

There are two sides to every family law story...



Grandparent access to children

Hanna and Luke are recently divorced parents of two elementary age children. They are exercising equal parenting time with the children. Often on Luke’s time, the children are with his parents. Hanna does not dislike Luke’s parents but feels that if the children are not going to be with Luke, they should be with her.

Now what?

Andi’s advice to Mom:

Often times a Parenting Plan will have a provision for “right of first refusal” which allows one parent to be the first care provider considered if other parent is unavailable to care for the children. If this is the case in Hanna and Luke’s Parenting Plan, Hanna should talk to Luke about offering her the time that the children are spending with his parents.



Andi Mengedoth



Andi Lawrence

Andi’s advice to Dad:

Luke has the right, as a parent, to prioritize a relationship for his children with his parents. There is no reason for the children not to visit with his parents provided they are keeping up with homework, getting enough sleep and are participating in their agreed upon activities. If, however, Luke’s parents are providing child care on a regular, extended, frequent basis he should consider whether the current parenting plan is right for the family.

Here’s what...

If there is no requirement that Dad offer the opportunity to Mom to provide care for the children if he is unavailable, he is free to have the children spend time with his parents and to use them (to the extent they are willing) for child care. However, public policy favors children being in the care of their parents when possible. If the time they spend with their grandparents is disproportionate, the court may decide to modify the parenting plan to provide more time for Mom with the children.

Andi and Andi always support resolution of family issues through open dialogue and amicable settlement.

If you have a family law question that you would like answered, email us at AndivsAndi@HallierLaw.com.



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