

# Your step by step guide: Parenting

## WHERE TO START

The law regarding parenting arrangements in the Family Law Act is complex. This information sheet aims to provide you with a brief outline of the main considerations.

## WHO CAN APPLY

Any person concerned with the care, welfare and development of a child can apply for a parenting order. This may include the child's parents, grandparents or other relatives. You can apply for a parenting order at any time including before or after separation or divorce.

## THE APPROACH

Parents have the responsibility for their children's care, welfare and development. This is referred to as the Presumption of Shared Parental Responsibility. Shared parental responsibility refers to decision making for long term care issues in a child's life such as: the child's education, health, name and schooling. In cases of family violence or child abuse, the court can order sole responsibility to one parent.

## HOW MUCH TIME

To determine who the child should 'live with' or 'spend time with,' requires a consideration of the child's 'best interests' as well as whether the proposed arrangements are 'reasonably practicable.' There must firstly be a consideration of an 'equal time' arrangement or if that is not suitable, then a consideration of a 'substantial and significant' time arrangement (for the parent having less time) – this is defined as 'time in addition to weekends and holidays'.

## CONSIDERATIONS

Family Court proceedings can be long and expensive. You should consider options such as mediation prior to making an application.



# Your step by step guide: Shared Parenting - The Process

What is considered in determining a parenting arrangement?

