



The nesting approach to co-parenting after separation; benefits and challenges

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Separation doesn't mean the end of shared parenting, but it does bring challenges around stability, routine, and housing, particularly for the children. One child-focused option that some separated families explore is the "nesting" approach.

In a nesting arrangement, the children stay in the family home full-time, while the parents take turns living there during their scheduled parenting time. Instead of the children moving between two households, it's the parents who rotate in and out.

This blog explains what nesting is, how it works in practice, its pros and cons, and what legal and practical issues to consider under Australian family law.

What is nesting in family law?

Nesting (also known as bird-nesting) is a co-parenting arrangement where:

- the children remain living in the family home full-time;
- the parents alternate living in the home based on the agreed parenting schedule;
- each parent maintains a separate residence (or shares one, but not simultaneously) for the time they're not in the family home.

It's called "nesting" because the children stay in the nest while the parents fly in and out, like birds.

You can read more about co-parenting arrangements in our earlier article, [“Top 6 things to consider for child handover when co-parenting after separation”](#)

Why might separating parents choose nesting?

Nesting is typically considered a short-term solution during the transition period after separation, especially where:

- children are young and need a stable routine;
- the family home is a secure and familiar space;
- the parents want to reduce upheaval and help children adjust.

Benefits of nesting for children

From a child's perspective, nesting can:

- provide continuity and emotional stability;
- avoid the stress of moving between two homes;
- allow them to stay in their school, community, and social environment;
- give them time to adjust to the separation without losing their sense of home.

Pros and cons of the nesting approach

Advantages

- Child-focused: Keeps the child's environment consistent.
- Minimises disruption: Especially helpful during high-conflict separations or initial adjustment periods.
- Facilitates co-parenting: Encourages structured cooperation and communication.

Challenges

- Financially demanding: Requires three residences - the family home and two separate parent accommodations, unless parents can stay with friends or source other low-cost options;
- Logistically complex: Schedules, boundaries, and rules must be carefully managed.
- Potential for conflict: Especially if parents have differing house rules or cannot communicate well.
- Emotionally difficult: Living in the former shared home can delay emotional detachment or create tension.

Key considerations if you're looking at the nesting approach

If you're considering nesting, you may want to consider the following issues:

Is there or has there been family violence?

Nesting is generally not appropriate in cases involving [family violence](#) because of risk, safety and privacy issues.

Duration of the nesting period

Nesting is not generally long term or open-ended. Parents should agree on a review date or end point (e.g., after 6 months or when the property is sold), and what the next steps will be.

Boundaries are important

When considering a short-term nesting arrangement, it is important to have clear boundaries about how such an arrangement will work. For example:

- Discuss who will live in the home and when;
- Discuss how shared expenses will be paid;
- Clearly outline how parenting responsibilities will be shared;
- Discuss how the other parent's privacy and space will be protected;
- Try to agree on a rough timeline for progressing away from nesting and what happens if one parent wants to end the nesting arrangement early.

Child support

[Child support may still be payable under normal assessment rules](#), based on the number of nights each parent spends in the family home, even if the child is not moving homes. Make sure you have discussed and agreed on interim financial arrangements for the children and how this will be paid.

Seek legal advice

Even if your separation is amicable, it's important to know where you stand legally. a written agreement can protect everyone and reduce future disputes.

Consider mediation if things aren't working like you expected

[Family dispute resolution](#) or counselling mediation can help manage expectations and navigate difficult conversations.

When is nesting not appropriate?

Nesting may not be suitable if:

- there is a history of family violence or controlling behaviour;
- the parents are unable to communicate respectfully;
- one party is financially disadvantaged or unable to maintain another residence;
- it causes confusion or emotional distress to the child (e.g. if parents keep acting as though they're still together).

In these cases, separate households with structured parenting arrangements may be healthier and safer.

Nesting and property settlements

Nesting does not delay or prevent [property settlement](#). You can proceed with your property division while still using the family home for nesting. However, you should:

- discuss whether the home will eventually be sold or transferred; and
- clarify [who pays the mortgage and bills](#) during the nesting period.

In summary

- Nesting is a child-focused co-parenting strategy that allows children to stay in the family home while parents alternate their time there.
- It can be included in a [parenting plan or court orders](#) if agreed to and in the [child's best interests](#).
- Nesting arrangements require clear boundaries, communication, and financial planning.
- It is often a temporary arrangement, used during the transition period post-separation.

Get advice from a family lawyer

Nesting can offer children much-needed stability after separation, but it only works when parents can communicate, cooperate, and prioritise their child's wellbeing. It's not for every family, but for some, it can be a helpful stepping stone toward more permanent parenting arrangements.

We recommend that you obtain legal advice before committing to any plan. At Emera Family Law, our experienced family lawyers can offer tailored advice to help you decide whether this is the right option for your family.

This blog is of a general nature and should not be relied upon as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.