

Parenting Plan:

Apply for free legal aid online at
MontanaLawHelp.org or call/text Kaia,
YHDP Coordinator, at (406) 594-1971



Montana law no longer uses the words "custody" or "visitation." Instead, we use "parenting" to promote the idea that both parents should raise their children.

A parenting plan must be included in every divorce, known as *dissolution of marriage* in Montana, with minor children.

Unmarried parents should file for a parenting plan after a child is born to establish a stable schedule that will work for both parents and the child.

Parenting plans are meant to help avoid disagreements about the parenting of children. The plan is supposed to protect the child's best interest, define parental responsibilities, and help prevent the parents from going back to court. It is a legally binding contract that helps everyone by establishing a consistent routine.

Tribal communities may have different rules for establishing a parenting plan. If you are a tribal member living in a tribal community, call MLSA for advice on your specific situation.

The process for filing a parenting plan:

The **Petitioner** is the party who first asks the court for a parenting plan by filing a Petition for Parenting Plan with the Clerk of District Court. If you need to set a schedule immediately, you may also file an Interim Parenting Plan.

The **Respondent** is the other parent. The Respondent will state what they would like in a parenting plan by filing an Answer to Petition for Parenting Plan. The Respondent must file an answer within 21 days after being served with the Petition for Parenting Plan.

Filing a Petition for Parenting Plan does not establish a parenting schedule right away. Filing starts a court process to decide where the children will live, what kind of contact the children will have with each parent, and how the parents will make decisions about the child. In this process, there will be opportunities for the parties to agree on a parenting plan together if they are able.

The court will order a final Parenting Plan at the end of the process.

Please contact MLSA for additional information and assistance.
Find parenting plan information & forms on: MontanaLawHelp.org

Important things to consider:

- The more specific you make the parenting plan, the less likely you and the other parent will disagree over the details in the future.
- You may need an advocate or an attorney if there is or has been physical, emotional, or sexual abuse of you or the children.

How can MLSA help me?

MLSA provides FREE legal information, forms, advice, and representation to eligible clients.

MLSA's Youth Homelessness Demonstration Project (YHDP) Coordinator can provide you with referrals to agencies in your community and link you with free civil legal assistance.

Have more questions about your legal rights? Visit:
MontanaLawHelp.org

