

DIVORCE + CHILDREN

WHAT YOU NEED TO KNOW

PARENTAL RESPONSIBILITY



The term parental responsibility refers to all the duties, powers, rights and responsibilities that a parent possesses by law in relation to their child such as home, financial support, protection. A mother automatically has parental responsibility for her child from birth. A father usually has parental responsibility if he is listed on the birth certificate, or married to the mother at the time of birth. If you have parental responsibility for a child but you do not live with them, you have a right to be included when important decisions are made about their life. [Apply for parental responsibility.](#)

MAKING CHILD ARRANGEMENTS

If your relationship ends, you and your partner will **need to agree 'child arrangements.'** That means deciding:

- where your children will live
- how much time they will spend with each parent
- how you'll financially support your children (both parents are responsible for the costs of raising their children, even if they do not see them.)

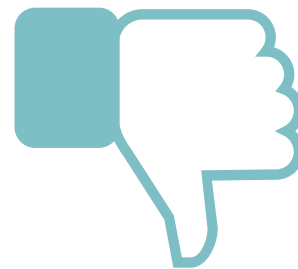


WE'VE AGREED. NOW WHAT?

You do not have to do any official paperwork. But to avoid any future complications, you may wish to **write down what you've agreed** in a [Parenting Plan](#). You can also ask a solicitor to draft a 'consent order' which will make the agreement legally binding.

WHAT IF WE CAN'T AGREE?

You have a few options. You may wish to speak with a law firm or a mediator to reach an agreement. This is a confidential process. They can also help you make a Parenting Plan. Any agreement can be converted into a consent order and submitted for court approval. Contact with parents is seen as a right of the child and not the parents. You may wish to consider a [Roundtable Meeting](#), where your legal teams try and reach an agreement on your behalf.



WILL I NEED TO GO TO COURT?

Possibly. If you are still unable to agree, either one of you can apply for a court order. The type of order will depend on the issue - eg Child Arrangements Order or a Specific Issue Order for specific questions on upbringing - for example education or religion. Before you apply to the court, you will both need to attend a mediation meeting (unless there are exceptions such as domestic abuse).

KEEP IN MIND

Your child's welfare is everyone's shared priority. If a court is involved, they will consider:

- the ties between the child and each parent
- how each parent has looked after the child in the past
- your plans for looking after the child in the future
- any abuse or violence in the past



GOT A QUESTION? CALL 0203 7940 671
FREE 15 MINUTE LEGAL ADVICE