

A NEWSLETTER FROM

LAW OFFICES OF MATTHEW Z. MARTELL, P.A.

SEPTEMBER ISSUE

LEARN MORE ONLINE AT
MZMLAW.COM

IN THIS ISSUE

- How to Maximize Space in a Small Apartment | P3
- Self-Care: Improve Your Well-Being | P5
- How to Drive Safely in the Rain | P8

Family Matters

Remedies a Court Can Order for Your Missed Parenting Time

The court can provide several remedies for a parent who has been denied parenting time in violation of a court order. These may include:

- Allowing you extra time with the children to make up for the time you were denied.
- Ordering that a professional monitor supervise future visitation.
- Holding the non-complying parent in contempt.

When a parent continually violates the court's custody and visitation orders, a judge may modify the order and give primary custody to the other parent and limited or supervised visitation to the other. A parent's visitation may be supervised by



[SEE 'PARENTING TIME' PAGE 2](#)

a professional monitor meaning that the parent will have no time alone with the children. The monitor is privy to all conduct and conversations and will write a report after each visitation for the court to review. Supervised visitation orders can be in effect until the judge is convinced that the parent will not violate the court's order again. As further punishment, the court may order that the violating parent pay for the monitor which can cost as much as \$100 per hour per visit.

The court can deny visitation to the non-complying parent altogether. A violating parent may only have the privilege of a telephone call with the children.

In the worst cases when the other parent has kept the children for a prolonged period, you may need to contact the local district attorney's office to request that kidnapping charges are filed against the parent.

In some states, law enforcement officers will



assist you in enforcing a custody and visitation order and demand that the parent turn over the children. If you live in such a state, you will need a certified copy of the court order to show to law enforcement. Simply advising them of the violation will not suffice.

How to Prove Contempt in Family Court

Contempt of court occurs when an individual intentionally disobeys a court order. To prove that your children's other parent is in

contempt of court, you must prove four things:

- A valid, written court order giving you time with the children has been signed by a judge and is in effect.
- The other parent knew about the order. You can prove the other parent's knowledge by showing that (1) the other parent was in court when the order was given, (2) the other parent was served with the order, or (3) the

SEE 'PARENTING TIME' PAGE 6

How to Maximize the Space in a Small Apartment

A small apartment has tons of benefits: coziness, lower utility bills, (hopefully) lower rent, and less space to have to clean.

One thing that a small apartment does not have going for it? Square footage. If you're feeling cramped in your small space, here are some creative ways to make your home feel bigger:

Get organized. Get as much stuff off the floor as possible. Floating shelves are great for holding extra books, knick knacks, and decor. Creative storage solutions such as an ottoman that doubles as a storage bin for board games or other living room necessities are a must. Get rid of any needless clutter that is eating up your precious space.

Furniture should be less bulky. For example, a couch that has legs will look less bulky and oversized in your small space. Also opt for

shorter furniture, as this will make your ceilings seem taller, and thus, your space will feel bigger and more open. One great furniture trick is to opt for more glass furniture. Glass-top end tables, coffee tables, or dining tables can create the illusion of space, as they are transparent and will seem to take up less space.

Make the most of natural light. Natural light can really open up a small space and make it seem bigger than it is. Use the natural light in your space by adding strategically placed mirrors throughout your home. Mirrors are a great way to trick the eye, as they will reflect the existing natural light and make



SEE 'SMALL APARTMENT' PAGE 6

Top Self-Care Tips

P psychologists and others who study happiness have determined that even small behavioral modifications can result in big gains in personal happiness, so try these self-care tips to improve your wellbeing.

Meditate and be mindful.

Along with controlled breathing, meditation and mindfulness exercises can help to raise your happiness level.

Change your mindset.

As humans, we have evolved to remember hurtful, negative experiences so that we can avoid that particular type of pain in the future. This means that, for most of us, pessimism comes more naturally than optimism. While it's not easy to do, you can train your brain to think positively. Try these techniques:

- Acknowledge what is bothering you. Pause for a moment and pay attention to what you're feeling. Are you anxious, angry, frustrated, scared?



Why? Say it out loud: "I'm worrying about my son driving his friends to and from the concert tonight," or "I'm hurt that my friends didn't invite me," or "I'm anxious about the test on Friday." That negative feeling is like Voldemort. Once you say its name out loud, it loses some of its power over you.

- If you get stuck in a downward spiral of negative thoughts and self-doubt, ask yourself this question: Would I talk to a friend like that? If the answer to that question is "no," make a conscious effort to change the

dialogue in your head.

- The next time you think, "This is a problem," stop and say instead, "This is an opportunity." Changing that one word can completely alter the way you approach a particular situation.
- Spend time with happy people. Surround yourself with optimists. Their positive outlook just might rub off on you. Take note of the way the optimist deals with a difficult situation. What can you learn?

Get moving.

Active people are happy



people. This doesn't mean you have to start training for a marathon or become a gym rat. Just get up and move every day. Take a walk. Take a hike. Take a yoga class. Go for a run. Go dancing. The more you move, the happier (and healthier) will be.

Commune with nature.

Spending time in nature makes a person happier. Getting out into a natural environment has been shown to decrease a person's tendency to brood (that is,

to ruminate and fret over negative thoughts) and can be an easy way to quickly improve your mood. Head to a park, forest or mountain, or even a lake or ocean, near you and spend time outdoors, in nature.

Clean out the clutter.

Clutter is stressful. It is an ever-present reminder that something needs to be done and you are not on top of it. Being surrounded by clutter weighs on you, emotionally and psychologically. It also

can be isolating. If your home is not fit for company, you won't be inviting friends or family to dinner any time soon. Even worse, clutter begets clutter, and the thought of de-cluttering can easily become overwhelming. Where to begin? Here are a few tips to help you get started:

- Break it down into manageable pieces. Let's say your guest bedroom

SEE 'SELF-CARE' PAGE 7



'PARENTING TIME' FROM PAGE 2

other parent obeyed the order for some time and then suddenly stopped.

- The other parent had the ability to comply with the order.
- The other parent willfully failed to comply with the order.

If you prove contempt, the judge will often give the other parent a chance to comply with the order before imposing punishment. If the other parent still does not follow the court order, the judge will impose punishment, which could be

community service, a fine, or time in jail. The court can order the other parent jailed until he or she is willing to comply with the order. A jail sentence usually does not happen unless all else fails. The judge may decide that jail time is not appropriate if:

- There is no one available to care for the children,
- The parent could lose his or her job, or
- The parent has physical or emotional disabilities.

Put Your Children's Welfare First

Above all, do not put your children in the middle of

your dispute with their other parent or act vindictively. The court is always concerned with the best interest of the children. You are unlikely to get a favorable ruling if you appear to lack concern for how your request affects the children or if you want the other parent punished simply out of anger. Show the court exactly how the other parent's violations of the custody order harm your children and how your efforts to reach a solution with the other parent failed. 📌

Illustrations by Storyset

has become a default storage room. Don't try to tackle "cleaning out the guest room." Instead, tackle it in pieces – one box, one drawer, one corner at a time.

- Adopt the one-minute rule. Author and happiness guru Gretchen Rubin (<https://gretchenrubin.com/>) suggests the "one-minute rule." It's simple: Do any task that can be finished in one minute. For example, wipe down the kitchen counter, take out the trash, hang up your coat, throw in a load of laundry. The one-minute rule will


give you an immediate sense of accomplishment and a tidier living space, almost without trying.

- As much as practically possible, go paperless.
- Put all your clothes in a pile on the bed. For each piece, ask yourself: Have I worn this in the last year? Do I feel good when I wear this? If the answer to either question is "no," get rid of it.
- Pick one item to commemorate a special event or time in your life, e.g., one piece of macaroni art from your son's year in kindergarten; one snow-globe from your grandmother's collection.

Take a photo of everything else. A digital photo album will preserve your memories with far less clutter.

- Repeat this mantra: If I save everything, then nothing is special.
- Be patient and persistent as you get organized and de-cluttered.

Sleep more.

Sleep is restorative. It is the time when your body and mind recover from the day and recharge for the next day. Aim for 7 hours per night whenever possible. 

Illustrations by Storyset

your rooms feel bigger and brighter.

Hide appliances. Once you're done cooking, make sure to keep appliances off your countertops and out of sight in cabinets if possible. Having too many items on your kitchen countertops can make your kitchen feel

smaller. This also applies to bathroom countertops.

Separate spaces with smaller rugs. Instead of a large area rug, which can eat up your entire space with its bulk, making your home seem smaller, opt for small rugs that section out specific spaces—your desk area, maybe your dining area or living area—to make these

seem more like their own individual rooms.

Stick with lighter colors.


For your curtains, furniture, wallpaper or paint, darker colors will close off your space and make it seem smaller, dimmer, and more crowded. Lighter, paler hues will make your space feel breezier and more open. 

Illustration by Storyset

How to Drive Safely in the Rain

Rainy weather can be great for crops and cozy mornings, but roads? Not so much.

Driving in the rain can prove to be a perilous undertaking if not done safely and using the right techniques. Here are some ways to drive more safely in rainy conditions:

First, your vehicle should be in good condition. Make sure that nothing is impeding visibility, and check that

your windshield wipers work properly. Also important to check are tire treads, brakes, headlights, turn signals, and taillights. Any one of these malfunctioning can prove to be fatal.

Drive slowly. Preferably, if you feel more comfortable, drive under the speed limit. The posted speed limit is made for ideal weather and road conditions. Also, make sure to maintain a larger distance between your vehicle and the one in front of

you than you normally would.

Be familiar with the roads in advance. Roads differ in other parts of the country. Depending on what region you're in, the asphalt may look deceptively dry even while still slippery wet from a recent downpour.

Use your normal headlights, not brights. In rainy conditions, your brights can reflect off of the rainy, reflective roads and shine into your and other drivers' eyes.

Do not drive into water that is too deep. If water is covering the markings on the road, then the water is too deep for your vehicle, and your engine could stall.

If hydroplaning, steer your wheel in the direction you want to go (and don't panic!).

Above all, if you really don't need to, then don't drive in the rain at all! 📌

Illustration by Storyset

