



Important Note!

Family Court Services (FCS) is a COUNTY Department
The Courts operate on a STATE system

PLEASE notify FCS & Clerk of Courts of ALL address, phone number, and email changes

You may also want to consider signing up for e-filing

4

Overview of the Day

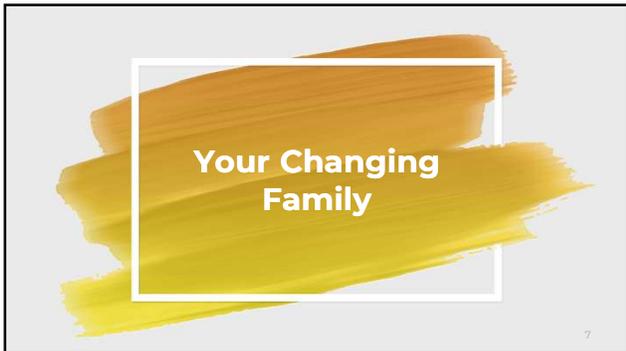
- **Your Changing Family**
 - Understand adult tasks for families in transition
- **Your Child's Experience**
 - Shift to child's viewpoint
 - What you can do to help your child cope
 - Your child's needs
 - What helps and what hurts children

5

Overview of the Day
Continued

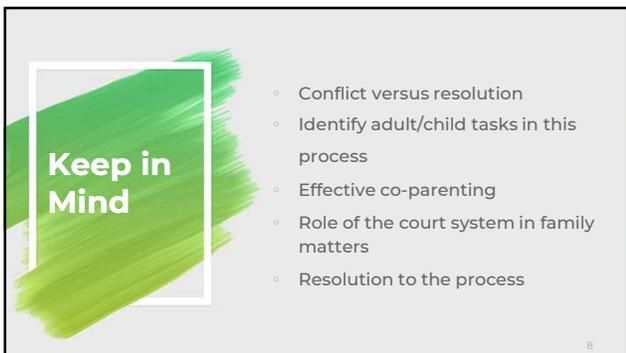
- **Creating a Parenting Plan**
 - Considerations for placement/custody
 - Co-Parent Communication
- **The Court's Involvement**
 - Parent Education/Orientation
 - Mediation
 - Placement and Custody Study
 - Brief Focused Assessment

6



Your Changing Family

7



Keep in Mind

- Conflict versus resolution
- Identify adult/child tasks in this process
- Effective co-parenting
- Role of the court system in family matters
- Resolution to the process

8



Change Just Ahead

Family Change

- Loss is a process
- Everyone is different
- Everyone is similar
- Dealing with change

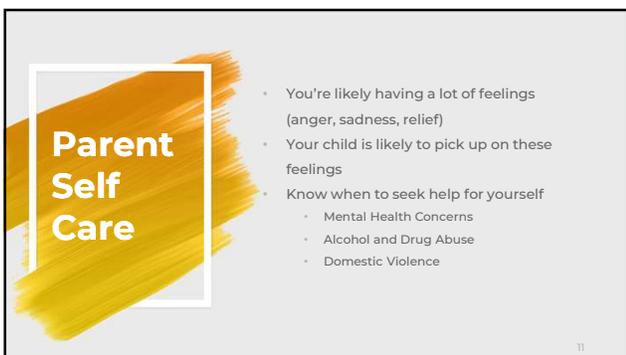
9



Stages of Adjustment

- Disbelief
- Dawning
- Resignation
- Acceptance
- Meaning Making

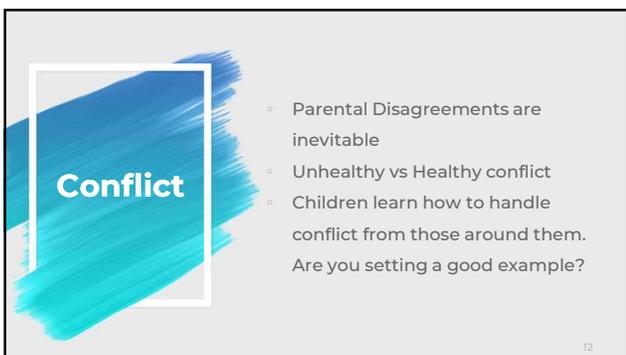
10



Parent Self Care

- You're likely having a lot of feelings (anger, sadness, relief)
- Your child is likely to pick up on these feelings
- Know when to seek help for yourself
 - Mental Health Concerns
 - Alcohol and Drug Abuse
 - Domestic Violence

11



Conflict

- Parental Disagreements are inevitable
- Unhealthy vs Healthy conflict
- Children learn how to handle conflict from those around them. Are you setting a good example?

12

Types of Conflict

- Annoying Conflicts
- Debate Conflict
- Damaging Conflict

- Unrealistic vs Realistic
- Unnecessary vs Real
- Destructive vs Productive

13

Communication Tools for Disagreements

- Focus on present not on past
- Consider the other parent's wants/needs
- No Low Blows
- Not in front of the children
- Do not use the children as weapons



16

WATCH OUT!



- Negative Spin Doctor
- Blame Frame
- Power Struggles
- Bad Habits
- Unhealthy Alliances
- Reconciliation Fantasy

15

Stages of Change

Early Stage of Change

- Life feels out of control
- Violence
- Negative Parental Relationship
- Poor Parenting
- Increased Risk for Children

Later Stage of Change

- Become Co-Parents
- Cooperate/Communicate about child related decisions
- Reconstruct Family System
- Separate adult issues

16

New Beginning

- Grief process resolved- acceptance
- Parents have independent lives
- Focus on present and future
- Holidays- create NEW tradition
- Business relationship
- Positive co-parenting
- Well adjusted children



17

Your Child's Experience

And How YOU Can Help

18



Child's Perspective

- Understand child's needs
- What helps and what hurts a child
- Help your child cope
- Your child's emotions and responses
- Core Family

19



Attuned Caregiving

- Attuned Caregiving includes two fundamental elements:
 - Provides structure and routine, allowing the child to develop a sense of predictable care in the world
 - Attends to distress signals from the child and responds to reduce the distress
- Looks different from family to family
 - Cultural and Racial components

20



Attachment

Definition: The expectation of comfort and relief from distress the child develops through experiencing attuned care by a caregiver

- Lays the foundation for future relationships
- Develops with multiple people
- Assists the child with intellectual growth and coping mechanisms
- Attachments can be broken or damaged
 - Poor care, neglect or inconsistencies in the environment

21

How Children Handle the Separation

- Depends on your child's
 - Age
 - Gender
 - Temperament
 - Past losses
 - Special Needs
 - Attachment
 - Child's support system
 - See Handout B

22

How Children Handle the Separation

Continued



Depends on how the parents handle it!

★ 23

Children's Emotional Responses

- Shock
- Sadness
- Vulnerability
- Self-blame
- Parent Blame



★ 24

Basic Warning Signs

- Sleep problems
- Poorer grades
- Acting out at school
- Clingy
- Regression of milestones

25

Serious Symptoms

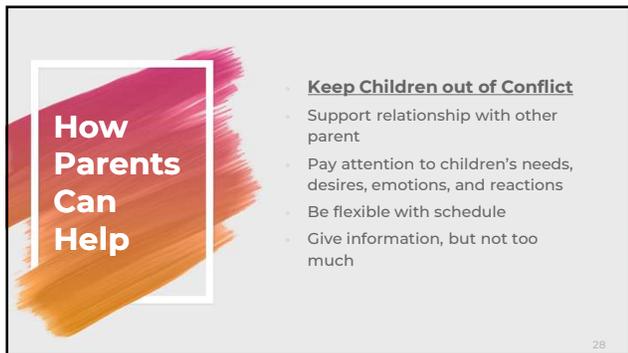
- **Big Changes in Behavior**
- **Depression**
- **Talk of Suicide**

26

Beware of...

- Tragedizing the separation
- Parentifying your child
- Using child as messenger
- Blurring the boundaries
- Sabotaging parental relationships
- Alienating behaviors
- Fostering fears of abandonment

27



How Parents Can Help

- **Keep Children out of Conflict**
- Support relationship with other parent
- Pay attention to children's needs, desires, emotions, and reactions
- Be flexible with schedule
- Give information, but not too much

28



How Parents Can Help
Continued

- Provide high quality parenting
- Healthy communication
- Exercise effective co-parenting
 - Exchange information, cooperate with other parent, be respectful
- Increase stability and consistency
 - Within and between the homes
- Take care of their own emotional needs

29



Tips for Talking to Your Child

- Speak positively of the other parent
- Don't discuss adult matters
- Ensure they know what is important and appropriate, even if they don't ask directly
- Prepare them for transitions

30

Positive Outcomes for a Child

- Freedom from parental conflict
- Accepts the family change
 - Resolves their grief (loss, anger, and blame)
- Feels safe
- Focuses on being a child
- Enjoys the active involvement of important adults / extended family

31

Break Time!



32

Creating a Parenting Plan

Building a Co-Parenting Plan

Consider the Following:

- Types of Parenting
- Placement
- Custody
- How to Communicate with your Co-Parent

34

Types of Parenting

- **Single Parenting**
 - All Parenting by one Parent
 - Sometimes Necessary (Parent unavailable/Court ordered)
- **Parallel Parenting**
 - Independent Parenting in each home
 - Minimal parental communication
- **Shared Parenting**
 - Parents communicate/cooperate effectively
 - Promotes consistency between homes

35

Co-Parenting Benefits

- Provides consistency and predictability for child
- Both parents feel valued
- Child's self-esteem increases
- Strengthens family relationships and connections
- Enhances open communication

Children who have close, healthy, and supportive relationships with two conscientious parents have better outcomes



36

Physical Placement

- Statute 767.001 (5)
The condition under which a party has the right to have a child physically placed with that party and has the right and responsibility to make, during that placement, routine daily decisions regarding the child's care, consistent with major decisions made by a person having legal custody.

37

Considerations for Physical Placement

- Age
- Attachment
- Quality of Parenting
- Parent's availability
- Geography
- School District
- Transportation
- Family Support Systems
- Types of Child Time

38

Types of Child Time

- **Overnights/Bedtime**
 - Bedtime, sleeping, and wake up rituals
- **Weekday/Workdays**
 - Task Oriented, school, homework, chores, activities

39

Types of Child Time

- **Weekend/Free Time**
 - Semi-structured, play time, chores, hanging out
- **Vacation/Holidays**
 - Special celebrations, special plans, getaway times, time to be together



40

Legal Custody

- Statute 767.001
 - (2) (a) (b) The right and responsibility to make major decisions concerning the child...
 - (2m) "Major decisions" (Non-Emergency Medical, Education, Religion, Driver's License, Marrying and Military Service before the age of 18.)

41

Types of Legal Custody

- **Sole**
 - One parent makes decisions
- **Joint**
 - Parents make decisions together
- **Joint with Impasse Breaking Authority**
 - Parents discuss decisions together. If unable to agree, one parent decides

42

Ways to Communicate About Your Child

- Notebook to pass between parents
- Text messaging, voice mail and/ or e-mail
- Neutral third party
- Google Calendar
- Communication/ Scheduling applications
- Scheduled phone calls
 - parent to parent
 - parent to child
 - child to parent

43

Child-Centered Parenting Plan

- Schedules for holidays, vacations, and school breaks
- Transportation
- Child care (daycare, before/after school care)
- Medical/Mental health care- involve both parents
- Grandparent and extended family access
- Communication
- School/Religious decisions
- Right of first refusal

44

Child-Centered Parenting Plan
Continued

- Be consistent, but flexible
- Try to keep rules similar between homes
 - Bedtimes, electronic use, chores, etc.
- Help the child feel "at home" in both homes
- Reduce the need to pack for each transition

Parenting Plan form

◦ https://www.wicourts.gov/forms/circuit/ccform.jsp?FormName=&FormNumber=FA-4147V&beg_date=&end_date=&StatuteCite=&Category=&Language=&Format=

45



The Greatest Gift
you can give your child is the freedom
to have AWESOME relationships with
both parents



**The Court's
Involvement**

Reminder

- Privacy Policy
 - No recording, photos, etc.
- Talk with your assigned counselor if you have questions about who may attend FCS appointments
- Discuss with your counselor before submitting large documents
 - Facebook posts, texts, etc.

48

Community Support

- WI Statute 895.45 allows Service Representatives to assist victims of domestic abuse. There are community agencies that provide such services.
 - Domestic Abuse Intervention Services (DAIS) legal advocates
 - (608) 251-4445
 - Freedom Inc. legal advocates
 - (608) 716-7324
 - Contact us if you have questions about other agencies

49

Mediation

- Statute 767.405 (1) (a)
 - "Mediation" means a cooperative process involving parties and a mediator, the purpose of which is to help the parties, by applying communication and dispute resolution skills, define and resolve their own disagreements, with the best interest of the child as the paramount consideration.

50

Mediation= Co-Parenting as a Business Relationship



51

Principles of Mediation

Best interest of the child is MOST important

- Parents work together to problem solve and come to a decision
- Cooperation and compromise
- Builds effective communication skills
- Disclose truthful information
- Focus on the future not the past
- Confidentiality
 - Exceptions being child abuse and/or danger to self or others

52

A Mediator Will...

- Keep focus on child's needs
- Help improve communication
- Help clarify issues
- Help separate adult issues from child's issues
- Maybe offer suggestions
- Not make decisions
- Not deal with child support

53

Tools for Successful Mediation

Positive Communication

- Be respectful, avoid blame, take responsibility
- One talks, the other listens
- Use "I" statements

See the situation through the eyes of your co-parent

Focus on shared interests

Brainstorm ideas

- Consider all options
 - Is there a win-win situation?
 - Do we need more information?
- Look for meaningful opportunities and simple solutions

54

Obstacles to Successful Mediation

- Judging or rejecting ideas prematurely
- Searching for a single best answer
- Putting limits on scope or vision
- Considering only your own interests
- Making assumptions
- Not explaining what you want

55

Mediation Process

- Letter from FCS
 - Date/Time/Location
 - Instructions
- Mediation appointment
 - Extended Mediation
- No agreement
 - Notify Court- they will provide next steps
- Agreement
 - Certifications are signed
 - Courts received signed Certifications and sign the agreement into an order

56

Benefits of Mediation

- Parents decide together
- Less expensive
- Faster
- Less emotionally draining on children and parents
- Less damaging to parents' relationship

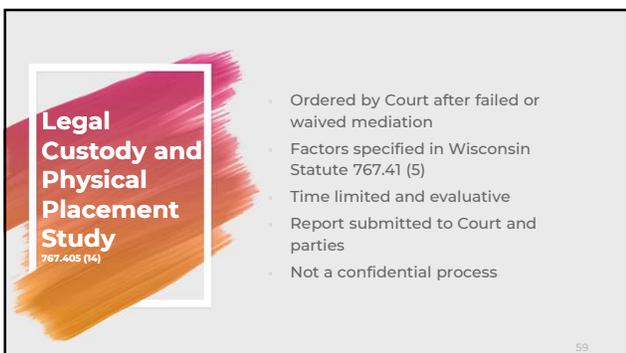
57



Mediation Waiver

- Given by Judge or Court Commissioner
- NOT by FCS
- Child abuse
- AODA issues
- Endanger health or safety
- Domestic violence

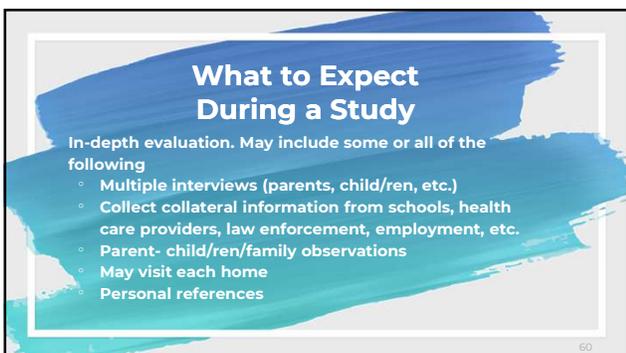
58



Legal Custody and Physical Placement Study

- Ordered by Court after failed or waived mediation
- Factors specified in Wisconsin Statute 767.41 (5)
- Time limited and evaluative
- Report submitted to Court and parties
- Not a confidential process

59



What to Expect During a Study

In-depth evaluation. May include some or all of the following

- Multiple interviews (parents, child/ren, etc.)
- Collect collateral information from schools, health care providers, law enforcement, employment, etc.
- Parent- child/ren/family observations
- May visit each home
- Personal references

60

Information Sharing

Reminder! The study process is NOT Confidential

- There are no secrets during the study process
- Anything you send to the assigned counselor must also be sent to the other parent and/or their attorney
- The other parent and/or their attorney can request to review the case file after the report is submitted
- Certain documents are sequestered

61

Statutory Factors

- Wishes of the parents
- Wishes of the child
- Child's interactions and inter-relationships
- Amount and quality of parenting time
- Child's adjustment
- Child's age, development and educational needs
- Physical and mental health

62

Statutory Factors

Continued

- Parental cooperation and communication
- Parental support/interference with access to the other parent
- Child abuse
- Criminal history
- Domestic violence
- Alcohol and drug use

63

Relocation Cases

- There are special procedures parents must follow before moving more than 100 miles
 - Details in Wisconsin Statute 767.481
- Mediation in relocation cases occurs immediately following the first relocation hearing
- There may also be expedited timelines for relocation studies

64

Placement and Custody Misconceptions

- Family laws do not require a 50/50 schedule or joint custody
- Our role is to ensure the best interests of the child rather than to appease either parent
- Some children can handle 50/50, some children can't
- Some Co-Parents can handle joint custody, some Co-Parents can't

65

Guardian ad Litem (GAL)

- An attorney appointed by the court to represent the best interest of the child(ren)
 - Separate from our office, but may attend appointments with FCS
- Makes a placement/custody recommendation to the court
- Can file motions and if there is a hearing/trial, can question witnesses

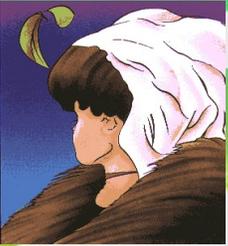
66

Other Important Information

- Parents can accept/object
- May need a hearing or trial
 - Judge makes final decisions
- Expenses
 - FCS Fees
 - GAL
 - Attorneys

67

Each May See the Same Thing Differently



68

Each May See the Same Thing Differently



69

Family Court Services Website

<https://familycourtservices.countyofdane.com/>

- Resource Guide
- Contact info
- Process info



70

**THANK YOU
For Your Attendance
Today**

Bibliography

- Bohannon, P. (1970) Divorce and after: An analysis of emotional and social problems of divorce.
- Bowlby, J. (1969) Attachment and Loss.
- Craig, B. (2012) Between Two Homes: A Coparenting Handbook. www.childreninthemiddle.com
- Stahl, P. (2011) Conducting Child Custody Evaluations: From Basic to Complex Issues.

72
