If you are unable to agree after counselling the Court will request mediation.

### MEDIATION

- Mediation is another chance for you both to sort out the arrangements for your children. It's run by a Family Court Judge and paid for by the Family Court
- It may be your last chance to avoid going to Court – give it your best shot
- Keep an open mind, focus on what's best for your children and be prepared to compromise


Who will be at mediation?

- The Judge, your lawyers (who will take a back seat and not usually speak) and the lawyer for your children (children won't usually be there).

How is it run?

- You will both have an opportunity to talk about how you see the issues
- The Judge will try to help you reach agreement

**Remember, children usually want the arrangements to be fair and for there to be no fighting!**



"I feel like a jigsaw puzzle that's  
been thrown up in the air and  
the pieces have come down all  
over the floor"

Sara, 10 year old girl whose parents  
have been arguing in court about  
arrangements for her day-to-day care

## WHY SHOULD I THINK TWICE ABOUT TAKING OUR DISAGREEMENT TO A FULL HEARING IN COURT?

### Be aware

Going to court will:

- Take a long time and for your children it will seem even longer
- Take up huge amounts of emotional energy
- Probably be very expensive – legal costs can be many thousands of dollars. Even if you get legal aid it might only be a loan which you will have to repay
- Mean you hand over your decision-making role to a judge

### Ask yourself honestly:

- are you keeping the conflict alive for your children's sake, or for your own sake (maybe you're trying to 'get even', not wanting to back down or wanting to prove you are right?)



## IF WE GO TO COURT WHAT WILL HAPPEN?

**You will not get the Judge to take “sides” – their job is to make the decision which they believe to be in your children's best interests.**

- You and your ex-partner will be represented by your lawyers
- You will give evidence
- Generally your children will not appear in Court; they will be represented by a Lawyer for the Child
- Reports from a psychologist and other experts are sometimes given to the Court
- How you and your ex-partner have behaved in the past to each other can only be considered if it's relevant to your children's interests

## The Lawyer for the Child

The Court will appoint a separate lawyer to act for your children.

The Lawyer for the Child:

- Is a lawyer experienced in family law
- Represents only your children's interests, not yours
- Will try to help everyone to come to an agreement in the best interests of your children
- May get reports to help the Judge get a full picture of what's going on for your children from:
  - School
  - Psychologists
  - Cultural advisors
  - Social workers

## WHY SHOULD I TAKE PARENTING ORDERS SERIOUSLY?

If you break the terms of a Parenting Order (including one made yourselves by agreement) the Judge can:

- Reduce the time you may spend with your children
- Require you to go to counselling (you can also ask for counselling yourself at anytime)
- Order you to pay a bond into the Court – this is an amount which you may lose if you break the order again
- Order you to pay legal costs
- Issue a warrant to enforce the order through the Police
- Fine you
- Send you to prison for up to three months

**“E kore au e ngaro te kākano i ruia mai i Rangiatea.”**

**“I shall never be lost, for I am a seed sown from Rangiatea.”**

# FAMILY COURT PROCESS

At all of these stages you will be encouraged to reach agreement so that you don't end up in Court.

**Counselling**

**Application to Court  
for Parenting Order**

Lawyer for the Child appointed

**Counselling**

**Mediation**

Specialist and Cultural Report  
Writers Appointed

**Court Hearing  
Parenting Orders Made**

**Orders enforced**

**Counselling to help you  
make the Orders work**



# SOME COMMON MYTHS... AND REALITIES

MYTH/UNTRUTH	REALITY/TRUTH
All children will be damaged if their parents split up.	<ul style="list-style-type: none"><li>• It is true that often children will have a short term reaction</li><li>• If parents behave well, the negative effects of separation for children can be kept to a minimum</li></ul>
It doesn't seem to have affected our children.	Children experience their own feelings when parents separate - <ul style="list-style-type: none"><li>• They may need encouragement to talk about their feelings</li><li>• They may be avoiding or concealing their feelings to protect you, to avoid making things worse</li></ul>
A Judge will have to decide what happens to our children.	It is the parents' or guardians' responsibility to make arrangements for the children – most people sort out things without going to Court.
A hopeless partner is a useless parent.	What it takes to be a good parent is different from what it takes to be a good partner.
Our children are only safe with me.	Parents need all the help they can get bringing up children.  You had to learn to parent. You may have to let the other parent learn to do that too.

## MYTH/UNTRUTH

## REALITY/TRUTH

Contact isn't worth the trouble.

Most children need a relationship with both parents.

Most children want a relationship with each parent.

The parent who wants the greatest share of day-to-day care loves the children the most.

Love can't be measured in this way – making the most of the time you have is more important.

Anyone can get legal aid.

There are rules about who can get legal aid, whether it should continue, and how it is to be repaid.

If I don't have day-to-day care I won't have a say.

Both parents are guardians, which means both of you have a say on the important matters

Mothers are the best day-to-day caregivers.

Children need both parents – fathers and mothers are equally capable of looking after children (with only the exception of breast feeding).

I can make our children love me the most by pointing out all my ex-partner's faults to them.

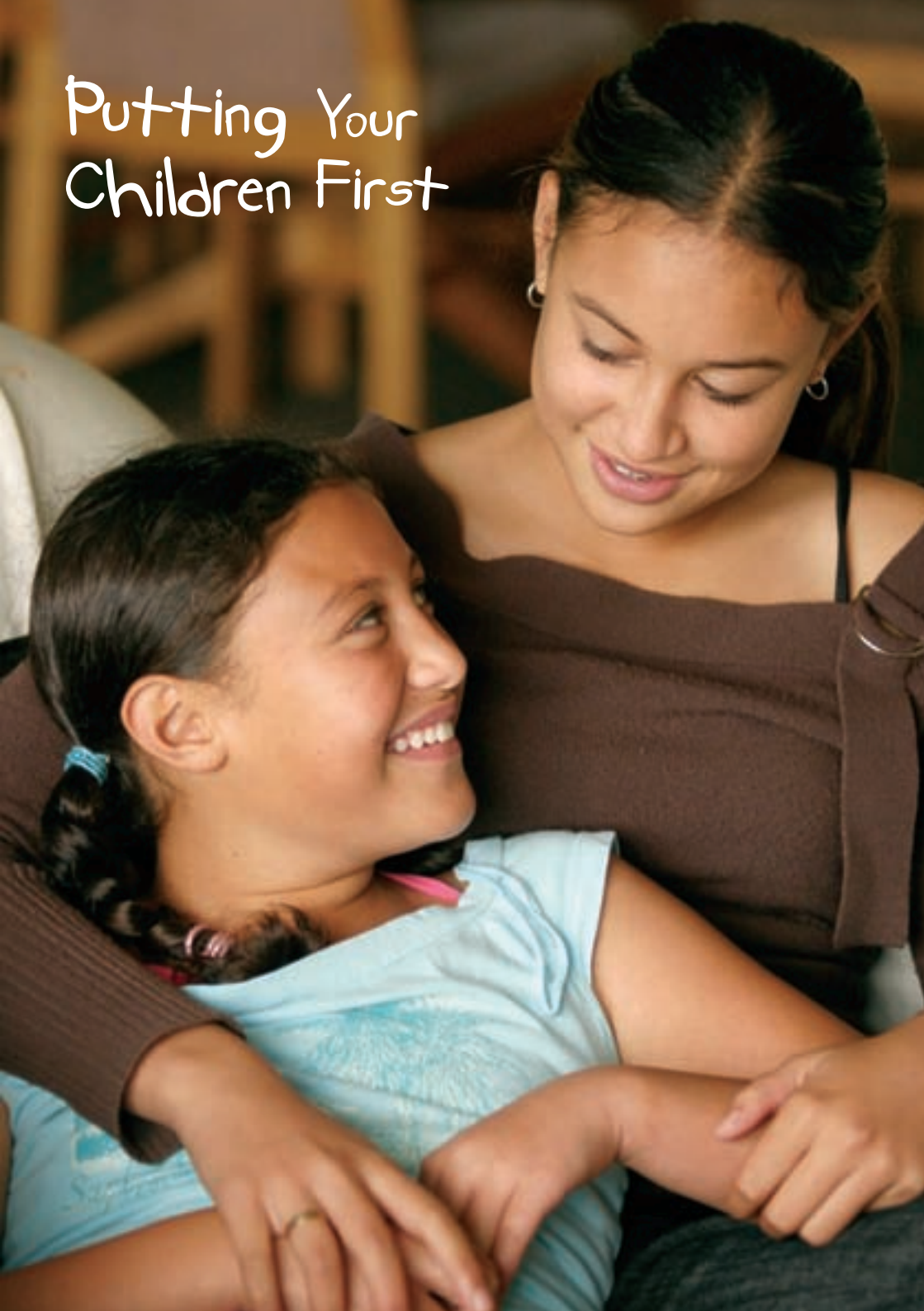
Your future relationship with your children can be damaged if you run down your ex-partner in front of them.

# SOME COMMON MYTHS... AND REALITIES

MYTH/UNTRUTH	REALITY/TRUTH
The more my children love their other parent the less they'll love me.	Your children have plenty of love for both of you, and if you help them develop their relationship with their other parent it will actually help your own relationship with your children in the long term.
Judges always make orders for mothers to have day-to-day care.	Not true – Judges look beyond parents' genders in deciding on the best arrangements for children.
Both parents should do things exactly the same for the children in their different homes.	Children can put up with some differences – they understand the idea of two separate homes.
Fathers don't look after children properly.	Fathers and mothers bring different skills and styles to parenting, both of which are necessary for children.
Day-to-day care and contact arrangements for our children should be once and for all.	Children have different needs at different stages in their lives – <ul style="list-style-type: none"><li>• Arrangements can be renegotiated at anytime</li><li>• Court ordered arrangements can be changed</li><li>• It is normal for children to need different parents more at different stages</li></ul>

**Thanks to all the organisations, individuals, parents, children and young people who contributed to this booklet**

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