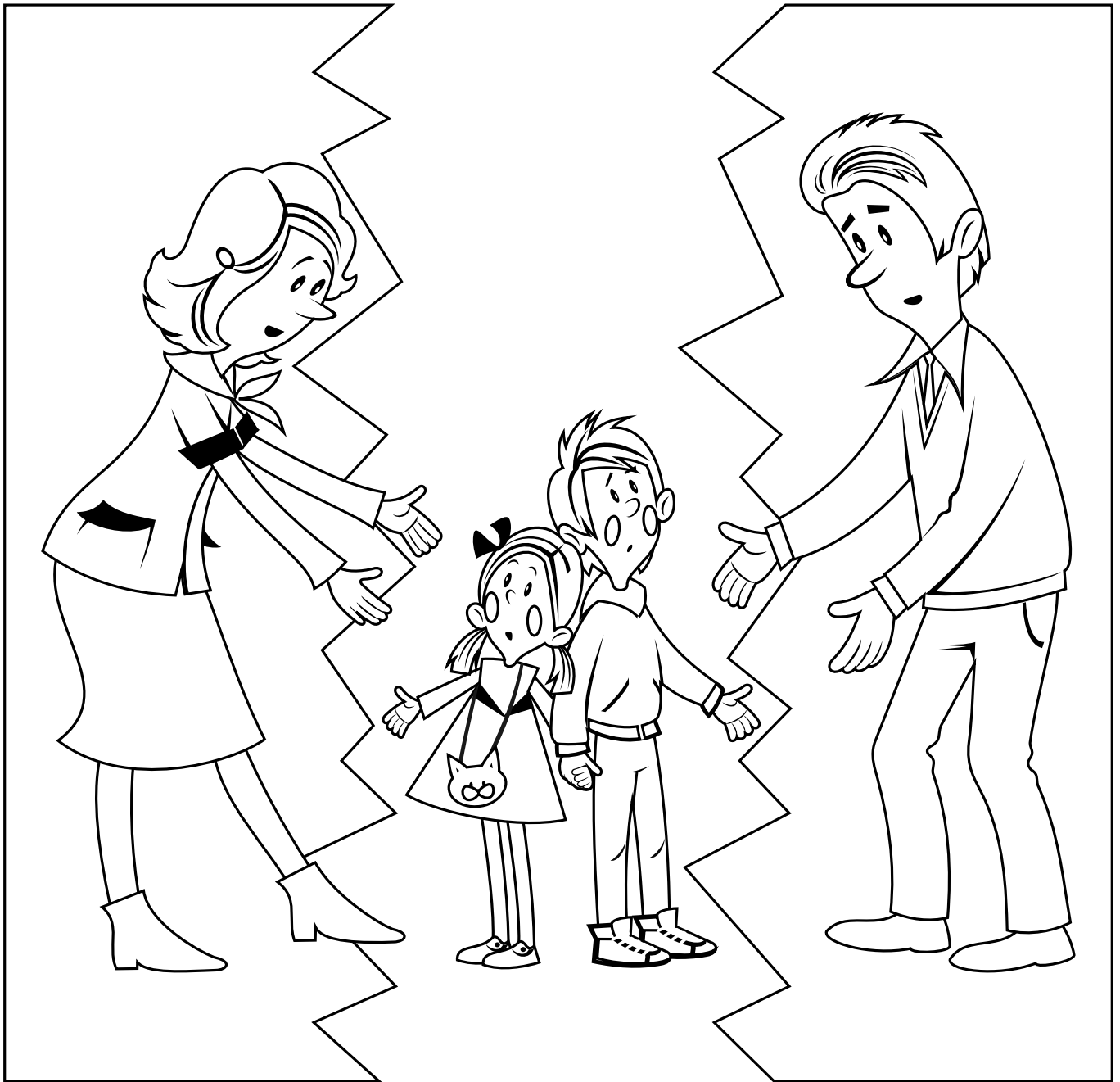


# DIVORCE

## Guide for Children



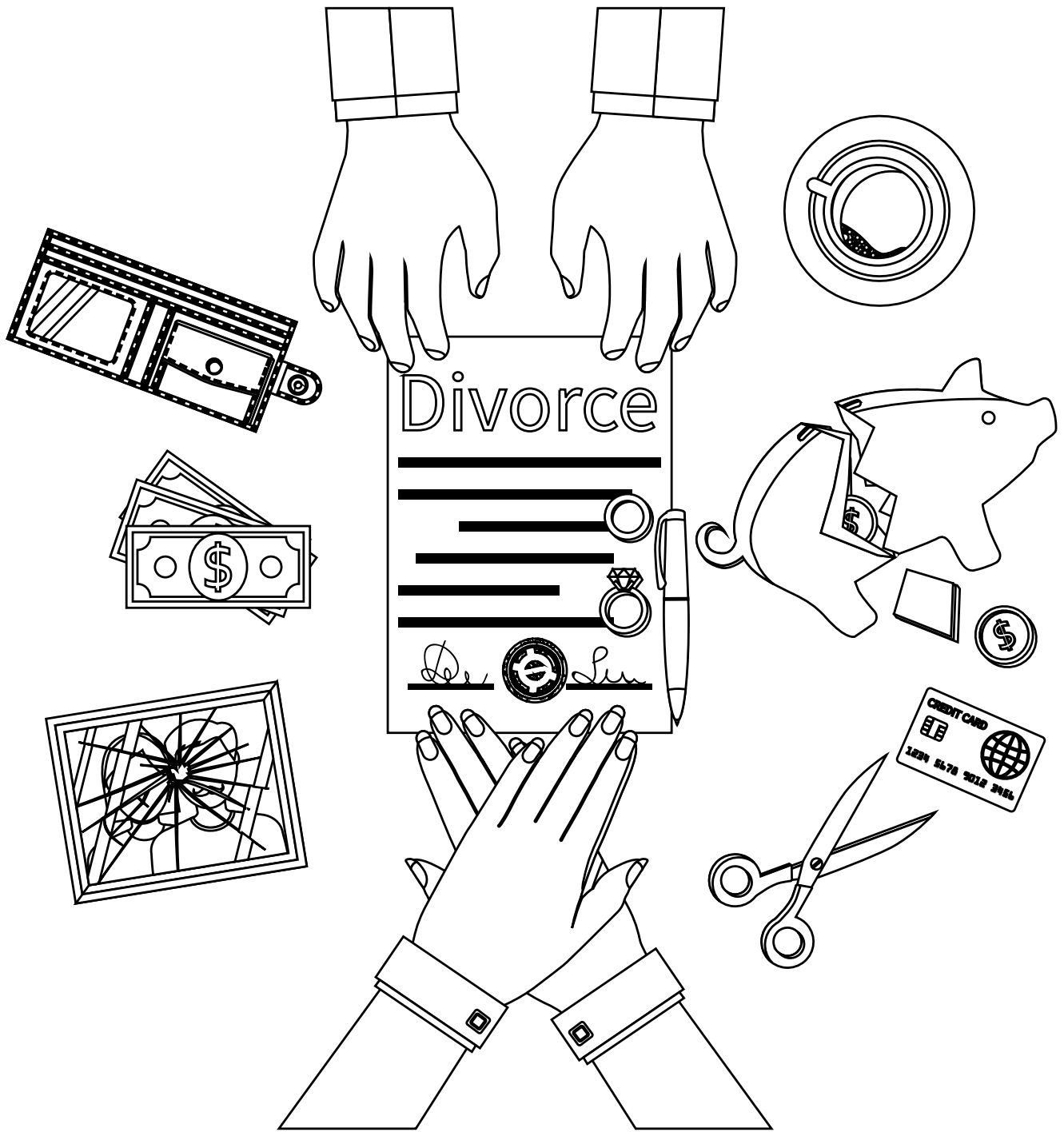


Your parents are getting a divorce or separating. It can be a scary process, but it is not because they don't care about you or love you.

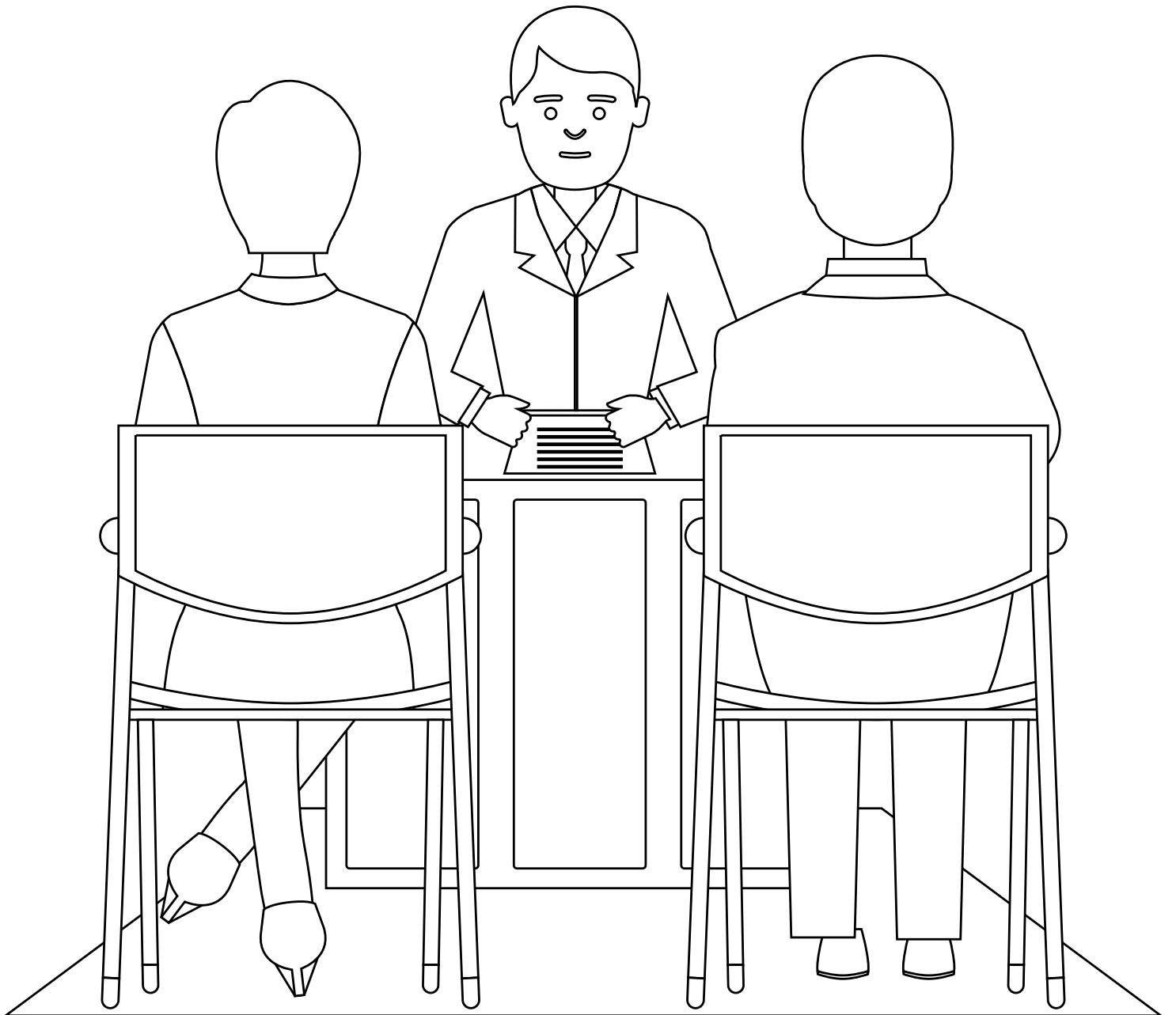
Divorce is not your fault.



Remember that you will be okay and you will get through this. You are also not alone. Your teachers, counselors and friends can help you get through this. They will be willing to listen and there is a good chance that they have dealt with a similar situation.



When your parents get a divorce or separate they will have to file some papers with the Court. If your parents are married, these papers are called a Petition for Divorce, and if they are not married, they are called a Petition in Suit Affecting the Parent Child Relationship.



They may hire an attorney to help them or they may do it themselves. You may or may not meet your parents' attorneys. There is no need to be afraid of them. They are there to help your parents understand the legal process, ensure your parents can express everything they need and allow it to be as fair as possible.



At the beginning of the case, your parents may need to get some rules from the Judge on how to do things temporarily. These are called Temporary Orders. The Temporary Orders will put forth basic rules for your parents to follow until the divorce is final.

Your parents may also need to get what is called a Temporary Restraining Order. This document helps protect you and your parents' property before the Judge has a chance to talk to your parents about any problems they are having.



The Judge is the person who decides all of these issues if your parents need his or her help. Judges are people just like us and they are there to help you, not hurt you.

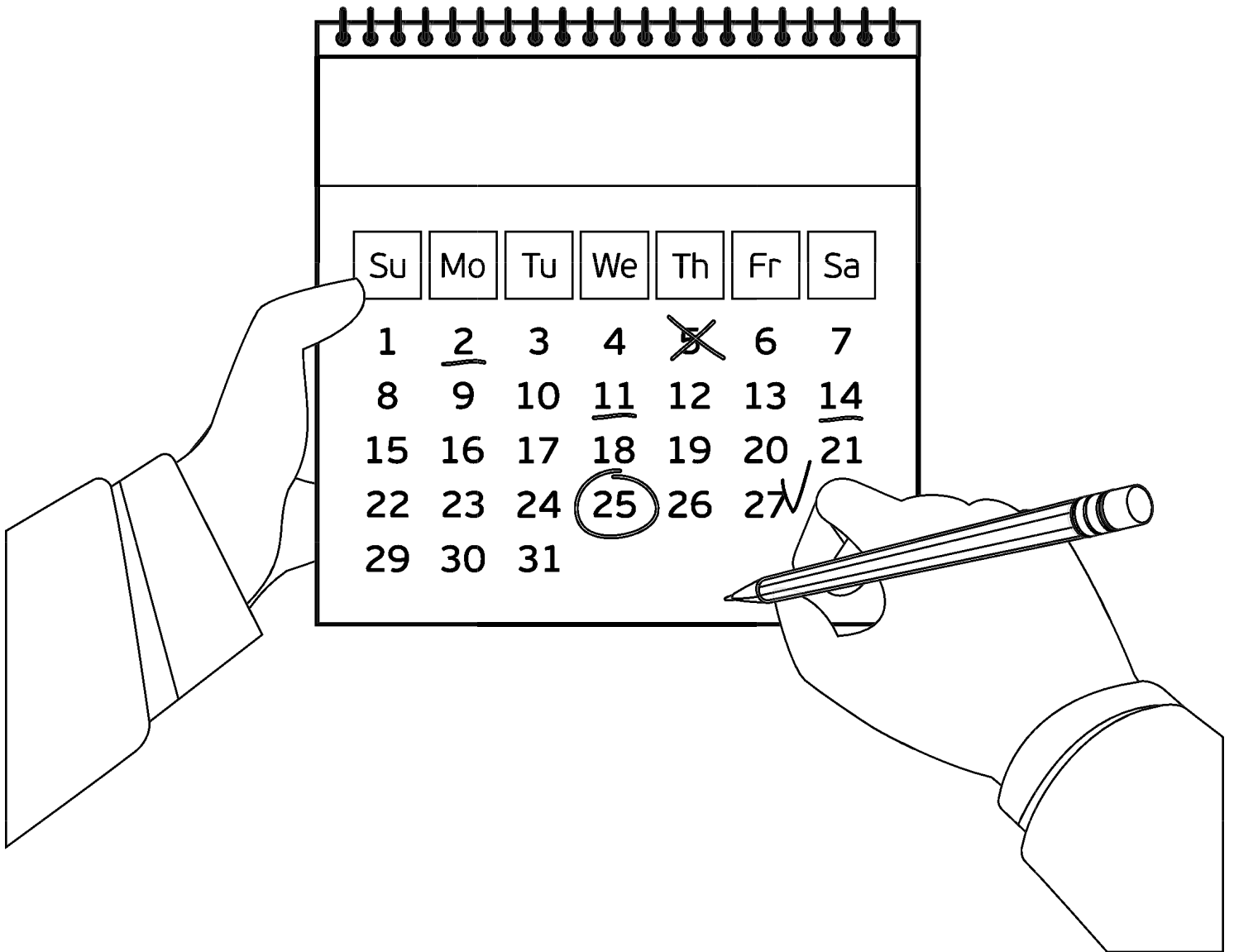


Judges want what is best for you even if what the Judge decides may not seem like it is best in your opinion.

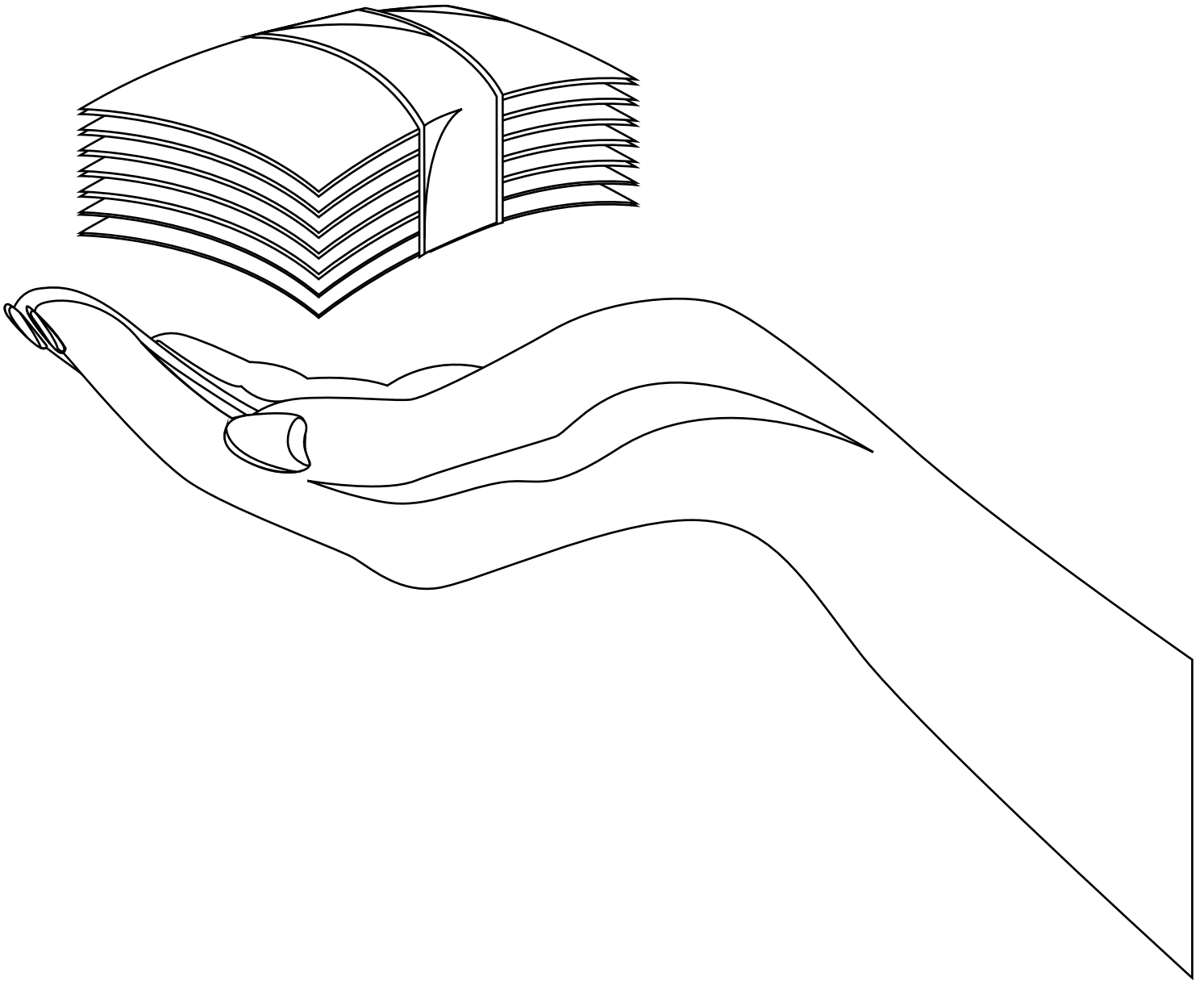




There are specific laws that say exactly what times your parents can see you and your parents will have to abide by those rules. Many times your parents can switch schedules, as long as they both agree, to make sure you get the most amount of time with both parents.



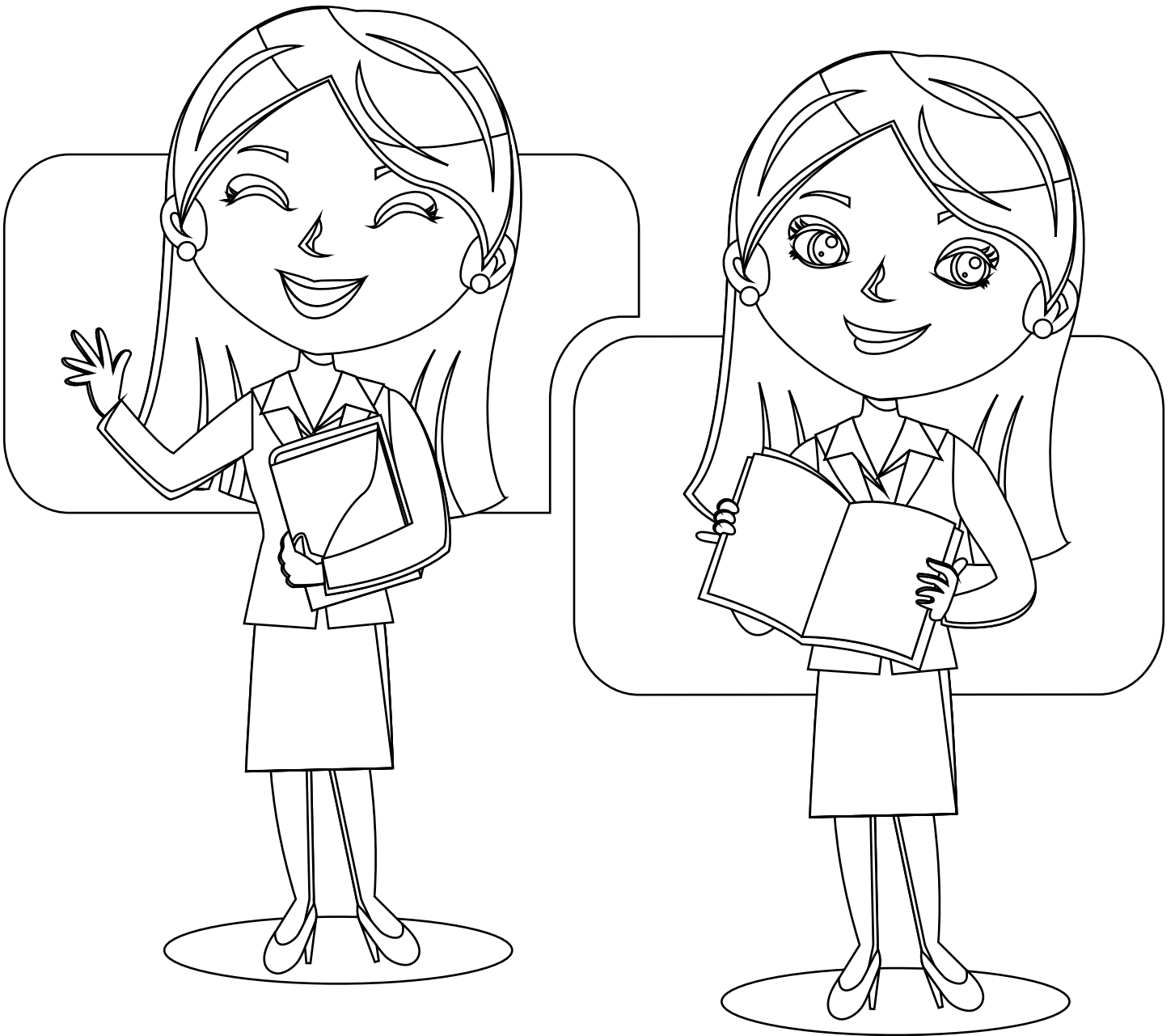
*Possession and Access* - You may hear your parents use this term. This means when your parents get to see you. There will be specific days and times when you can see each parent. The order should also cover holidays and birthdays. If you have questions about where you will be and when, ask your parents to make you a calendar so you can keep up.



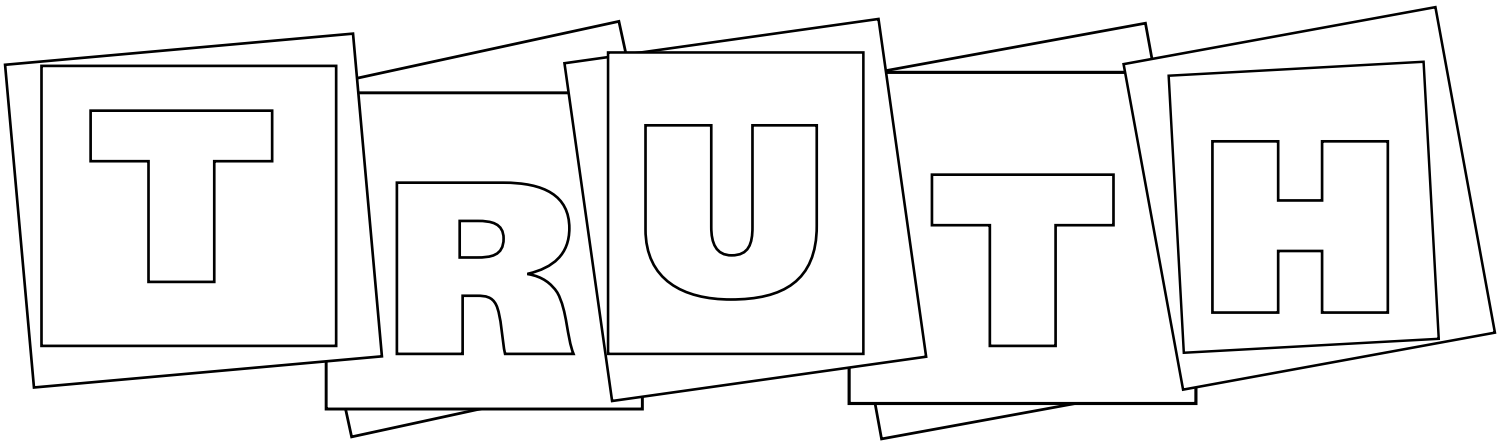
Child support - In most cases, one parent has to pay the other parent child support to help that parent pay for things that help them take care of you. This part is not for you to worry about. Just know that you will be taken care of and you have two parents who love you.



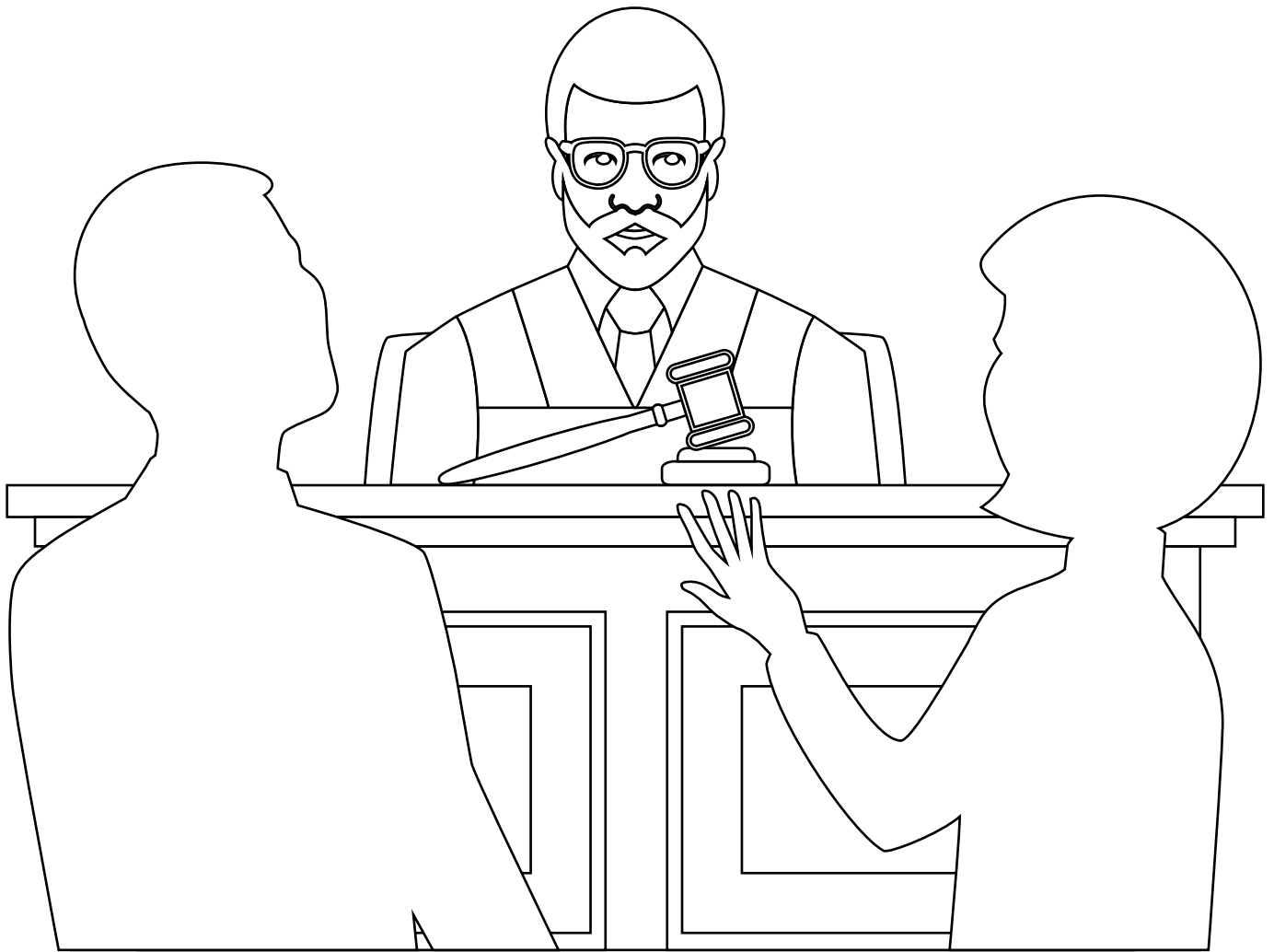
There may also be other Temporary Orders that go into place that involve other people who are going to help the court determine what is best for you. These people may be counselors or psychologists who are there to help you understand the process and talk about any feelings that you have.



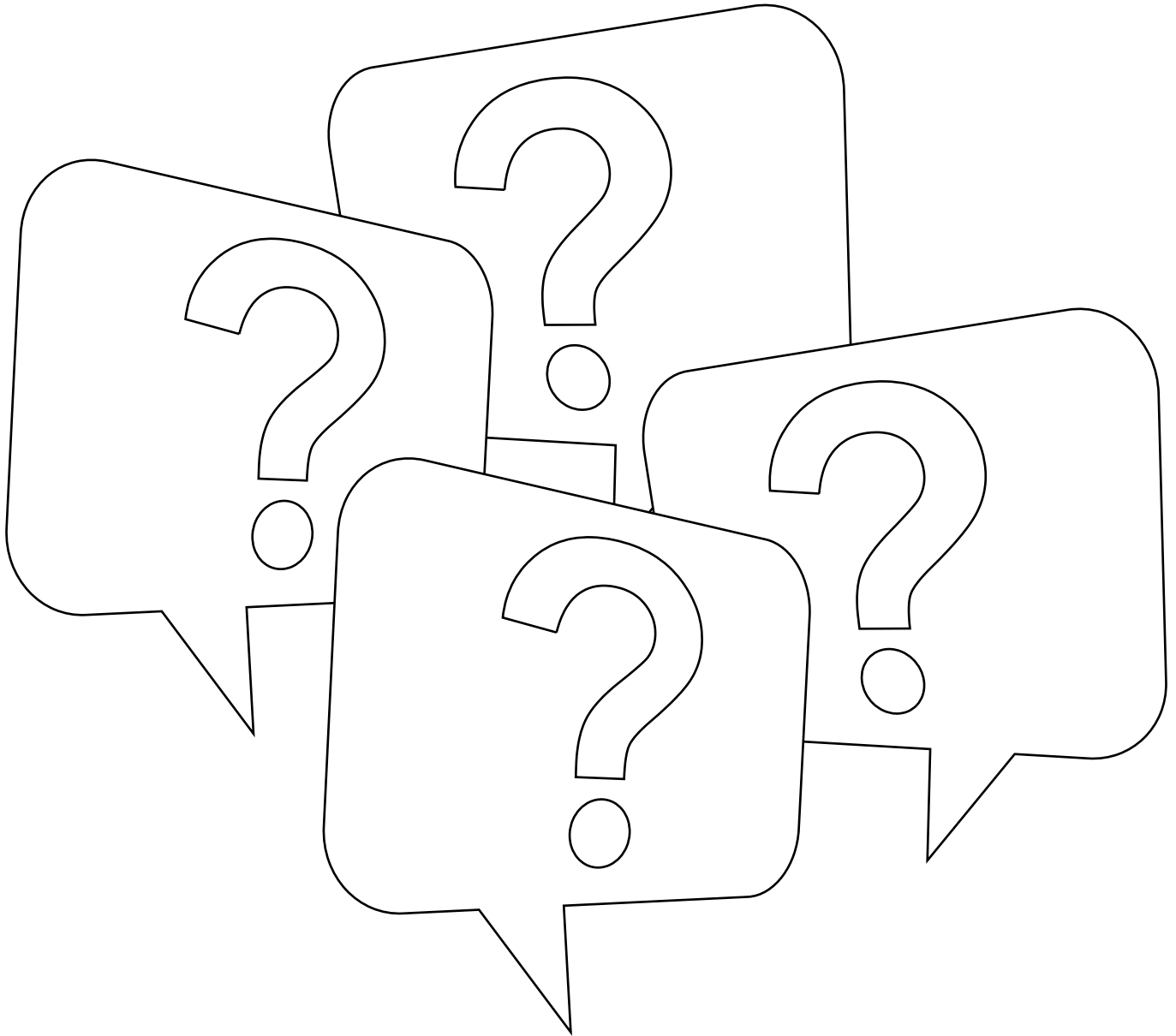
There may also be a *Guardian Ad Litem* or *Attorney Ad Litem*. While these are big names, these people are not scary and are actually there to help the court understand what is best for you or tell the court what you want.



If these people do talk to you, it is important to be honest with them.

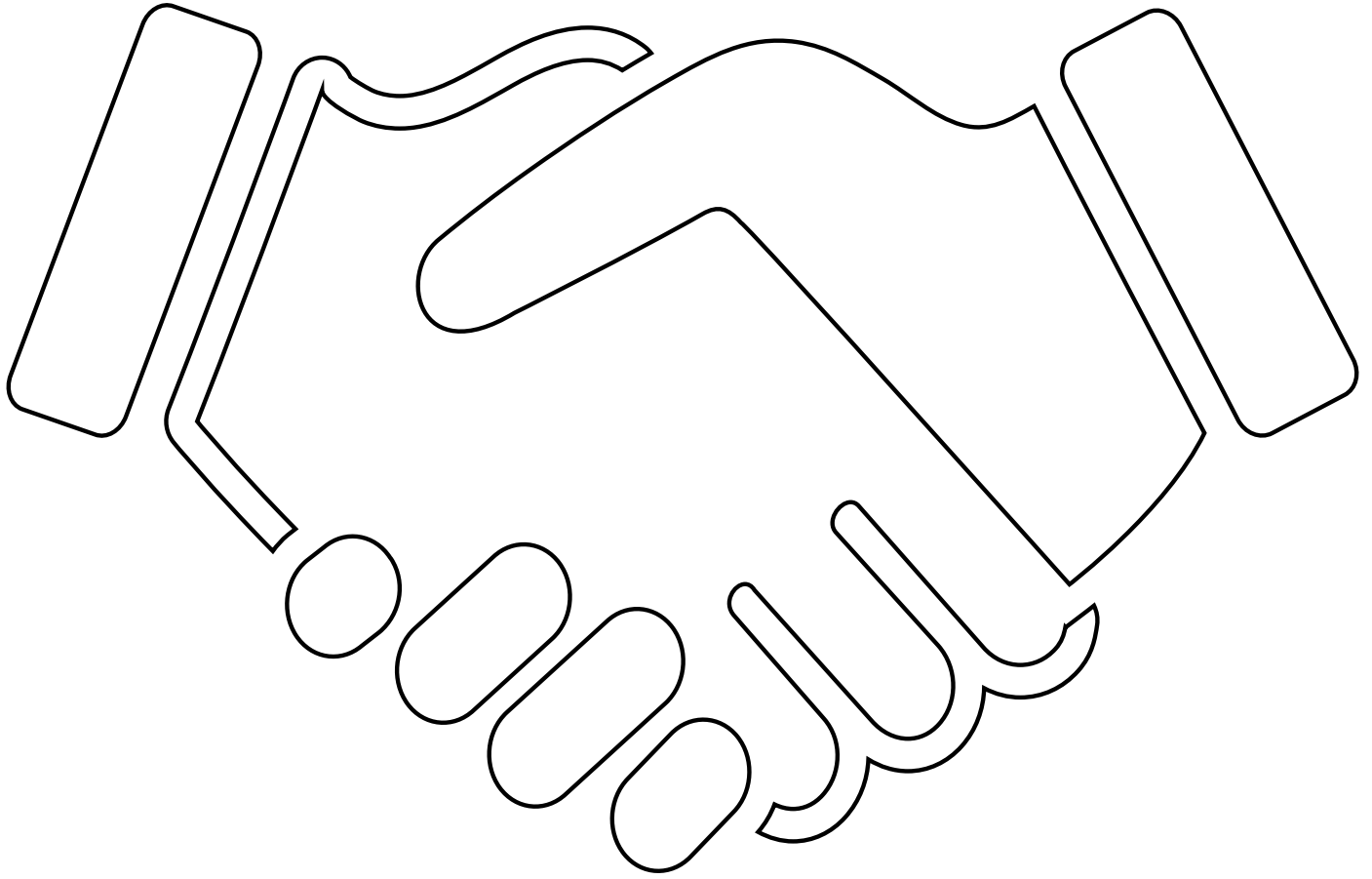


Sometimes the Judge may want to talk to you. The law determines if the Judge gets to talk to you or not. Most of the time, the Judge will talk to you alone in their office and it will likely not be like what you see on TV. If you do get to talk to the Judge, make sure that you are honest with the Judge when they ask you questions. You do not get to choose who you get to live with—your opinion is part of the bigger decision in the case.



Your parents may need to participate in what is called the "discovery process." This is where your parents share information that they may need to help them get divorced. You should not be a part of this process.

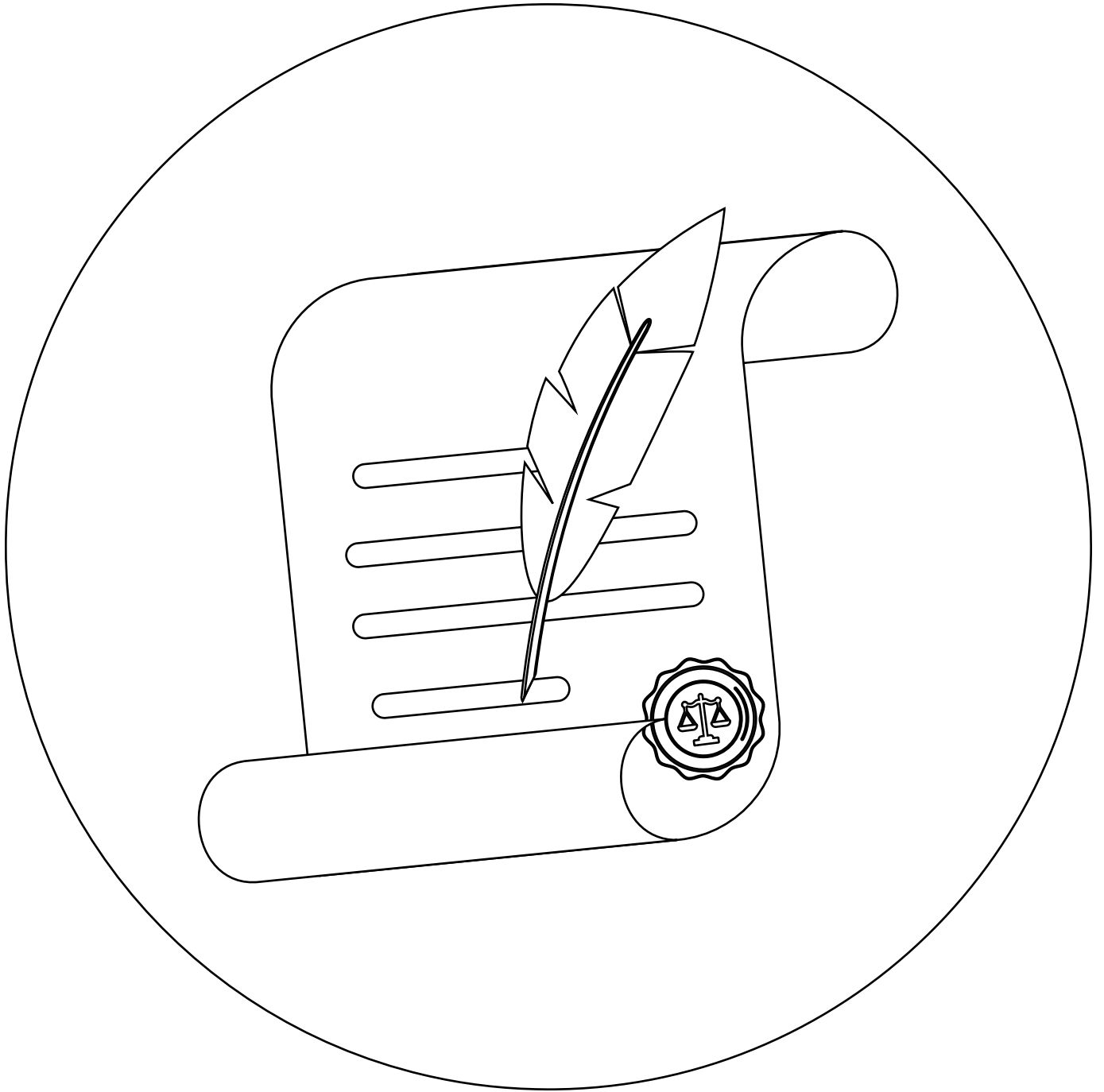




Coming to an Agreement or Settlement - Your parents may either be able to come to an agreement or settle the case by themselves or with the help of their attorneys.



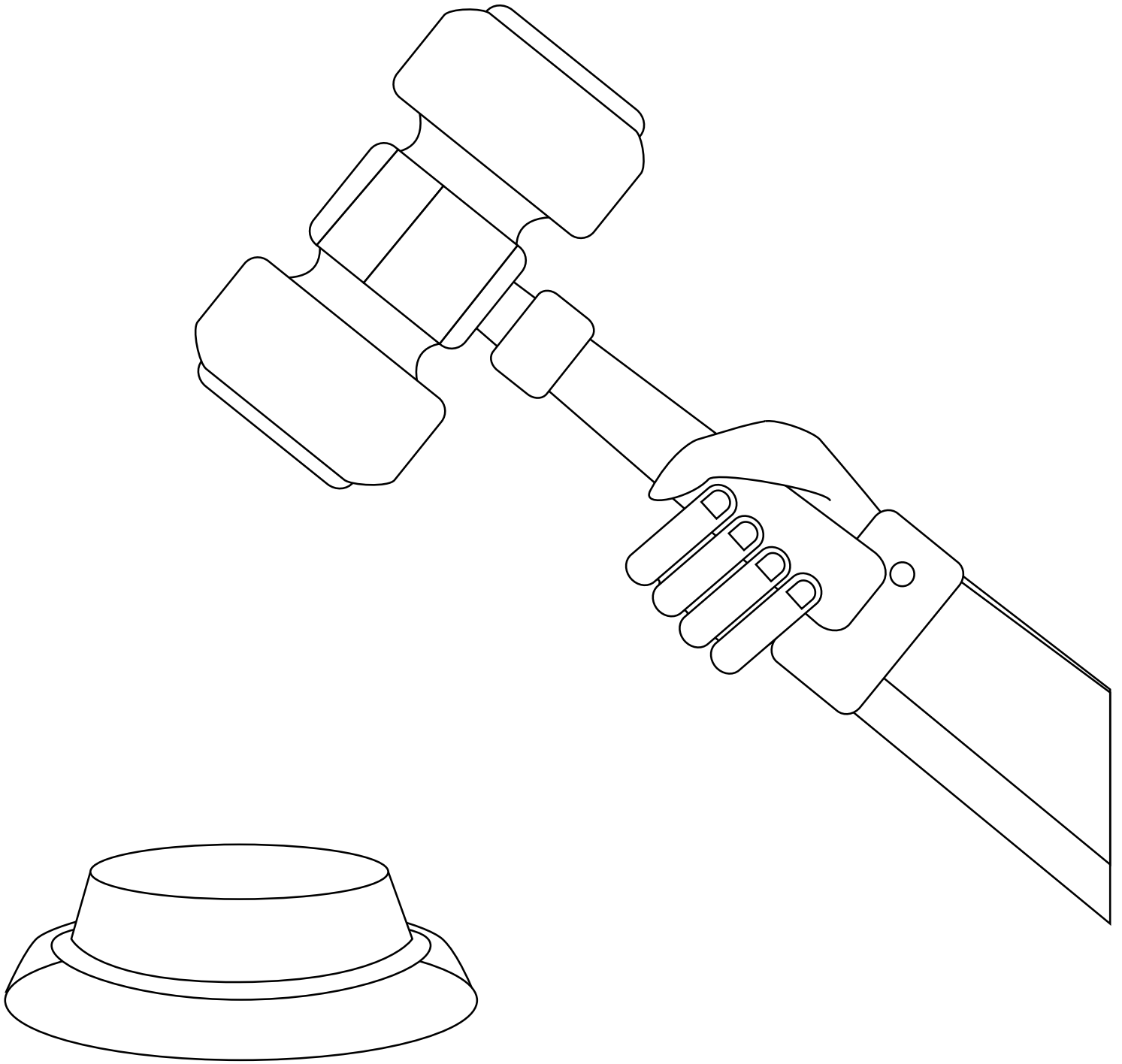
They may also have to go to mediation. Mediation is where your parents sit in a room with their attorneys and then another person tries to help them come to an agreement.



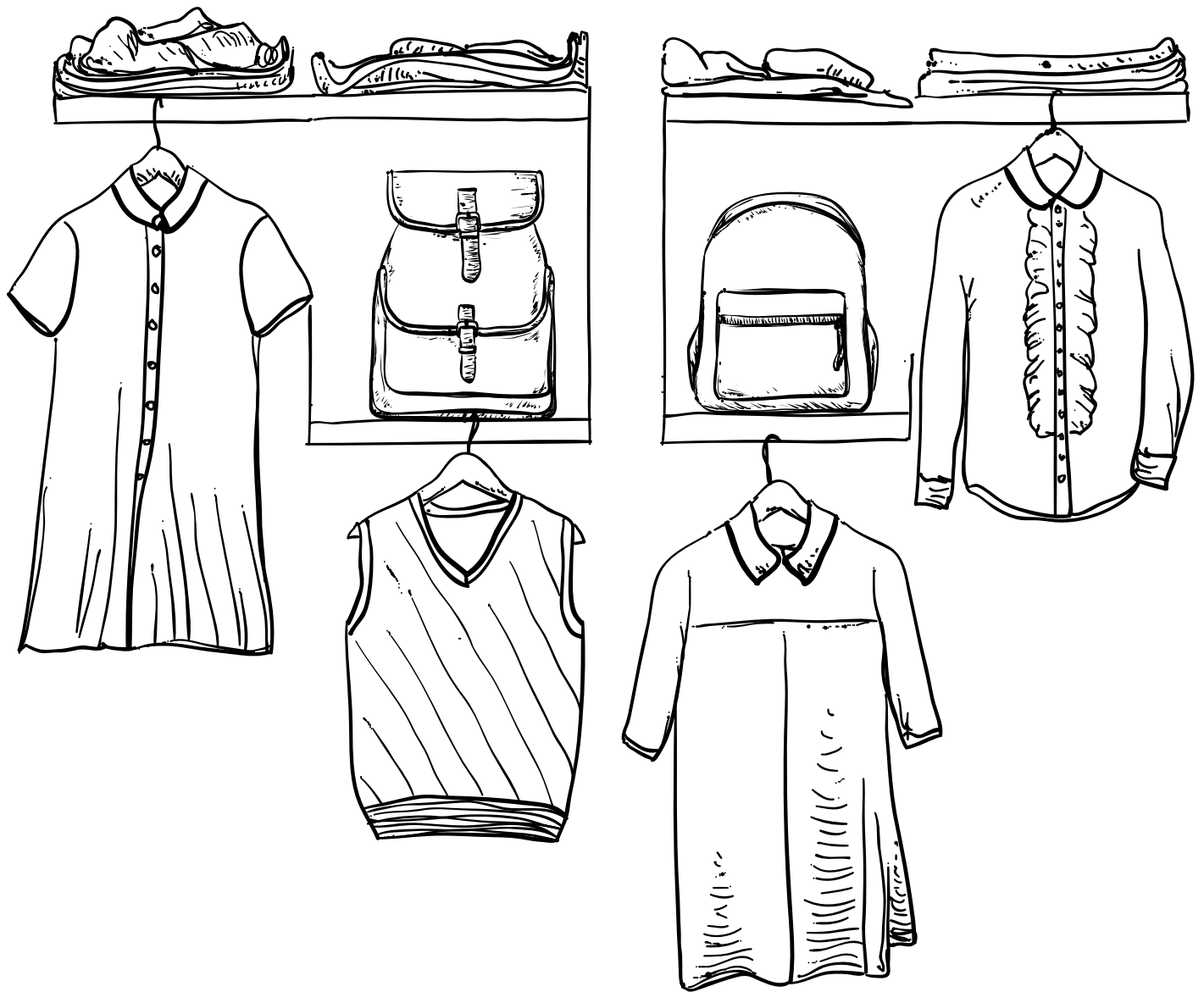
If your parents come to an agreement, then they can put that into a final piece of paper.



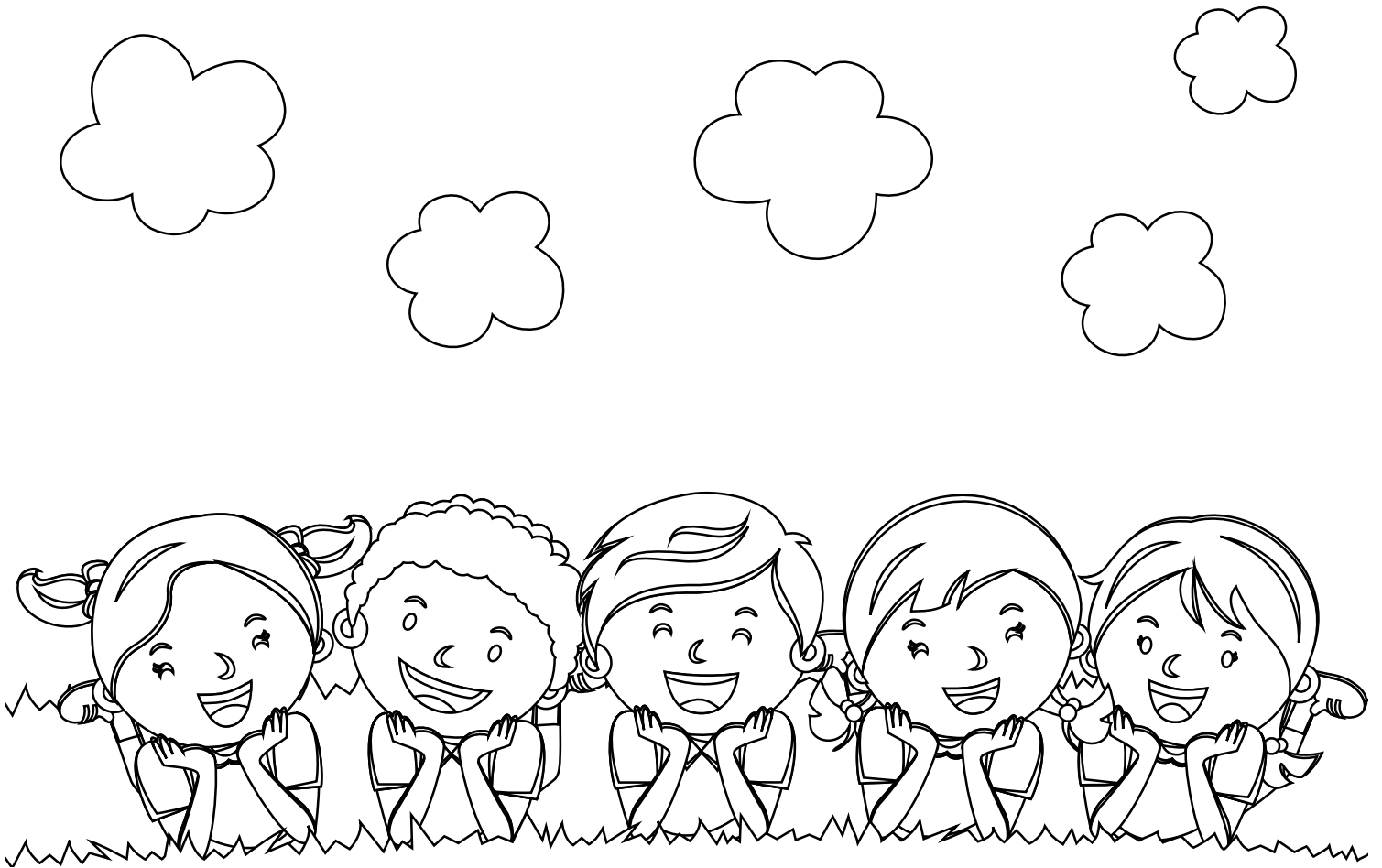
Sometimes things are not easy to work out in a settlement and your parents may need to get the Judge to help them make a decision during a trial. During the trial, both of your parents will be able to tell the Court their side of the story and have people come in to support their side. These people are called "witnesses."



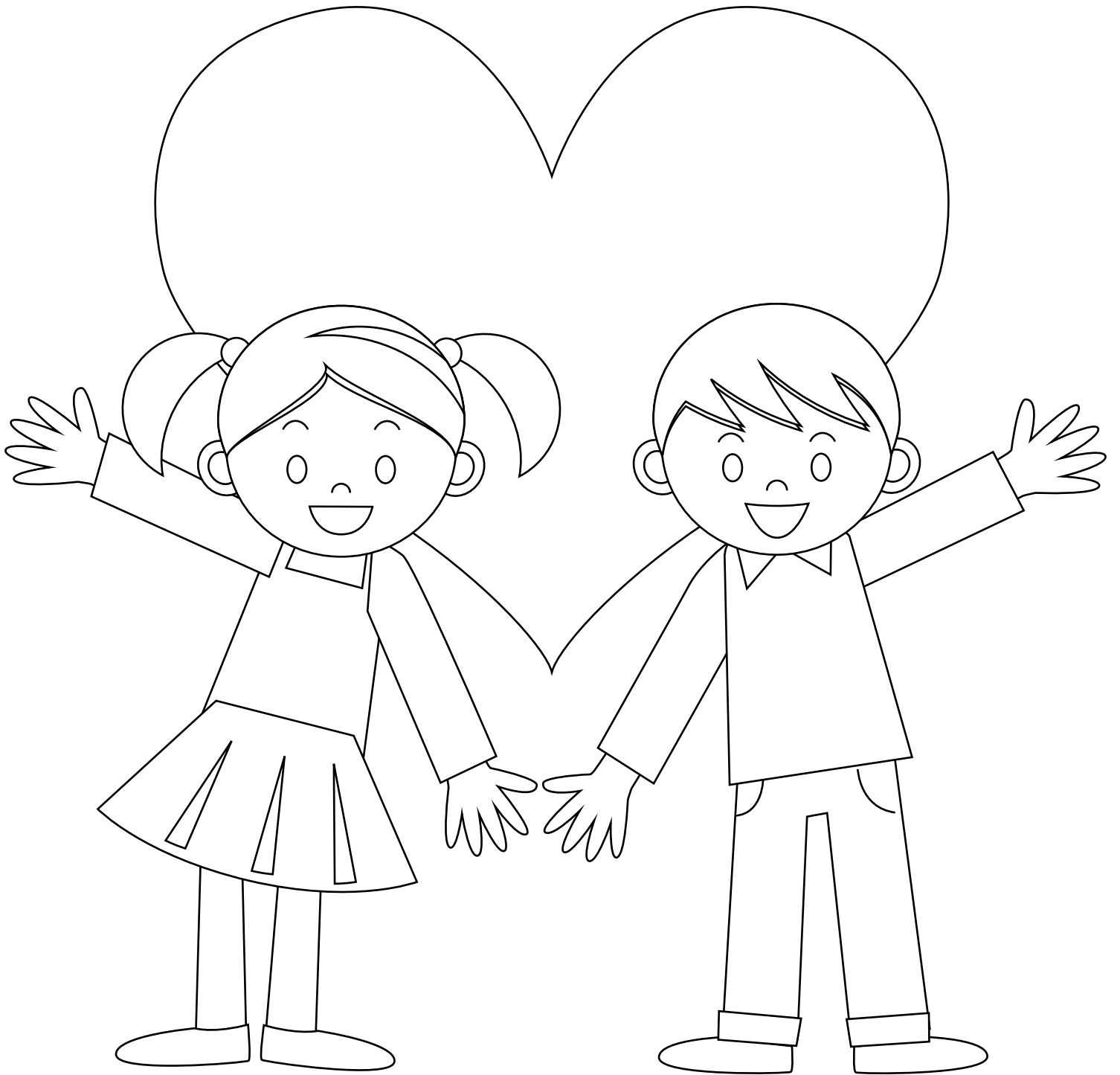
At the end of the trial, the Court will make a final decision that covers child support, a schedule for you with both of your parents, and who gets what pieces of property. This decision is called a Final Order or a Final Decree of Divorce.



After the Divorce - Having two homes can be hard, but lots of kids do it and so can you. It is important to talk to your parents and let them know if you need help moving between houses or if you need something at one parent's house that isn't at the other parent's house. Both parents love you and want to spend time with you. Having a safe relationship with both parents is what is best for you.



Always remember your parents love you and want what is best for you. You can also talk to your friends and school counselors to help you cope. If you need help, all you have to do is ask!



Future Modifications - Sometimes in order to protect you and do what is best for you, the final orders need to be modified. This is normal and there is no reason to be fearful. Trust that the Judge will make more great decisions for you.



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