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Handling Joint Custody with a Difficult Ex

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In matters of child custody, Michigan Courts have begun showing a preference for a shared parental role and thus routinely award “joint legal custody” even when relations between the parents is not necessarily amicable. Developing a harmonious co-parenting relationship with a difficult ex-spouse can be daunting. Here are few suggestions which may help:

Text or email only. Not only will you have a record of your conversations for use in Court, unlike a phone conversation, you will have the ability to think about what you say before you hit “send.”

Set up a separate phone or email account for use with him or her. Check the phone or email account and respond twice per day, unless circumstances call for an exception.

Take the emotion out. With each interaction, pretend that you are being recorded. Make sure that if a tape of your behavior is played in open court that you’ll have no regrets.

Use social media responsibly. Don’t vent about the other parent. If you need to vent, see a counselor.

Document everything. Record dates/times of incidences as well as the dates/times of parenting time exchanges. If parenting time is not used, keep track of the reasons.

Get clarification. If you can’t agree or if the custody or parenting time order has ambiguities, file a motion asking the Court to clarify the order.

Involve a counselor for your child or use a parenting time facilitator early on. This is especially important if there are concerns of parental alienation. These professionals are able to make recommendations to the Court about custody and parenting time in the future based on his or her expert opinion and according to the best interests of the child.

Get good legal advice. If you need to modify or change custody or parenting time, get solid legal advice. Know that a competent lawyer will take weeks, if not months, of planning and documenting before involving the Court.