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BEWARE MICROMANAGING IN PARENTING ORDERS

By **Michael Lynch**, 6 January 2015



BEWARE MICROMANAGING IN PARENTING ORDERS

Whether to have limited wording in a court order or a detailed court order is often the dilemma separated parents face when looking to document the arrangements for their children.

The courts view is that a minimalist approach should be taken unless there are special circumstances.

The court recently considered a case involving a 12 year old child where the parents had a very poor parenting relationship, and a limited capacity to negotiate with each other. During the court hearing, the parents demonstrated an antagonism towards each other. The mother maintained her rage against the father, and the family report writer identified the mother as not being a team player.

The father sought primary care of the child, and this was supported by the independent child's lawyer (ICL). The mother opposed this and put forward 4 different parenting options. The report writer was dissatisfied with any of these because of the parents inability to co-operate, and ultimately proposed another alternative arrangement.

The court changed the child's living arrangements, placing him in the father's full-time care, and making a detailed order for the mother's contact, stating that it would not be in the child's best interests for the court to adopt a minimalist approach in the terms of the court order.

ABOUT MICHAEL LYNCH



Michael has practiced for over 25 years, specialising in **Family Law and De Facto Relationship Law**. He is well recognised and respected as one of Queensland's leading **Family Law Specialists** and has extensive experience in complex Family Law matters, including **Property Settlement** and Children's matters.

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