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## **Managing Custody and Access over the Holidays**

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As the weather becomes warmer, people's thoughts quickly turn to vacation. While everyone looks forward to holidays and vacations with their children, they can also be a source of stress for a separated or divorced couple because they require altering the existing child custody arrangement.

Parents want their children to have the best experiences possible. So, if ex-couples can stay reasonable and focus on what is best for their children, it is possible that they can minimize stress on themselves and let their children have those wonderful experiences that they will remember for their entire

lives.

### **How the Courts view Holidays and Vacations**

The first thing a parent should look at is the custody order or separation agreement. These will often have provisions in them for determining how much time the child should spend with each parent during summer vacation or other holidays.

Courts in Ontario, generally, prefer that holidays are split equally between the two parents. This is regardless of whether or not one parent is the custodial parent, or they are joint custodial parents. The most important thing is to pay attention to the court order or separation agreement.

If there is no guidance, then it is important to try and come to a negotiated decision. Ex-couples should avoid immediately rushing to court, even if some initial conflict occurs in regard to holidays.

If the issue proves to be protracted, mediation, arbitration or the collaborative family law process would be preferable over litigating the issue in court. These alternatives to court will generate a decision faster.

Conflict between parents can quickly sour a vacation for a child, and turn what should have been a happy memory into a painful one.

### **How to manage holidays without terrifying your ex-spouse**



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There are a number of things that individuals can do to ensure that their holidays and vacations go as smoothly as possible. The first thing an individual should do is have a joint calendar with their former partner. There are numerous online resources which can allow users to modify and share a calendar (Google Calendars, for example, provides this service for free).

Second, parents should try and give each other as much notice as possible about the specific dates they want to take the children on a holiday. This allows the ex-couple to iron out any issues in a reasonable time. Not giving sufficient notice can lead to hostility, as it may infringe on the other parent's plans.

Finally, when on vacation, especially when the child is young or far away, the other parent should be provided with an itinerary and contact information.

Scheduling a time for the child to speak with the other parent over the phone can further reduce the stress on the other parent.

Both parents should try and be reasonable. The parent going on vacation or hosting the child on holidays should do his or her best to facilitate suitable communication between the other parent and the children.

Similarly, the other parent should not monopolize the child's leisure time by insisting on excessive communication.

Both parents ought to focus on what is best for the child, and together, they can ensure that their children have many wonderful memories of their holidays and vacations and not bitter ones of parental disputes.