



FREQUENTLY ASKED QUESTIONS ABOUT

## Formalising your parenting agreement

Parenting arrangements are often the most difficult issue to resolve when separating. The fact that you have been able to find agreement yourselves is commendable. Formalising this agreement allows you and your children to move forward with your lives with certainty and confidence.

### Why is it important to document our agreement?

Documenting your parenting agreement and arrangements under the Family Law Act, is in everyone's interests. The set structure and schedule provides you and your children with certainty and works to prevent disagreements.

As time goes on, people's circumstances and attitudes change, which often impacts parenting plans and arrangements. A formalised parenting arrangement ensures that changes to the arrangement require the agreement of both parents.

It means that everyone has a clear understanding of what the arrangements and expectations are, helping you all to avoid unnecessary stress, conflict and potentially costly legal proceedings should things turn sour.

### What is the best way to formalise our agreement?

The best time to formalise your agreement is when you are in agreement. You can do this quickly and cost-effectively by engaging us to prepare a Consent Order, detailing the specifics of the agreement.

The key advantages of a Consent Order are that:

- Court appearances are not required.
- A single lawyer can be engaged to draft the Consent Order, on behalf of both parties.

### What is the process and how long does it take?

The team at Lakey Family Law has lots of experience formalising and documenting parenting agreements.

Once the information required is provided, we will complete a series of forms that set out the specific details of your agreement. Once signed by both parents, it will be submitted to the courts for review and approval. It typically takes four to six weeks for the court to review and approve.

### What information will we need to provide?

General information about both parents:

- Full name
- Occupation
- Address
- Email address
- Date and country of birth
- Aboriginal and/or of Torres Strait Islander origin

Details about your relationship:

- Date you started living together
- Date, city and country of marriage
- Date of separation and divorce

Information relating to each child of the relationship:

- Full name and date of birth
- Primary carer
- Proposed housing arrangements (including who will live in the home, number of bedrooms, sleeping arrangements etc.)
- Who will care for the children if or when both parents are at work
- Education details, including school, year and progress.
- Health and wellbeing details, including and medical conditions, treatment or ongoing medication requirements

Details of the parenting arrangements, including:

- Day-to-day responsibilities of each parent
- Who the child or children will live with
- Visitation schedules, or the specifics of a shared custody arrangement, including drop off points
- How the child or children will communicate with each parent when they're not with them
- Arrangements for weekends, school holidays and special days like birthdays and Christmas
- The process required to change or alter plans
- Maintenance and financial support arrangements

