

What Is A Parenting Plan And What Should It Include In New Jersey?

New Jersey Family Law Attorneys Explain What Every Parenting Plan Should Cover

When parents in New Jersey separate or [divorce](#), there are often many different documents and agreements that both sides must finalize, especially when children are involved. And one of the most common – and most important – agreements is a parenting plan.

But what exactly is a parenting plan? What do they cover? Is a parenting plan required in New Jersey? Are they legally enforceable? And what happens if parents can't agree on a parenting plan for their children?

Our New Jersey [family law](#) attorneys at [Williams Law Group, LLC](#), help parents create parenting plans that are realistic, detailed and built around the child's actual needs. That's because we have worked with families throughout New Jersey at every stage of separation, divorce and custody disputes. We understand the importance of these decisions, and we're here to help you get this right.

What Is A Parenting Plan In New Jersey?

A parenting plan is a written document that sets out the specific terms of how separated or divorced parents will share time with their child and make decisions about the child's upbringing. In New Jersey, courts refer to this document in several ways – it may be called a parenting plan, a custody agreement or a parenting time agreement. Whatever the label, the purpose is the same: to give both parents and the child a clear, predictable structure for daily life after the family separation.

In New Jersey, parenting plans typically address two different types of custody. [Legal custody](#) covers who has the authority to make important decisions about the child's education, health care, religious upbringing and general welfare. [Physical custody](#) refers to where the child lives and how parenting time is divided between the two homes. A parenting plan addresses both and explains how parents will handle each.

Once a parenting plan is reviewed and approved by a New Jersey court, it becomes a legally enforceable court order. That means both parents are required to follow it. A parent who ignores or repeatedly violates the parenting plan can face legal consequences. The plan can be modified later if circumstances change significantly, but until a court changes it, both parents are bound by it.

Is A Parenting Plan Required In New Jersey?

In New Jersey, a parenting plan is effectively required in any divorce or legal separation involving a child. Under [New Jersey Court Rules](#), parents are expected to submit a proposed parenting plan as part of the divorce or custody process. If both parents agree on a plan, they

can submit it together as a consent order. If they cannot agree, a judge will decide the terms after reviewing what each parent has proposed.

Even in situations where parents are not legally divorcing – for example, parents who were never married but are ending a relationship – a court-approved parenting plan is still strongly advisable. Without one, arrangements are informal and unenforceable. If one parent later refuses to comply or disputes what was agreed to, there is no court order to rely on. A formal parenting plan protects both parents and, most importantly, the child.

Judges in New Jersey want parenting plans to be specific and detailed. Vague language like “reasonable parenting time” tends to create conflict because both parents may interpret it differently. Courts prefer plans that lay out schedules, decision-making processes, and conflict resolution methods clearly enough that both parents know exactly what is expected of them at any given time.

What Does A Parenting Plan Cover?

A thorough parenting plan covers far more than just where the child sleeps each night. It addresses the full range of situations that come up in a child’s life – from the weekly school routine to emergency medical decisions to summer vacation plans. The more detail a parenting plan includes, the fewer arguments parents are likely to have down the road.

A well-drafted New Jersey parenting plan typically addresses the following:

- **The Regular Parenting Time Schedule:** This is the day-to-day schedule that determines which parent the child is with on any given weekday or weekend. It sets pickup and drop-off times, specifies where exchanges happen and makes clear what the routine looks like during the school year.
- **Legal Custody And Decision-Making:** The plan should state whether parents share legal custody jointly or whether one parent has sole authority over major decisions about the child’s education, health care and religious upbringing. If parents share legal custody, the plan should describe how they will communicate and resolve disagreements when they don’t agree.
- **Holiday And Special Occasion Schedules:** Holidays, school breaks, birthdays, Mother’s Day, Father’s Day and other special occasions need their own schedule. Without one, these dates become a source of repeated conflict every year. The plan should specify which parent has the child on which holidays and whether any holidays rotate from year to year.
- **Summer And School Break Schedules:** Summer vacation and extended school breaks often require a different schedule than the regular school-year routine. The parenting plan should address how summer time is divided, when parents need to give notice of vacation plans and how extended trips are handled.

- **School And Education Decisions:** The plan should address how decisions about the child's school enrollment, tutoring, extracurricular activities and special education services will be made. It should also address transportation to and from school and how school events, parent-teacher conferences and field trips are handled when both parents want to attend.
- **Medical And Health Care Decisions:** Routine and emergency medical decisions both need to be covered. The plan should explain which parent is the primary contact for medical appointments, how each parent is notified about the child's health issues and what happens in a medical emergency when one parent cannot be reached. Both parents typically should have access to medical records and providers.
- **Communication Between Parents:** The plan should specify how the parents will communicate with each other about the child – by text, email or a co-parenting app, for example. It should also address how the child communicates with the parent who does not currently have parenting time, including phone calls, video calls and reasonable expectations around response times.
- **Travel And Relocation:** If a parent wants to travel out of state with the child, the plan should address how much notice is required, how the other parent is informed and what documentation may be needed. It should also address what happens if one parent wants to relocate to another state permanently, which is a separate legal issue in New Jersey but worth acknowledging in the plan.
- **Extracurricular Activities:** The plan should address how decisions about the child's activities, sports, lessons and commitments are made and how the cost of those activities is shared. It should also make clear that both parents support the child's participation even during the other parent's parenting time.
- **Dispute Resolution:** Even a well-written parenting plan will encounter situations neither parent anticipated. A dispute resolution clause describes how parents will handle disagreements – whether through direct communication first, mediation or returning to court as a last resort. Having a process in place reduces the risk that every conflict escalates into litigation.

Not every family needs every provision. But the more detailed and specific the parenting plan is from the start, the less likely parents are to end up back in court arguing over something that wasn't addressed the first time around.

What Makes A Good Parenting Plan In New Jersey?

A good parenting plan is realistic, specific and focused on the child's actual life – not just legally sufficient on paper. Many parents make the mistake of agreeing to terms that sound fair in theory but don't reflect how their family actually functions day to day. A plan that looks

balanced but ignores a parent's work schedule, a child's school routine or the distance between the two homes is likely to create problems quickly.

The best parenting plans are written in plain, direct language that both parents understand. Legal jargon and ambiguous phrases like "by mutual agreement" or "as needed" are recipes for conflict. Each provision should be specific enough that if a dispute arose, a judge could read the plan and know exactly what it requires. Dates, times, locations and decision-making processes should all be spelled out.

A good parenting plan also anticipates change. Children grow. Parents' jobs, schedules and living situations shift. A parenting plan that works well for a toddler may need to be revisited when the child starts school, and again when the child enters middle school or high school. While no plan can predict every future circumstance, including a clear process for how changes will be handled – and what triggers a formal review – can prevent a lot of unnecessary conflict.

How Are Holidays And Special Occasions Handled In A Parenting Plan?

The holiday schedule is one of the most common sources of conflict between separated or divorced parents, and they are one of the most important parts of any parenting plan to get right. Without a clear, specific holiday schedule, every major date on the calendar becomes a potential argument.

Most New Jersey parenting plans create a separate holiday schedule that overrides the regular weekly schedule whenever a holiday falls. For example, even if the regular schedule gives a parent every other weekend, the holiday schedule may give the other parent Thanksgiving in odd-numbered years, regardless of which weekend it falls on.

Beyond major legal holidays, a thorough plan should also address:

- **Spring Recess And Winter Break:** Both spring recess and winter break should have their own schedule spelling out which parent has the child and for how many days, so neither parent is left guessing each year.
- **Birthdays:** The child's birthday and each parent's birthday should be addressed explicitly, including whether the child spends part or all of the day with each parent and how birthday celebrations are handled when schedules overlap.
- **Mother's Day And Father's Day:** Many plans give each parent their respective holiday automatically, regardless of whose regular weekend it falls on. Stating this clearly prevents the same disagreement from coming up every year.
- **Religious Holidays:** When parents have different faith traditions, the plan should specify which religious holidays each parent observes with the child and how time is allocated so both parents can celebrate meaningfully without the schedule becoming a source of conflict.

- **Summer Vacation And Travel Notice:** Extended summer vacation time should be divided clearly in the plan, along with how far in advance a parent must notify the other of travel plans so parents can arrange their summers without last-minute disputes.

Getting these details in writing from the start eliminates a significant source of annual conflict.

What Happens If Parents Can't Agree On A Parenting Plan?

When parents cannot agree on the terms of a parenting plan, the dispute is resolved through the New Jersey Family Court system. A judge will review what each parent has proposed, listen to the relevant facts and decide on a plan that serves the child's best interests. New Jersey courts consider a wide range of factors when making these decisions, including each parent's relationship with the child, the stability of each home and the child's own needs and preferences when age-appropriate.

Before going to a judge, many parents are required to try mediation first. [Mediation](#) is a process in which a neutral third party helps the parents communicate and work toward an agreement. It is less formal and less adversarial than a court hearing, and it often produces more workable results because the parents themselves have input into the final terms. If mediation fails, the case proceeds to a court hearing where the judge makes the decision.

Parents should understand that a judge-imposed parenting plan may not perfectly reflect either parent's preferences. Courts try to serve the child's interests, not to satisfy either parent. That is one reason why working with an attorney to negotiate a detailed, reasonable parenting plan outside of court often produces a better outcome for everyone – especially the child.

Can A Parenting Plan Be Changed After It Is Approved?

Yes, a parenting plan can be modified, but not simply because one parent wants a different arrangement. To change a court-approved parenting plan in New Jersey, a parent generally needs to show that circumstances have changed significantly since the plan was put in place and that the proposed modification would serve the child's best interests. Minor inconveniences or a parent's change of heart are not enough.

Circumstances that might support a modification include:

- **A Significant Change In A Parent's Work Schedule:** If a parent's new hours, shift change or job loss affects their availability for parenting time or their ability to handle pickups, drop-offs and supervision, that change may support revisiting the existing schedule.
- **A Relocation That Affects The Schedule:** When a parent moves far enough that the current parenting time schedule becomes logistically impractical, a modification may be necessary to create a new arrangement that actually works for the child's daily routine.
- **A Child's Changing Needs:** As children grow, their school demands, medical needs and developmental circumstances change. A plan designed for a young child may no longer

fit when that child is in middle school with a full schedule of activities, therapy appointments or academic responsibilities.

- **Evidence That Current Plan Is No Longer Working:** If the current arrangement is causing the child consistent difficulty – whether through academic struggles, emotional distress or instability at home – documented evidence can support a request to change a plan.
- **The Child's Own Preferences:** As a child gets older, their own wishes about where they live and how their time is divided may carry more weight with the court, particularly if those preferences are tied to genuine needs rather than simply wanting fewer rules.

The older a child gets, the more their own preferences and schedule may also factor into the analysis. If both parents agree to a change, they can submit a consent order to the court without a full hearing. If they disagree, the parent asking for the change will need to file a motion and may need to present evidence at a hearing.

Either way, any modification to an existing parenting plan has to go through the court – an informal agreement between parents that is never filed with the court is not legally enforceable if one parent later decides to ignore it.

How Can A New Jersey Family Law Attorney Help With A Parenting Plan?

Creating a parenting plan can shape a child's daily life for years. Getting the details right from the start – the schedule, decision-making process, communication ground rules – can prevent years of conflict and repeated trips back to court. An attorney can help make sure nothing important is left out and that the language is specific enough to hold up if it is ever disputed.

Our New Jersey family law attorneys at [Williams Law Group, LLC](#), handle a wide range of [family law](#) matters, including [child custody](#), [parenting time](#) and [divorce](#). We work with parents to build parenting plans that reflect their child's real needs, that both parents can actually follow and that hold up over time as the family's circumstances change.

If you are separating or divorcing and have questions about what a parenting plan should include or want to modify an existing parenting plan in New Jersey, don't try to figure it out alone. [Contact](#) our law firm today. We can walk you through your options, help you understand the court's expectations and make sure your child's best interests are protected from the start.