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Grand Idea

Category: Grandparents Rights

I am the adoring grandmother of three grandchildren, whom I love dearly. But there's a problem. Their father, (my son), recently separated from their mother, and she's now threatening to keep me away from my grandchildren. My husband and I have both been a big part of our grandchildren's lives since their birth, and the thought of not seeing them is devastating. Is there anything we can do to prevent our daughter-in-law's threat from coming true?

D.K.

As a parent myself, I want to believe that becoming a grandparent, (although I'm in no particular rush to become one), must be one of life's most joyful highlights. After all, it's like having children all over again, only this time with the benefit of having "return" privileges.

Sadly, however, for many grandparents such as you, trapped involuntarily between warring parents, and threatened with the loss of a loving relationship, the experience can also become one of life's most heart breaking lowlights.

So, for you, and all those other grandparents in similar circumstances, after many years of providing legal support to grandparents, is my best advice:

Firstly, and perhaps most importantly, resist the natural temptation to take sides on behalf of your son, (or daughter), in their marital dispute. While your intention to help out may be genuine and well-meaning, it will, in many cases, be perceived by the other party, as unhelpful meddling, and used as an excuse to limit, or restrict, your access.

Try and remain neutral, (not easy), and respectful, of both sides. While this approach may not win you gratitude, there is far less chance of alienating the other parent, with all of the potential negative consequences.

This also means that you should avoid using your access time with your grandchildren to facilitate access for your son, or daughter. I know this seems unduly harsh, since they are, after all, the children's parent. However, it gives far less opportunity, or excuse, to the other parent to deny you access, since they will argue that you are only asking for access in order to share it with your son, or daughter.

Secondly, make it clear, (best in writing/e-mail, etc.), that you would like your access to continue with your grandchildren. This can be tricky, particularly when parents are battling to establish their own access schedule, so I suggest that when you ask for access, that you also be accommodating. So, if an afternoon of access is missed, or needs to be re-scheduled, do not, (at least not yet), assume the worst, and complain vigorously.

Lastly, you need to recognize, as grandparents, you are legally entitled to enjoy access to your grandchildren. This is a distinct legal right, separate and apart, from the access rights of the children's parents. Do not sit back and expect to simply continue to see your grandchildren, when your son, or daughter, has them in their care. Because, if something happens to your son, or daughter, (ie. they die, or simply lose interest), you risk losing your access altogether, and will need to start this grueling process all over again.

And if all else fails, I recommend that you commence an access application in family court. Good luck. After all, in my opinion, grandchildren need, (and deserve), the love, and connection, that only grandparents can provide. 🍷