



FAMILY COURT OF THE FIJI ISLANDS

PARENTING PLANS FOR CHILDREN

What is a Parenting Plan?

A Parenting Plan is also known as a Parents Plan and is a document you create with the other parent of your child to set out what you both agree about the future care, welfare and development of your child after you separate (see s. 36(1)(b)(i)).

Parents must think about what is in “THE BEST INTERESTS OF THE CHILD”.
[See *Information Sheet 3*]

The agreement (plan) between the parents must be fair and made without pressure on either side.

What do I put in the Parenting Plan?

You write in the plan whatever both of you agree about the future care, welfare and development of your child. You must set out at least one of the following:

- Where your child will live (residence)
- Who your child can see (contact)
- Their schooling, holidays, religious and medical matters (special issues),
or
- Any other important issue.

How do I make a Parenting Plan?

1. Consider the best interests of your child. See Information Sheet 3 “BEST INTERESTS OF THE CHILD”. This sets out the law which is taken into account by the Court when considering the best interests of the child.
2. Think about all the issues that are important to your child’s future care, welfare and development and write them down.
3. If you want to talk over your plan confidentially, make an appointment with Family Court Counsellor who can help you.
4. Discuss your plan with the other parent to reach agreement over each of the issues. A Family Court Counsellor can assist with this, too.
5. Keep a copy of what you agree to and ensure the other parent has a copy also.
6. Refer to your parents plan regularly to ensure you are carrying out what you agreed for your child.

7. You can change your plan in the future if the circumstances change and both parents agree.
8. You can choose to register your plan with the Court.

Do I have to register the Parenting Plan?

No, you do not have to register your plan. It is your choice.

Why should I register the Parenting Plan?

If you choose to register the plan, it formalizes your agreement with the other parent about the welfare of your child. Before registration, the Court will assess your plan to ensure it meets the best interests of your child. The Court has the power to change your plan.

What happens if I want to change part of a Registered Parenting Plan?

If the circumstances for your children change, the Court **cannot change a part** of your registered plan. It will make you take away the old plan and ask you to put a new plan in its place. To take away an old plan, both parents must agree in writing. For a new plan, the Court will require all the information to register a plan.

How do I register a Parenting Plan?

You must apply to the Family Court using **FORM 16**

You must also give the Court:-

- a copy of your written plan signed by both parents;
- a lot of information which is required by the Family Law Rules [Rule 10.19] -- speak to your Counsellor, lawyer or Family Court Registrar about this.

You also need either:

- a statement that both parents have received independent legal advice (which is signed by the lawyer) about the meaning and the effect of the plan; or
- a statement (signed by the Family and Child Counsellor or Registrar) that the plan was developed after consultation with a Family and Child Counsellor or Registrar.

REMEMBER – once your plan is registered it is very difficult to change.

For a new plan the Court will require the same information to be provided by the parents and the lawyer or the family and child counsellor or registrar.

IF YOU NEED HELP

Please contact:

1. Family Court Counselling Service,
Suva Tel: 3211811, Lautoka Tel: 6660016,
Labasa Tel: 8811772
2. Legal Aid Office
Suva - Telephone: 3311195, PMB, Suva.
Lautoka - Telephone: 6650011, PMB,
Lautoka
Labasa - Telephone: 8815118; PO Box
1241, Labasa
3. Department of Social Welfare, (Suva) Telephone
3315585
4. Fiji Law Society Secretary, (Suva) Telephone:
3315690

Please ask Court staff for other organisations in your area which may be able to assist you.

FAMILY COURT LOCATIONS

There are specialist Family Courts in Suva, Lautoka and Labasa, but every Court across the Fiji Islands can hear your Family Court matter.

Central/Eastern Division

Suva - Government Buildings, Telephone: 3211341, GPO Box 2215 Government Buildings, Suva.

Navua - Navua Court : The court operates on ad hoc basis. Contact Suva Family Court.

Nasinu - Nasinu Magistrate's Court, Telephone: 3390466, PO Box 7748, Nasinu.

Nausori - Nausori Magistrate's Court, Telephone: 3400006, PO Box 227, Nausori.

Vunidawa - Vunidawa Court – Ad hoc basis only, contact Nausori Magistrate's Court.

Korovou - Tailevu Court House, Telephone: 3430060, PO Box 102, Tailevu.

Levuka - Levuka Magistrate's Court, Telephone: 3440355, PO Box 66, Levuka.

Western Division

Lautoka - Lautoka Magistrate's Court
- Telephone: 6660016, PO Box 103,
Lautoka.

Lautoka High Court - Telephone:
6660877, PO Box 388, Lautoka.

Sigatoka - Sigatoka Magistrate's
Court, Telephone: 6500067, PO
Box 87, Sigatoka.

Nadi - Nadi Magistrate's Court,
Telephone: 6701322, PO Box 1275,
Nadi.

Ba - Ba Magistrates Court,
Telephone: 6674096, PO Box 430,
Ba.

Tavua - Tavua Magistrate's Court –
Telephone: 6680023, PO Box 516,
Tavua.

Rakiraki - Rakiraki Magistrate's
Court, Rakiraki, Telephone: 694348.

Northern Division

Labasa - Labasa Magistrate's Court,
Telephone: 8811772, PO Box 56,
Labasa.

Nabouwalu - Nabouwalu
Magistrate's Court - contact
Nabouwalu Police Station: 8836022.

Savusavu - Savusavu Court,
Telephone: 8850272, PO Box 160,
Savusavu.

Taveuni - Taveuni Magistrate's
Court, Telephone: 8880081, PO
Box 31, Taveuni.