



By Steven D. Kramer

Steven D. Kramer is founder of Kramer Law Firm. He is listed in Florida's Best Lawyers (2013-2014) and Best Lawyers in America (Woodward/White 2012-2014). Steven earned a J.D. from the University of Florida and a small business leadership certificate from the Harvard Business School.

HOW FAMILIES CAN COPE WITH DIVORCE OVER THE HOLIDAYS

Not hiring the right divorce attorney can make the holidays very difficult for families, especially children. If you are going through divorce or you are divorced, it can be difficult to decide who gets the kids on Thanksgiving, Christmas Eve, New Year's Day, and all of the in-betweens.

If you are in the throes of a divorce, you are probably familiar with the term "parenting plan." In Florida there is no such thing as custody. Instead we have parenting plans that are essentially a guidebook for parenting, insofar as there can be a guidebook.

A parenting plan can range from very simple and loose, to detailed with instructions on where kids spend their time from minute to minute. Parenting plans can address whether mom or dad picks up the kids from school, or who makes decisions on getting braces.

In looking toward the holidays, parenting plans can determine whether dad gets to take the kids for a ski trip, or whether the kids spend Christmas with mom this year. Sometimes parenting plans do not deal with any of these questions in a meaningful way, and families are left to work it out, or worse, fight during the holidays.

An experienced lawyer who understands the real-world challenges that divorced parents face around the hectic holidays can help develop a parenting plan that works. Crafting a parenting plan that works means tailoring the plan to fit the family in question.

Every family is different, and boilerplate generic forms are a recipe for disaster. It is important to hire an attorney with the writing skills, real-life experience, and attention to detail that qualifies them to design a fitted parenting plan. Imagine if the only size shoe was a size eight. While those shoes would fit pretty well for those people with size eight feet, everyone else would either be barefoot or in agony. Families can work to avoid agony and have a happier holiday season with a plan that fits.

Still, an unused parenting plan is essentially a pile of paper. Once a plan is in place, parents need to work with the plan and stick with the plan to make things work. Parents should plan for the holidays and address potential issues in advance. Christmas morning is not the time to fight about where the kids are spending the week.

If your ex is not playing fair or is breaking the rules, document the problems in a journal or on a calendar. Email can also be a useful tool in documenting problems. Rather than immediately proceeding to court, mediation or a conciliation conference might save money and avoid heartache. If all else fails and your ex is being unreasonable, you can file something with the court. In either case, it is better to deal with potential issues in advance and preserve a peaceful holiday season for you and your family.

For families dealing with divorce, having a good parenting plan is one of the keys to having a happy holiday season. Once a plan is in place, work with the plan and stick to the plan so that you and your children have peace during the holidays. If a plan is not working or if you see problems down the road, anticipate them in advance. The best part about parenting plans is that they are not carved in stone. If something is not working, plans may be modified or tailored to fit better. With a good lawyer, there are always options.

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