

Part 6. What if We Cannot Agree on a Parenting Plan?

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.

In this video, we cover what happens if you and the other party or parties agree on some issues, but not others. Or maybe you can't work together because it's unsafe or you cannot work together in a productive way. We'll introduce you to the joint statement, a form you'll submit to the court. We'll provide details on both Part 1 and Part 2 of that statement. Finally, we'll go over what to do when you can – or cannot – complete the joint statement together.

If you and the other party or parties agree on a comprehensive parenting plan, do not file the joint statement. Watch part 5 of this series to learn what to do.

CHAPTER HEADING: JOINT STATEMENT

Just a note...The name of this document is long, so you might want to write it down. The form is called a *Joint Statement of the Parties Concerning Decision-making Authority and Parenting Time*. To find it, search for Maryland court form number CC DR 110. Or, find a link at mdcourts.gov/parentingplan.

This statement will help the court identify issues it needs to concentrate on at trial and understand what is important to each of you. The joint statement assists the court in drafting a custody order it decides is in the best interest of your child. It also helps you save time in court and money.

SUB-CHAPTER HEADING: PART 1

In Part 1 of the form, describe issues on which you and the other party or parties agree. You may not be able to fit all your points of agreement on the form. Attach additional sheets to the joint statement that lay out all those points and write "see attached." The court will review your points of agreement and decide if it agrees that your solutions are in your child's best interest. Be prepared, the court may ask you questions about those points.

SUB-CHAPTER HEADING: PART 2

In Part 2 of the Joint Statement, identify issues the court needs to decide. The statement has space for you to propose solutions you each believe are in your child's best interest. For example, let's say you and the other party or parties cannot agree on where exchanges will take place. You think it is in the best interest of your child for exchanges to be made at each other's houses. The other party wants exchanges to occur at the local library. In the section

“Transportation and exchanges,” you will each write in your proposal. Keep it simple. Remember, the joint statement is meant to help the court identify issues. You will have a chance to elaborate in court on why your proposal is in your child’s best interest. If the issues you need the court to decide or your solutions do not fit on the form, attach additional sheets and write “see attached.”

CHAPTER HEADING: SUBMIT IT

You and the other party or parties may work on the joint statement together, with your lawyers, or with the help of a mediator. When it’s done, sign it and file it with the court. If you are not able to work together, review the section *“What if you cannot agree on a parenting plan?”* This can be found in the *Maryland Parenting Plan Instructions*. Each party may consider filing their own joint statement form.

CHAPTER HEADING: LET’S REVIEW

If you can’t reach an agreement on all child custody issues, you must submit a joint statement on form CC DR 110. You don’t need a joint statement if you are able to agree on a comprehensive parenting plan. If possible, work together on Part 1, detailing your agreements. On Part 2, identify issues the court will need to decide.

Submit the joint statement to the court. If working together is not possible, review the parenting plan instructions and consider submitting individual statements.

This can be a stressful process, but remember...your statement will help the court better understand what is in your child’s best interest. Having a statement prepared for the court may also save you time and money. And, THAT, we can all agree, is good for everybody.