



What if you two can't agree on the long-term parenting plan?

The judge may order you and the other parent to go to mediation. This may help you agree on a temporary parenting plan and a permanent parenting plan. **In mediation, a trained person tries to help you make a parenting plan you can agree on.** The mediator is not a judge. The mediator does not give legal advice. The mediator can't make you agree unless you want to.

Even though you and the other parent are mediating together, you usually do not have to be in the same room with the other parent. The mediator will go back and forth between rooms, talking to each parent until an agreement has been reached. Also, the parties or the mediator can end the mediation if no agreement is possible.

What if you can't afford mediation? You **MUST** tell the judge. You may get mediation for free if you can't pay. Or the judge may decide you only have to pay part of the cost. Or, the judge may decide you don't have to go to mediation. But, only the judge can decide about mediation.

What if you still can't agree?

Then both parents each write their own permanent parenting plan and give it to the judge. The judge can choose one of the plans or write a different one altogether. The judge will decide what plan to order on what the judge thinks is best for the child(ren). When the judge decides on an official plan, try to do everything it says. If you don't, the judge can send you to jail for up to 10 days each time you violate the Court's order.



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Permanent Parenting Plan

In Tennessee, a permanent parenting plan is a part of a divorce or custody case.



What is a parenting plan?

A permanent parenting plan is part of your final divorce or custody order. **It says what each parent will do for the children and when. It says how you will make decisions about the children.** It says how parenting time will be divided between the parents.

Writing a parenting plan can help you work together for the good of your children. Parents usually must agree on some things until their children are adults. Making things clear in the plan can cut down on arguing later.

Who needs a parenting plan?

1. All parents who get a new divorce.
2. Paternity and custody cases in juvenile court.

Both parents must go to a class on children and divorce. You don't have to go at the same time. In the class, you learn how divorce affects children and how you can help them. You also learn how to work with the other parent to raise your child after the divorce.

Classes will be held in your area several times each month or online. You must attend a class OK'd by the court to get credit for going. Your lawyer will help you find one. If you don't have a lawyer, ask the court clerk for a list of classes.

It is up to you to contact the class leader or go to the class website and sign up. You may have to pay for the class. If you can't afford to pay, tell the class leader. You may get to go for free. Or you may have to pay only part of the cost.



Writing the parenting plan

You will need a copy of the permanent parenting plan papers. Your lawyer will give you the papers and help you with them. **What if you are filing for divorce or custody without a lawyer?** You can get the papers on the internet by going to <http://www.tsc.state.tn.us/forms-publications>. Then click on "Parenting Plan Forms."

What if the other parent files for custody or divorce?

What happens while you are waiting for the court to OK a permanent parenting plan? **The court may OK a temporary parenting plan. It will say when each parent will spend time with the children.** This will last until the final custody hearing. Then you will get a permanent parenting plan.

On the permanent parenting plan papers, you say what each parent will do for the children. You say when the children will stay with each parent, including holidays, vacations, and birthdays. You say how much child support will be paid and which parent will pay support. You say how you will decide about the children's medical care, education, and religion. You say how you will handle future disagreements about the children.

How do you change your current permanent parenting plan?

It depends on what your current permanent parenting plan says. **Some plans just say you must go back to court. Other plans say you must go to mediation first to try to work out an agreement for a new permanent parenting plan.** Then you go to court for the judge to OK the new permanent parenting plan. But before you go to court or to a mediator, you have to give the court a whole new plan that includes the changes you want on it. In court, you must show the judge that something important has changed. AND that, because of this, the permanent parenting plan needs to change. You must explain how changing the permanent parenting plan is best for the children.