



Meet Denyce Zeleznik

Denyce has been the Office Administrator at Maynor Sachs Copple for the past three years. Hers is the welcoming voice you usually hear when you call the firm. Denyce is instrumental in scheduling court hearings and appointments and ensuring timeliness of client bills.

In her spare time, Denyce has been happily married to her husband, Steve, for almost five years. They are parents of a beautiful three year old daughter, Payge, who is a Shirley Temple look-a-like. Additionally, they have a two year old teacup Dachshund, Bella.

Denyce is active in supporting breast cancer research and awareness, since her mother is a two-time breast cancer survivor. She participates in the Susan G. Komen Race for the Cure every year.

When she is not working, Denyce enjoys retail "therapy" and going on vacation.



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Now a Look at the Lighter Side of Divorce and Family Law

- Marriage means commitment. Of course, so does insanity. —*Anonymous*
- I've been in love with the same woman for forty-one years. If my wife finds out, she'll kill me. —*Henny Youngman*
- My ex-wife and I have our alimony set up on the easy payment plan. I make the payment and she takes it easy. —*Anonymous*
- My wife and I were happy for twenty years. Then we met. —*Rodney Dangerfield*
- I'm an excellent housekeeper. Every time I get a divorce, I keep the house. —*Zsa Zsa Gabor*
- I love being married. It's so great to find that one special person you want to annoy for the rest of your life. —*Rita Rudner*

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Parenting Plans

Over the centuries, how many parents have bemoaned the fact that children are not born with instruction manuals? Nowadays, there's no Doctor Spock to consult when your baby has colic or your two year old is having the temper tantrum of the millennium. However, there is good news! Parents who are going through a divorce now have a set of guidelines for how they are going to co-parent their children until they become adults. And, it's almost as simple as filling in the blanks. So, what is a parenting plan and how can it help you? Before we begin, let's look at how this all came about.

Background

A few years ago, the Florida legislature did away with the terms and concepts of "custody" and "primary" and "secondary residential parents." The new law gives equal parenting status to both parents using the new terminology of "co-parents." The legislature wanted to move away from the outdated notion that custody of minor children should usually be awarded to a mother over a father, and towards a more contemporary and realistic belief system where both parents play an active role in the children's lives. In most instances, parenting plans allow both parents to have a say and participate in the joys and challenges of child rearing. There are a few exceptions, which we will address later.

When is it Used?

Parenting plans are now required in all cases involving timesharing with minor children, even when timesharing is not in dispute. Either party can propose and prepare a parenting plan; however, if the parties cannot agree to its terms, the Court may establish its own parenting plan.

What is the Focus of a Parenting Plan?

The minor children's best interests are the focus of all parenting plans. In determining a child's best interest, the Court looks at a number of factors, including:

The parties' likelihood to foster a parent-child relationship and reasonably adhere to the timesharing schedule.

How the parties will share parental responsibilities.

The mental and physical health of the parents.

The parents' abilities to provide consistent routines for the child, such as developing and instituting schedules for homework, meals and bedtime.

A complete list of the factors the Courts consider in approving parenting plans can be found in the Florida Statutes under §61.13(3).

So What's in a Parenting Plan?

Actually, there are three model parenting plans: The basic parenting plan, Florida Family Law Form 12.995(a), is a comprehensive 13 page document that details how parties are going to make decisions regarding, among other things, a child's educational and religious training; in what extracurricular activities the child may participate; and how frequently and by what methods

the parents will communicate with each other.

There is also a Supervised/Safety Focused parenting plan, Form 12.995(b), which is primarily used in circumstances where shared parental responsibility is not in the child's best interest and/or a parent has a justifiable concern regarding their minor child's safety with the other parent. This particular parenting plan details the supervised or restricting timesharing schedule, as well as information regarding the person who is going to be supervising the timesharing and may even detail that a particular party may not transport the child without a valid driver's license and automobile insurance.

Form 12.995(c) is a parenting plan that is to be used in relocation cases when one parent lives more than 50 miles away from the other. This particular parenting plan has many elements that are similar to the basic plan, but it also addresses the more complicated logistics of long distance timesharing involving airplanes and other forms of public transportation, who is going to pay for airline flights and whether or not the child will travel with a chaperone or escort.

All parenting plans, no matter which version, must address parental responsibility/decision making, timesharing and communication issues. Let's delve a little more into some of these particular areas.

Parental Responsibility/Decision Making

It is the aim of Florida Courts for parents to share parental responsibility for their children whenever feasibly possible. To this end, there are a number of major and daily life decisions that every parent must make, which will have a direct impact on their child's life. Some major life decisions include medical (such as whether or not a child receives treatment; which pediatrician to use, etc.); educational (e.g., should the child be held back if not on grade reading level and if the child should attend public or private school); and religious (for example, in a household where each parent practices a different religious belief, which religion the child observes).

Parties may choose to share all major life decisions for their children or they may elect to split the burden, with one parent deciding, for example, educational and social decisions, while the other parent decides religious upbringing and medical/healthcare issues.

Parents also need to determine if their child is going to participate in extracurricular activities, like sports, music or dance. The parenting plan addresses such concerns, which range from whether or not both parents must agree to the activity to who will pay for the child's uniform and equipment. Parents can choose some of the standard options outlined in the parenting plans or they can craft their own agreement. If the parties agree to something other than what is listed, it is crucial to detail the agreement in the parenting plan so later on, there is no question about what had been decided.

Timesharing

When parties are divorced it is vitally important that a timesharing or visitation schedule be established that is consistent and documented to avoid possible future misunderstandings between the parents and their minor children. If there is a heart and soul of

the parenting plan, this is it.

The parents are free to devise their own timesharing schedule, or they can use the suggested formats in the parenting plan. The categories are broken down by father and mother and allow for specificity when scheduling weekday and weekend timesharing. The days that one parent has the children are listed along with the times that the timesharing begins and ends. The parents should indicate in the Parenting Plan if they elect to use the Model Parental Timesharing Schedule in effect for the 15th Judicial Circuit in Palm Beach County. Timesharing schedules are not static for each child in a family; there can be different timetables for each child depending on the age of the child, the child's preference if they are old enough, and the parent's wishes.

Holiday timesharing is also addressed in the parenting plan and incorporates religious holidays from Easter and Passover to secular holidays like Labor Day weekend and Halloween. Parents can choose to follow the standard regular weekday/weekend timesharing schedule, set up their own agreement or follow the parenting plan guidelines. The parenting plan allows parties to determine if the children will be with them every year, every even year or every odd year, including the time that the holiday timesharing will begin and end. Who will be with the children on their birthdays is also noted in this section.

The timesharing schedule also addresses school vacation times, such as winter break, spring break and summer vacation. Parties can agree to either follow the regular timesharing schedule, alternate breaks in even and odd years, evenly divide the vacation break, elect to have the children for the entire time or agree to their own schedule.

The parenting plan is flexible and allows for a myriad of options which, hopefully, make it easier for parents to come to a mutual decision that will be in the children's best interest.

Communication

There are two types of communication outlined in the parenting plan: communication between the parents and communication between the parents and the minor children. This section of the parenting plan starts with the premise that the children shall not be used to convey messages between one parent and the other.

Parents can choose to communicate in person, by telephone, in writing (by letter or email) or other options. Some alternatives available are text messages, Skype, or some of the Web-based applications such as www.myfamilywizard.com. Parties can choose one or all of these options.

When communicating with the children, not only do parents have these different choices available, but the parenting plan also allows for a planned schedule, so a party knows that he or she can call their child every day, for example, between the hours of 6:00 p.m. and 7:30 p.m.

There are other areas addressed in the parenting plan, and we would welcome the opportunity to personally meet with you and discuss your family's needs.