

## **Parenting Arrangements - New Family Law Act**

Under the former Family Relations Act, concepts of custody and access were specifically dealt with. Under the new Family Law Act, which came into effect on March 18, 2013, there is no further reference to these concepts, rather Guardianship of children, parenting time with the children or contact with the children are set out.

The best interests of the children are the paramount consideration and there is an emphasis on safety, security and protection from exposure to family violence directed at family members.

While a child's parents are living together and after they separate, each parent of the child is the child's guardian. Each parent is to exercise parental responsibilities in the best interests of the child. Only a Guardian can have parental responsibilities and parenting time.

The parents, after separation, can enter into a Parenting Agreement, respecting the care and decision-making for the children, in addition to financial arrangements based on the Federal Child Support Guidelines.

Persons who are not Guardians of a child may, by written Agreement or Court Order, have contact time with a child.

In cases of high conflict, Parenting Coordinators, who qualify under the regulations, can assist parties with the implementation and operation of an existing Parenting Agreement or Court Order, using a mediation-arbitration based model.

A court can appoint a lawyer for a child under Section 203 where there is high conflict in the family and Section 211 allows for the views of the child to be brought before the Court.

The Court can require parties to participate in Family Dispute Resolution, which would include Mediation and the Collaborative Family Law Process.