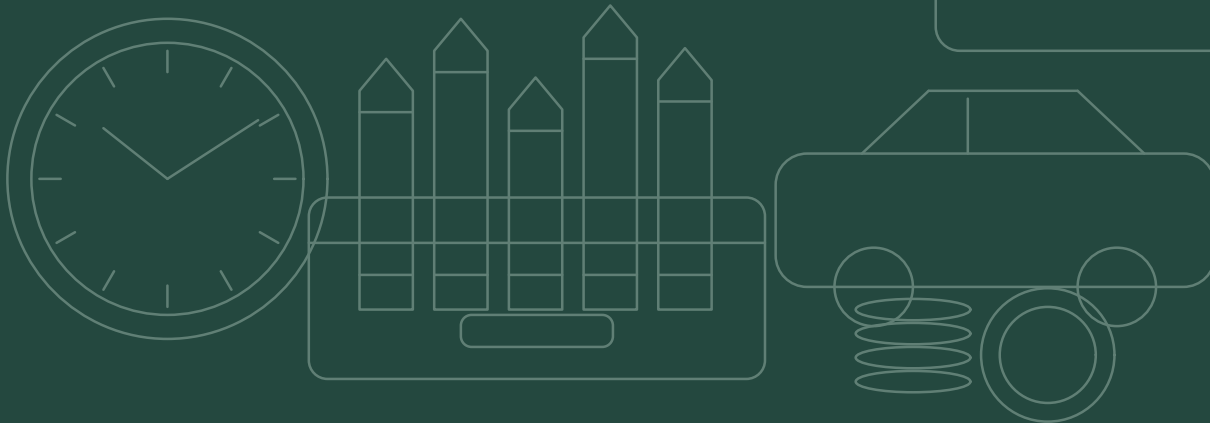


A SOUTH AFRICAN PLAIN-LANGUAGE CO-PARENTING ORGANISER

CO-PARENTING WITH CLARITY

in South Africa

Understand the routes. Prepare the decisions. Build a child-focused arrangement that can work in real life.



A PRACTICAL CO-PARENTING GUIDE & ORGANISER

Plain-language legal information, child-focused guidance, planning checklists and maintenance worksheets for separated parents.

CLEAR ROUTES

WORKABLE ARRANGEMENTS

MONEY MADE TRACEABLE

A selected look inside the full 55-page guide

Real pages. Original wording. Original page numbers retained.

What this preview gives you

A practical taste of the guide before you buy it. These pages answer common early questions and show how the full guide combines legal routes, child-focused planning and usable tools.

1 SAFETY CHANGES THE ROUTE

When danger, removal risk or a deadline means ordinary discussion is not the starting point.

2 FIND THE LEGAL STARTING POINT

How divorce, unmarried-parent status and existing orders affect the route.

3 WHAT A PARENTING PLAN DOES

The practical subjects a complete plan should cover and what it cannot replace.

4 HOW A PLAN IS PUT TOGETHER

Direct discussion, mediation, Family Advocate and court routes.

5 CARE, CONTACT AND SCHEDULES

Common schedule structures and the questions that matter more than labels.

6 MAINTENANCE AND ENFORCEMENT

Needs, means and evidence, plus the difference between enforcement and variation.

WHY THE PAGE NUMBERS JUMP

This is a curated preview, not the first pages of the book. The original page numbers are deliberately kept so you can see where each excerpt sits inside the complete guide.

Urgent risk changes the route

Do not begin with ordinary co-parenting negotiation if a child or parent may be in danger, a child may be removed, or a court deadline is running.



IMMEDIATE DANGER

Call SAPS on 10111 or emergency services from a mobile phone on 112. The Gender-Based Violence Command Centre is 0800 428 428. Use a safe device and do not announce a safety plan if that may increase danger.

Get urgent legal or specialist help where...

- | | |
|---|--|
| ☐ Violence, coercive control, stalking, sexual harm, serious threats or child abuse is alleged or occurring. | ☐ There is serious substance misuse, unsafe driving, weapons risk, neglect or unsafe supervision. |
| ☐ A child may be hidden, unlawfully removed, relocated or taken across a border. | ☐ A handover or disclosure may expose an address, school or protected person's location. |
| ☐ A protection order, bail condition, care order or parenting order limits contact, communication or attendance. | ☐ Court papers, a subpoena, a notice or an imminent hearing requires prompt action. |
| ☐ A child is missing, threatening self-harm, or needs urgent medical or mental-health care. | ☐ One person cannot negotiate freely because of intimidation, surveillance, financial control or retaliation. |

Before any ordinary discussion

- | | |
|--|--|
| ☐ Use a safe device and communication channel. | ☐ Tell the lawyer or professional about every restriction and deadline. |
| ☐ Keep orders, identity and child records somewhere safe. | ☐ Choose a handover and participation method that does not expose a protected person. |

RECORD FACTS, NOT LABELS

Note dates, conduct, messages, witnesses and documents. Distinguish what you personally observed from what someone else reported, and preserve the complete context.



SAFETY TOOLS MUST FIT THE FACTS

Protected communication, separate arrival times, neutral or supervised handovers, supervised contact, urgent applications and protection orders may be relevant. Do not privately bargain away an existing safeguard. A child's immediate protection comes before schedule symmetry.

Child-protection concerns may also require contact with SAPS, a designated child-protection organisation, the provincial Department of Social Development or the Children's Court. Obtain advice on the correct route.

Find your legal starting point

Begin with status, safety and existing documents. The route can change when facts are disputed or urgent relief is needed.

A

DIVORCE IS PENDING

PAGES 8 AND 16

Tell the divorce lawyer or mediator about every child, current arrangement, concern and order. The divorce court considers the children's welfare and may obtain Family Advocate input.

B

PARENTS NEVER MARRIED

PAGE 9

Confirm the mother's rights, whether the biological father acquired rights under section 21, and whether a section 22 agreement or court order is required.

C

AN ORDER OR REGISTERED PLAN EXISTS

PAGE 10

Obtain the complete sealed or registered version and all later variations. Follow it unless lawfully changed or urgent relief is granted.

D

NO AGREEMENT / FACTS DISPUTED

PAGES 13-16

Use the Family Advocate, mediation where appropriate, the Children's Court or another competent court according to the relief and proceedings.

E

IMMEDIATE RISK OR DEADLINE

PAGE 3

Use urgent legal, protection or child-protection routes. Ordinary dispute steps may be unsafe or too slow.

+

BRING THESE FIRST

Identity and birth records; every current order, registered plan and agreement; court papers and deadlines; the child's school and health details; a calendar of actual care; and current maintenance proof.

What a parenting plan is

A parenting plan is a written, signed agreement between co-holders about how they will exercise parental responsibilities and rights. It turns broad intentions into an arrangement that can be followed.

WHAT SECTION 33 PERMITS

A plan may determine where and with whom the child lives; maintenance; contact between the child and relevant persons; and schooling and religious upbringing. In practice, a complete plan may also address decisions, information, health, transport, travel, communication, review and disputes.

WHAT THE CLIENT PREPARES

- Accurate legal status and current documents.
- The child's routines, needs and views.
- A proposed ordinary and holiday calendar.
- Decision and information routes.
- Maintenance figures and proof.
- Safety, travel, change and dispute issues.

WHEN CO-HOLDERS MAY AGREE

Co-holders may agree on a plan. If they are experiencing difficulty in exercising responsibilities and rights, section 33(2) requires them first to seek agreement on a plan before approaching court, subject to urgency and the circumstances.

WHAT THE PROFESSIONAL DRAFTS

The mediator or lawyer translates the agreed decisions into coherent terms, checks internal consistency, advises on legal effect and chooses the registration or court route. The client does not need to draft clause by clause.

BEST INTERESTS CONTROL

The plan must comply with the best-interests standard. A neat calendar or equal-looking division does not cure an arrangement that is unsafe, impractical or poorly matched to the child.

A GOOD PLAN ANSWERS

Who does what, when and where; who decides; what information is shared; how costs are paid and proved; how changes are agreed; what happens in emergencies; and how formal amendment or enforcement will occur.



DO NOT SIGN A MENU

A plan containing unused alternatives, blanks, contradictory schedules or vague promises is not ready. The final version should be one complete arrangement tailored to the children and the intended legal process.

Routes to a parenting plan

The best route depends on safety, legal status, the degree of agreement, the child's participation needs, pending proceedings and the intended legal effect.

DIRECT INFORMED AGREEMENT	Suitable where both parents can participate freely, disclose necessary information and focus on the child. Each should understand current orders and obtain advice where legal consequences are uncertain.
FAMILY ADVOCATE	The office can assist with parenting plans, registration and child-focused enquiries within its mandate. It does not represent either parent and may make recommendations to the court in relevant proceedings.
ASSISTED AGREEMENT	Under section 33(5)(a), co-holders experiencing difficulty must seek assistance from a Family Advocate, social worker or psychologist, or use the mediation route in section 33(5)(b), as applicable.
COURT	A court may make a plan an order if requirements are met, decide disputed care, contact or guardianship issues, vary an existing order, and grant urgent or protective relief. The competent forum and papers depend on the relief.
MEDIATION	A neutral mediator helps identify issues, exchange information and explore options. Mediation is not adjudication, does not guarantee settlement and must be screened for safety and bargaining power.
PROFESSIONAL TEAM	A lawyer addresses rights, remedies, evidence and drafting. A psychologist, social worker or other qualified practitioner may address child participation, functioning, risk or therapeutic needs. Roles should be clear and not duplicated.



ROUTE BEFORE FORM

First define the legal status and relief: agreement, acquisition of rights, registration, court order, variation, enforcement or urgent protection. Only then choose the office and current prescribed papers.

Residence and contact

There is no automatic statutory entitlement to a 50/50 calendar. The question is what arrangement serves this child, remains practical and preserves safe, meaningful relationships.

RESIDENCE DESCRIBES THE BASE

A plan may identify one primary residence, shared residence or another care structure. The label should follow the actual calendar and decision arrangement; it should not be used to imply ownership of the child.

QUALITY IS NOT COUNTED ONLY IN NIGHTS

School mornings, homework, appointments, transport, emotional availability and ordinary caregiving matter. Compare the whole care load, not only overnight totals.

CONTACT CAN TAKE DIFFERENT FORMS

Contact may include overnights, daytime visits, school collections, holidays, telephone or video communication, and contact with another person where lawful and in the child's interests.

PREDICTABILITY WITH SENSIBLE FLEXIBILITY

Set a clear default. Permit changes by written agreement with enough notice. State whether a once-off variation changes future rights - it ordinarily should not unless formally agreed or ordered.

BUILD FROM CONSTRAINTS

- Child's age, temperament and established care.
- School hours, homework, sleep and activities.
- Distance, transport, work and housing.
- Health, feeding, disability and therapy.
- Sibling and extended-family relationships.
- Safety and ability to manage transitions.

DO NOT BUILD CONTACT AROUND ADULT LEVERAGE

- Maintenance and contact remain separate.
- The child is not a reward or punishment.
- A new partner does not determine the other parent's contact.
- Adult convenience is relevant but not decisive.
- Safety restrictions need evidence, assessment or lawful orders - not casual allegations or denial.



USE EXACT OPERATIONS

A schedule should say when a period starts and ends, who collects, from where, what happens on school and non-school days, which calendar overrides another, and how a change is confirmed.

Typical schedule structures

These are planning patterns, not legal presumptions or developmental rules. Any option must be tested against the child, distance, caregiving history, safety and practical capacity.

Structure	Often considered when...	Watch closely for...
One main home + alternate weekends	School base and routine benefit from one main home; other contact can be meaningful and regular.	Long gaps, one parent carrying all weekday care, travel burden, and whether midweek connection is needed.
Alternate weekends + midweek time	A child benefits from more frequent connection and parents live close enough for school-night contact.	Late returns, homework, transport, repeated packing and whether midweek means dinner or overnight.
2-2-3 rotation	Parents live close, can coordinate well and the child manages frequent transitions.	Many handovers, changing weekdays, work shifts and the child's need for a simple visual calendar.
2-2-5-5 rotation	Consistent weekdays with each parent are useful and five-night blocks are manageable.	School logistics, activity transport, communication load and age-specific tolerance for time away.
Week-about	An older or well-adapted child can manage longer blocks and both homes support the full school routine.	Seven-day separation, forgotten items, unequal school support and handover conflict.
Long-distance blocks	Distance makes frequent exchanges impractical.	Travel costs, school attendance, fatigue, remote contact and allocation of holidays and flights.



NO AUTOMATIC AGE SWITCH

Avoid a schedule that changes solely on a birthday without checking the child's development and circumstances. Build review points and a lawful change process; use staged arrangements only when the steps and safeguards are properly assessed.

Plan coverage check 1

Use this with the master-plan topics to confirm that the child, calendar, decisions and daily-life arrangements are ready for professional drafting.

☐ Every child is correctly identified and any materially different need is dealt with separately.	☐ Young-child routines or older-child school, peer and activity needs are properly reflected.
☐ Current parental responsibilities and rights, guardians and other relevant adults are accurately recorded.	☐ Long-distance, shift-work, reintegration or supervised-contact details are complete where relevant.
☐ Every existing order, registered plan, section 22 agreement and protection condition is attached or identified.	☐ Child-to-parent calls or messages are age-appropriate and do not permit monitoring of the other home.
☐ The child's best interests are applied to evidence and circumstances, not only adult preferences.	☐ Parent communication distinguishes emergency, time-sensitive and ordinary matters.
☐ The child's views will be obtained and considered without requiring a choice between parents.	☐ Day-to-day decisions, consultation, joint decisions and statutory guardian consents are separated.
☐ The ordinary week states exact start, end, collection, return and school-day arrangements.	☐ School information, attendance, homework, transport, meetings and major decisions are covered.
☐ Weekends, school holidays, public holidays and special days fit together without gaps or overlaps.	☐ Health records, medication, appointments, treatment consent and emergencies are covered.
☐ Travel time, transport, authorised collectors, delay and no-show arrangements are workable.	☐ Activities, culture, language, religion, lawful discipline and important extended-family relationships are considered.



FOR THE PROFESSIONAL

Ticking means the issue has been considered and the relevant information is available - not that you have drafted the clause. Flag any unsafe, disputed or legally uncertain point for advice.

Needs, means and no fixed formula

South African law does not prescribe one maintenance calculator. The Maintenance Act requires a fair contribution to the child's reasonable needs according to the parents' respective means.

THE CHILD'S REASONABLE NEEDS	Section 15 includes what the child reasonably requires for proper living and upbringing, including food, clothing, accommodation, medical care and education. The facts may support further ordinary, developmental or special needs.
THERE IS NO AUTOMATIC 50/50 RULE	Equal care does not automatically eliminate a cash contribution; unequal care does not by itself decide the percentage. Housing and many fixed costs continue regardless of the night's calendar.
THE PARENTS' RESPECTIVE MEANS	Consider reliable income and resources, relevant earning capacity, assets, necessary expenses, liabilities and other support duties. Gross salary alone rarely tells the whole story.
MAINTENANCE AND CONTACT STAY SEPARATE	Do not stop support because contact is frustrated or withhold contact because maintenance is unpaid. Use the maintenance, parenting, enforcement or protection route that matches the problem.
THE DUTY IS JOINT	Both parents contribute according to means. The result need not be equal. The analysis should show how each contribution - cash, direct costs and care-related spending - meets the child's total need.
SHOW THE METHOD	• Date and source every figure. • Convert annual costs transparently. • Explain household allocations. • Avoid double counting direct payments. • Mark estimates and disputed items. • Review changed facts through the lawful route.

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ADULT CHILDREN

A parent's duty may continue after majority where an adult child cannot support themselves. The proper claimant, payment route and facts can change; do not assume every duty ends automatically at 18.

Enforcement and variation are different

Use enforcement for unpaid obligations and variation for future change. A job loss, new schedule or private conversation does not itself suspend an operative order.

BUILD THE ARREARS SCHEDULE

- Each due date and amount ordered.
- Each payment date and amount received.
- How each payment was allocated.
- Running balance and total claimed.
- Bank statements, receipts and correspondence.
- Complete order and all variations.

VARIATION

Apply to substitute, vary or discharge future obligations when circumstances materially change. Show updated needs and means and the relief proposed. Keep complying with the current order unless lawfully changed.

CIVIL ENFORCEMENT

Section 26 provides civil mechanisms when an order remains unsatisfied for ten days, subject to the statutory requirements. The appropriate execution or attachment remedy depends on the debtor's assets, employer, debts and evidence.

DO NOT MIX REMEDIES

A claim for arrears does not decide future affordability; a variation application does not automatically erase accrued arrears. Legal advice may be needed about prescription, credits, direct payments and the order's wording.

CRIMINAL COMPLAINT

Failure to pay in accordance with an order may be an offence under section 31. Intention, means and the statutory defence are legal questions. Give accurate payment and financial evidence.

CONTACT REMAINS SEPARATE

Non-payment does not authorise a parent to cancel contact. Contact frustration does not authorise a parent to stop support. Bring each breach to the correct process and protect the child from the dispute.



ACT EARLY

If the order has become genuinely unaffordable, obtain advice and bring the correct application promptly. Waiting while arrears grow usually makes the financial and evidential problem harder.

CONTINUE WITH THE FULL GUIDE

You have seen the map. Now build the arrangement.

The complete Co-Parenting Guide & Organiser gives you the full 55-page framework for understanding the route, planning the child's real life, working through maintenance and preparing one complete arrangement for professional formalisation.

1

LEGAL STARTING POINT

Divorcing or never married, responsibilities and rights, orders, Family Advocate and courts.

2

PARENTING-PLAN ORGANISER

Decisions, residence, contact, schedules, holidays, handovers, education, health and travel.

3

CHILD-MAINTENANCE TOOLS

Needs budgets, parents' means, a proportional planning estimate, direct payments and special costs.

4

SAFETY AND CONFLICT

Urgent risk, high conflict, parallel parenting, communication, changes and missed time.

5

FORMALISE AND USE

Registration or court order, official forms and sources, implementation, enforcement and variation.

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