



# Family Law & Mediation

## As a step-parent, do I have a right to spend time with my step-kids after divorce?

By agreement between you and your former spouse, you have a right to enter into a parenting arrangement with biological kids and/or step-kids.

If you and your former spouse cannot agree, you may make an application to Court to ask for time with your step-kids. If you are unmarried and the kids reside in Alberta, you may apply to Court under the provisions of the Family Law Act called "contact time". This is designed for anyone who believes that they have a right to spend time with kids who is not a legal guardian of the kids. In fact, this is the same provision that grandparents, extended family, etc. would apply under to spend time with kids. If you are married, the Court would deal with your application simply under the Divorce Act which does not have a specific heading for your application as Alberta does, but they can deal with it by the general provisions of the Act by considering you to be "standing in the place of a parent".

One consideration you will want to keep in mind is that in most cases the other biological parent will likely have priority in terms of time with the kids – if you are step-dad, biological dad will likely have priority and if you are step-mom, biological mom will likely have priority.

Of course, along with spending time with the step-kids comes child support. As the song goes "You Can't Have One Without the Other".

The most important consideration is the kids and how they are handling the separation. If you are seeking

time with them after you separate, you were likely a significant part of their lives. Deep down, they will likely want to maintain that relationship. You and your former spouse should be on the same page as to what your relationship with them will look like after you separate. Especially if you have kids together with your former spouse, and you have step-kids, make all the kids feel loved and "wanted" during the separation. Keep in touch with all the kids' feelings as you move through the transition into separation and divorce. It really is all about them.

How has your relationship with your step-kids been post-divorce? Share your stories with me – send me an email or follow me on Twitter at @stephaniecollab and send me a tweet. I want to hear from you! Find archives of my articles on [www.kindrachukdobson.com](http://www.kindrachukdobson.com)



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