

Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



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Custody of Children and Parenting Time

To read more about **child custody, visitation and support**, please go to [this page](#) that explains the process when getting a divorce.

The instructions below help people who want to do it themselves when establishing, enforcing or modifying parenting time.

- **INSTRUCTIONS FOR PRO SE MOTION TO ESTABLISH PARENTING TIME**
 - This instruction sheet will help you get a hearing to establish parenting time in your case.
 - A hearing cannot be held until your motion has been filed and all the steps have been completed.
- **INSTRUCTIONS FOR PRO SE MOTION TO ENFORCE PARENTING TIME**
 - This instruction sheet will help you get a hearing to enforce the court-ordered parenting time that has been set in your case.
 - A hearing cannot be held until your motion has been filed and all the steps have been completed.
- **INSTRUCTIONS FOR PRO SE MOTION TO MODIFY PARENTING TIME**
 - This instruction sheet will help you get a hearing to modify the court-ordered parenting time that has been set in your case.
 - A hearing cannot be held until your motion has been filed and all of the steps have been completed.

Plan for Children

1. Keep a log of who provides their daily care, attends school events, and doctor's appointments.
2. Create a schedule for the children to be with both parents.
 - Keep in mind both parents' work schedules and the children's school schedules
3. If you want residential custody, then it is best to maintain a work schedule that allows you to have as much time with your children as possible.

- Working third shift makes it difficult for you to be there to meet your children's needs.

4. If custody becomes a contested issue, you will be living under a microscope ? You have to monitor who enters your life; and, most importantly, your kids' lives.

- a. Strongly consider waiting to introduce a new girlfriend or boyfriend to the children.
- b. Know your new boyfriend or girlfriend's background. His or her problems become your problems in a divorce.
- c. Be careful of the information and pictures you place on Facebook or other social network sites.
 - Pictures of you and new significant others are inappropriate
 - Pictures of you inappropriately dressed, nude, drinking, or partying should never be placed on the internet
 - Also, ask your friends to watch what pictures they add to Facebook or what they tag
- d. Carefully consider anything you put in writing, this includes email and texting. Anything negative, angry, or spiteful you say will come back to haunt you in Court.

5. Spend as much time as possible with your children--both for their adjustment and to demonstrate to the Court you are a responsible parent

6. Communicate with your soon to be ex-husband or ex-wife.

- Just because you want your spouse out of your life, does not mean it is in your children's best interest that their other parent is out of their lives.
- Communicate important information regarding school and medical needs.
- Don't make unilateral decisions. Consult the other parent about such things as school and medical needs of the children

7. Remember the divorce is between you and your spouse--not your spouse and the children.

- No matter how bad your relationship is with the other parent, the children did not want this divorce. They are feeling grief and loss.
- You may consider entering them in counseling.

8. Watch what you say in the presence of the children: "little pictures have big ears."

- The children will overhear even what you say to others. They will digest it, retain it, and spit it out at the wrong time.
- Further, don't try to undermine the children's relationship with the other party. In most cases, even a bad parent is better than no parent.

9. Supervised parenting time is appropriate when the other parent has a drug or alcohol problem, has physically endangered the minor children, or is mentally unstable.

- The fact they have a new girlfriend or boyfriend is not a justification for supervised

parenting time.

- Further, the fact that you do not like his or her new roommates or housing situation is not a good reason for supervised parenting time.
- Parenting time can be structured so that there is no overnight.

10. If you feel supervised parenting time is appropriate, have a plan.

- Have in mind a person who you and your spouse will agree upon to provide supervision.
- If you do not have a responsible person, the Courts will provide supervision at a neutral site for a cost.

Emotional Support

- Consider counseling.
- Always consider the children's needs and their best interests.
- Consider contacting a safe house or domestic violence program for counseling if domestic violence has been a part of the relationship.

 [Instructions and Steps for Pro Se Motion to Establish Parenting Time.pdf](#)

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<http://www.kansaslegalservices.org/node/2106/custody-children-and-parenting-time>

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