

What you need to know in the Divorce Process - Parenting

Everyone must attempt Mediation through a Registered Family Dispute Resolution Practitioner (FDRP) or (Mediator) before going to the Family Court (FCFCOA)

Mediation

- Allows both parties to find a solution that they both can work with and commit to
- This process is Voluntary, Confidential, Respectful, Inadmissible (Court) and Mandatory Reporting
- The Family Dispute Resolution Practitioner (FDRP) (Mediator) writes up the agreement for both parents to review

Parenting

- Two types of Agreements
 - o Agreement – the Mediator will type up what was agreed to by both parents
 - o Plan – both parties sign and date the agreement

Lawyers can have the Parenting Plan converted into a Family Court Order and the Family Court Registrar will make an order that may or may not be based on the Parenting Plan.

The cost for a Mediator – Family Dispute Resolution Practitioner would typically be around \$6-\$10,000 per person

The cost of a Lawyer and the Family Court Costs would be around \$30 – \$80,000 per person.

Things you need to consider with a parenting Agreement / Plan or a Family Court Order

Note: the needs of children change over time, and it is worth considering looking at around two years in advance not just today.

- 1 The age of the children
 - a. Birth – to School Age: the child needs frequent and short visitation with the other parent
 - b. School Age – Secondary School: the child understands some routines
 - c. Secondary School – 18 Years: the child can make decisions and the structure of Parenting
- 2 Mental health – support or services that either or both Parents need.
- 3 Current arrangements
- 4 What is the work-related situation of both Parents.
- 5 What decisions are made around special occasions
 - a. Birthdays, (children, Parents and possibly significant others)
 - b. Xmas, Easter, religious, international and education arrangements
 - c. Play Groups, Childcare, Schooling
 - d. Communication Levels for extra activities, sporting, sleep overs, and playdays
- 6 Who will pick up and drop off the children, when, where and what time.
- 7 Costs: Clothing, Schooling (Books, Uniforms, Camps, Transport etc), Sporting, Equipment (music) extra activities
- 8 What the children's wishes are and support
- 9 How will the parents communicate in the future
- 10 What are the decisions that are in the best interest of the children?

Costs for the ***Parenting Agreements / Court Orders*** process:

1. Mediators usually charge around \$220 per hour **payment upon mediation session**
2. Suggested Legal advice - **\$500 Plus (Prior to Mediation) depending on the Lawyer**
3. Lawyers Charge around \$500,00 per hour - **\$5,000 initial to put in Trust**
4. Some Lawyers offer pay at the end or pay per block options
5. Child Representatives are \$400 per hour
6. Child Reports \$250 per hour
7. Court Filing Fees are initially around \$1,100 plus
8. Ongoing depending on the requirements are around \$500 per application
9. Divorce Applications are \$1,000

NB: **Timeline**

1. Mediation can be completed in as little as 3 Weeks
2. Legal and court Process can take as long as 3 - 12 months.

