

THE PARENTING PLAN

APPENDED TO THE PARENTING PLAN MODEL



If you have any questions
about the parenting plan

**Please contact one of vFAS'
attorneys divorce mediators**



NEDERLANDSE VERENIGING
Familie- en erfrecht
Advocaten
Scheidingsmediators

VERDER *



vFAS' parenting plan

Getting a divorce or separating is a challenging situation. It has major impact on you as well as your children. Since 2009, parents have been legally required to draw up a signed parenting plan together. The parenting plan model of the Dutch Association of Family and Inheritance Law Attorneys and Mediators (hereafter: vFAS) is an efficient guide when making agreements about post-divorce parenting duties.

In this brochure, which accompanies the revised version of vFAS' parenting plan model, we explain what a parenting plan is, who should draw up a parenting plan and what should be included in a parenting plan. It also contains a handy step-by-step plan, a glossary and more information and contact details about vFAS and other organisations mentioned in the model.

You may download vFAS' parenting plan model at www.verder-online.nl. The website includes an overview of the attorneys and mediators who are members of vFAS and are ready to help and guide you in drawing up a good parenting plan. You can easily find the details of vFAS' attorneys - mediators in your area using the search engine.

Getting a divorce is a joint procedure.

With kind regards,

*Dutch Association of Family and Inheritance Law
Attorneys Divorce Mediators (hereafter: vFAS)*

**Download the basic document
for your parenting plan here**

www.verder-online.nl/ouderschapsplan



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Information about the parenting plan

What is a parenting plan?

A parenting plan is a legally required document in which you, the parents, lay down agreements with and about the children if you are getting a divorce or separating.

Is drafting a parenting plan mandatory?

According to the law a parenting plan is mandatory for parents who are getting a divorce or are separating and who have children under the age of 18 and:

- who are married or have a registered partnership, with(out) joint custody
- who are cohabitating with joint custody

In all other cases, it is not mandatory, yet advisable, that parents draw up a parenting plan.

What should the parenting plan contain?

The parenting plan should always include agreements made about the following:

- How the children have been involved in the parenting plan.
- How you have divided the care and parenting (care arrangement) duties or have arranged contact with the children (contact arrangement).
- How (often) you will be sharing information about the children.
- How you will be making decisions together on important issues.
- The costs of the children and their distribution.

In addition, it is often useful to make other agreements and include them in the parenting plan. The mandatory and most common agreements that parents make are included in vFAS' new parenting plan model.

Should the parenting plan be approved by the court?

If you are married and you are getting a divorce or in case you want to end a registered partnership, then you should address the court and the parenting plan must also be submitted to it. A parenting plan can also be approved by the judge in some other cases. A vFAS' attorney-mediator can provide you with information about this.

What else should I know about the parenting plan?

The parenting plan is a legal agreement. After the parenting plan has been signed by both of you, the agreements contained in it are binding. It means you must adhere to it. It is therefore important to be well informed and advised in advance when making agreements. The parenting plan is a snapshot. Because children develop and situations can change, some agreements will have to be adjusted in the future. A vFAS' attorney-mediator can also help with this.



TO ALL DIVORCED PARENTS

Through this letter we want to let you know how we feel. We are **the millions of children** each year that are informed one day that their parents are breaking up. It is the day our world falls apart. All that was safe and familiar suddenly changes. Many of us have to move to another house, move to a different school, need to get used to your new partners and, in the worst case, must continue to miss 1 of our parents very much. And that hurts.

We so much want to have both of our parents in our lives. Two parents who love us and who see us growing up. Two parents cheering along the line, who are proud when we get good grades, and are eager to know all about our very first heartache. Who sit together on the first row when we graduate from high school, and who lovingly cuddle their first grandchild.

Do you realize how much sadness we sometimes suffer in silence? When we need to be your messenger. When we have to listen to you saying nasty things about each other. When we see that you **ignore** each other right in front of us. Do you know how hard it is to love you both, while 1 of you sometimes doesn't want us to? So that we end up not telling you about the fun weekend we had?



We feel **torn** between the two people we love so much. We feel guilty when we enjoy being with the other. We feel responsible for your happiness. Often you do become happier after a while. But for us it's often not that easy. For some of us, the pain can last a long time.

So can we just ask a few things of you?

- Please do not make us choose sides.
- Do not have fights in front of us.
- Do not say bad things about each other to us.
- Give us time to get used to the new situation.
- Really listen to what we have to say.
- Allow us enough room to keep loving you both.
- Don't forget that it was your choice together to have us.

A divorce feels like a safe home that, all of a sudden, gets completely refurbished. Walls are knocked out, new floors installed, different wallpaper. At first it's a huge mess, but gradually something new and pretty emerges. Give us the chance to calmly paint a bit of the woodwork too, and ask us how we like the view. In this way we can build **a new home** together. With a crack here and there and perhaps a broken roof tile. But warm and solid and safe. A place where we can feel **AT HOME** again.

You've just been given the key to the door:

-X-



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Decide whether you should be drafting the parenting plan together

The parenting plan is legally required for:

- Parents who are married or in a registered partnership, with(out) joint custody
- Cohabiting parents with joint custody
- All other parents with joint custody

Download the parenting plan here



www.verder-online.nl

Drafting the parenting plan in 6 steps

1 | Download vFAS' parenting plan model

vFAS' model parenting plan provides guidance for making agreements about how you plan on parenting after divorce.

2 | Think about your own wishes

Bear in mind how you shaped parenthood during your marriage/relationship and what you think can remain the same and what may need to be changed.

3 | Discuss your wishes together

State your ideas and also listen to the other person's ideas. By expressing your concerns and being open to the other person's concerns, you should be able to find a joint solution.

4 | Make sure the children are involved when preparing the agreements

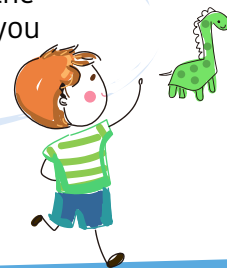
You can involve the children in different ways in preparing a parenting plan. It is important that you choose a method that you and your children feel comfortable with, based on their age.

5 | Address a vFAS' attorney-mediator to go through the parenting plan

It is advisable to review the parenting plan with a vFAS' attorney-mediator who can legally assess the agreements and calculate the costs of the children and distribution thereof.

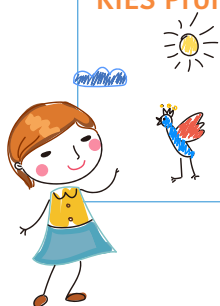
6 | Sign the parenting plan

Once the parenting plan has been signed by both of you, the agreements are binding and you can hold each other responsible.



Definitions of the parenting plan

Need	The total costs of a child, consisting of your own share and child benefit.
Personal Records Database	Personal Records Database: database with personal data of all residents of the Netherlands per municipality.
Your share	That share of the costs of a child(’s needs) that the parents meet per month from their own income, is therefore the total costs of a child minus the child benefit.
Form called “Permission for travelling abroad with a minor”	A sample form from the central government that can be used to grant permission to travel with a child up to 18 years old. [Dutch version] www.rijksoverheid.nl/documenten/formulieren/2014/02/06/formulier-toestemming-reizen-met-minderjarige-naar-het-buitenland
Main residence	The place where someone (usually) lives or resides. It is used for the situation where a child lives with one parent more than half of the time.
ID	Official proof issued by the authorities, e.g. a passport or identity card (ID proof).
Recovery	Taking legal action to get money from someone who owes you.
KIES Child Plan	The KIES Child Plan is the contract between toddlers (Kies Preschool Plan), children (KIES Child Plan) or young adults (KIES Youth Plan) and their parents in the event of divorce. This is a document that gives children a voice in the event of divorce in accordance with the guidelines of the International Convention on the Rights of the Child (CRC). Download here the KIES Child Plan: [Dutch version]: www.kiesvoorhetkind.nl/kies-kindplan-rechten-kind-bij-scheiding
KIES Professional	A professional who has been trained according to the KIES method (Children in Separation). This method is included in the Dutch Effective Youth Interventions database. Youth Institute (in Dutch: NJI). Also go to www.kiesvoorhetkind.nl

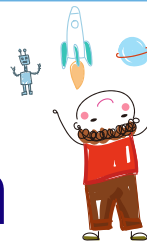




Child advocate	A professional who is listed in the Register of the Child Advocate Quality Foundation. Also go to: www.kindbehartiger.nl
Child benefit	A government contribution to the costs of a child up to the age of 18, based on the income of the parent(s). Child benefit must be applied for at the Social Insurance Bank (SVB) and is received every three months.
Child-related budget	A government contribution to cover the income of a parent(s) with a child up to the age of 18, which depends on the income and assets of the parent(s). Child-related budget must be requested from the Dutch Tax Authorities and is received every month.
Costs of living and studying	For a child aged 18 to 21 years, the law speaks about the costs of living and studying.
Irrevocable	If no changes can be made. Everyone must adhere to the agreement and there is way back.
Parental authority	The legal responsibility of the parent to care for and raise his/her child.
Parenting Coordination	A short method to resolve conflicts without having to go to court. The child's interests are pivotal in this conflict resolution. Also go to www.parentingcoordination.nl
Parenting Coordinator (PC)	A professional who helps with the implementation, compliance and modification of the parenting plan. The PC is an experienced family mediator (attorney, psychologist or therapist) who has completed the Parenting Coordination course at the VU LAW Academy in Amsterdam. Also go to www.parentingcoordination.nl
Subsistence costs	The costs associated with the place where a child resides, such as the costs of food and drinks, personal care, housing and holidays/trips.
Additional costs	The costs that are directly related to a child, but that are independent of the place where the child resides, such as the costs of clothing, school, babysitting, hobbies/sports, memberships/subscriptions and unreimbursed medical costs.

Villa Pinedo	An (online) platform/community for and by children of divorced parents. Also go to www.villapinedo.nl
Statutory indexation	This concerns adjusting the alimony amount. Child support is increased by a percentage every year. The amount of such percentage is determined by the Minister of Justice and Security. This may therefore be a different percentage each year. You may calculate indexation using the calculation tool available at the LBIO website. Also go to www.lbio.nl/indexering-alimentatie
Legal representative	The person representing a child in situations where the child cannot or may not make decisions for himself. For example, in court proceedings.
Health insurance discount	That part of a child's needs that the parent paying child support may deduct from his/her contribution because of the care of the child. The amount of the percentage depends on the distribution of care. If the children spend less than one day a week with the parent paying child support, the care discount is 5%; for one day a week the healthcare insurance discount amounts to 15%; for two days 25%; and for three days 35%.

More information



NEDERLANDSE VERENIGING
Familie- en erfrecht
Advocaten
Scheidingsmediators

www.verenigingfas.nl

VERDER

www.verder-online.nl

VILLA PINEDO

www.villapinedo.nl

kies Expertisecentrum
 Kind en Scheiding

www.kiesvoorhetkind.nl

Kindbe  **iger**

www.kindbehartiger.nl

PC

www.parentingcoordination.nl