

I'm here to help you create a parenting plan. This series has all the information you need to navigate this court process smoothly.

Let's get started.

This video explains how the court analyzes your parenting plan. Its focus is called, "the best interest of the child." It includes four categories: factors about your children, you, your relationship, and unusual factors. We'll also give you a few pointers about thinking through your plan.

First, let's look at what the court means by "best interest of the child."

#### **CHAPTER HEADING: BEST INTEREST OF THE CHILD**

The court always considers the "best interest of the child" when reviewing a parenting plan. Most people have heard this term, but few understand that it has a legal definition that includes specific factors that a judge thinks about when reviewing your plan. The factors you should focus on are in the *Maryland Parenting Plan Instructions*. Familiarize yourself with these factors and think about them.

But to get you started, let's break down the factors into categories. The first category is children.

#### **SUB-CHAPTER HEADING: CHILDREN**

Consider your child's physical, emotional, and social needs. This includes how they will be protected from conflict and violence. Also think about your child's age, developmental and educational requirements, along with their need for stability. Look at how those needs were met in the past and consider what your child needs now. Maybe your child is mature enough to state a preference. Maybe they have unique needs or interests. Take that into consideration too.

The second category of factors is about you.

#### **SUB-CHAPTER HEADING: YOU**

How do you plan to meet the day to day needs of your child? Naturally, this includes elements like food, shelter, and clothing, but also areas such as school, culture, religion, and mental and physical health. Does your plan allow each of you have to frequent, regular, and continuing contact with your child?

Look at how you shared the roles and responsibilities of raising your child in the past. Think about what that will look like going forward. How well can each of you place your child's needs above your own? Can you work together to resolve disputes without needing to go to court?

The third category is your relationship with the other party or parties.

#### **SUB-CHAPTER HEADING: YOUR RELATIONSHIP**

Consider how well you communicate with the other party or parties and whether you can work together safely and effectively. Can you minimize disruptions to your child's life? Will you shield your child from family conflict? Think about how realistic your parenting plan is, factoring in where you live and work or where your child goes to school or has activities. How are you going to support your child's relationship with siblings, relatives, and other significant people in their life now and in the future?

The last category is unusual factors.

#### **SUB-CHAPTER HEADING: UNUSUAL FACTORS**

This is a small category, with only two factors. It applies only in very specific cases. One is military deployment. You need to consider whether this will affect your children. The last factor applies if you have been to court before. Think about the success or failure of prior court orders.

One final word about the best interest factors. As you draft your plan, think about other unique factors that are relevant to your family, always keeping in mind the best interest of your child.

#### **CHAPTER HEADING: THOUGHTFUL CONSIDERATION**

Whether you work together or separately, it helps the court to know that you and the other party or parties took time to think through your child's needs. They want to see that you gave thoughtful consideration to how to meet those needs. The court knows very little about you, your child, or your family dynamic. It relies on papers filed and evidence presented in your case. And let's face it: legal documents and evidence may not be a complete, nuanced picture of who you are as individuals or as a family unit. You know your family best.

#### **CHAPTER HEADING: LET'S REVIEW**

The court will review your parenting plan using the "best interest of the child" analysis and will consider factors in four categories: Factors about your children, you, your relationship, and unusual factors. Finally, giving thoughtful consideration to your plan is the best way to inform the court about your child's needs.

Remember, when it comes to your family, you're the experts.