

## **INSTRUCTIONS FOR OF SHARED PARENTING FORMS**

### **GENERAL INFORMATION**

This Shared Parenting Packet contains several fill-in-the-blank forms which must be completed before your request will be considered by the Court. The forms are mandatory and must be completed **in full** before the Clerk may accept the packet. However, you can submit your own proposed shared parenting plan for the one provided in this packet. These forms are being provided for you as a convenience. You are encouraged to consult with an attorney before proceeding. The forms should be typewritten or printed. If the forms are not legible they will not be accepted.

**THE CLERK OF COURTS CANNOT GIVE YOU LEGAL ADVICE.  
THE CLERK CANNOT COMPLETE THE FORMS FOR YOU NOR CAN THE CLERK  
ADVISE YOU AS TO HOW THE FORMS ARE TO BE COMPLETED. THE  
ACCEPTANCE OF YOUR FILING FEE BY A CLERK DOES NOT GUARANTEE THIS  
COURT HAS JURISDICTION TO PROCEED.**

### **COMPLAINT FOR SHARED PARENTING**

This is the basic document which asks the Court to grant you shared parenting of the minor child(ren) involved. Shared Parenting can be requested jointly by the parents of the child(ren), separately by both parents, or individually by just one parent. This form must be filled out completely. DO NOT fill in the Case Number, this will be supplied by the Clerk of Courts. If there are any other court cases or administrative cases which affect the child you must attach copies of these as well. Please make sure you indicate whether these types of copies are attached by checking the "other" box on the last page of the complaint for shared parenting.

If the parents were not married at the time of the birth of the child(ren) you must submit a copy of the child(ren)'s birth certificate and an affidavit as proof that paternity has not been established.

### **SHARED PARENTING AFFIDAVIT**

This affidavit must be completed in full. If the parents are filing jointly for shared parenting, each parent shall sign and submit their own affidavit. The affidavit must be notarized **before** turning the packet in for filing.

### **PROPOSED SHARED PARENTING PLAN**

The Court's proposed plan guides pro-se parties through all of the various provisions a shared parenting plan should entail and provides a structured example for the parties to consult. The Court's proposed plan is a resource which parties can fill out or the parties are permitted to submit their own variation of a shared parenting plan to the Court. The child(ren)'s names must be inserted at the top left of the first page. DO NOT fill in the Case Number, this will be supplied by the Clerk of Courts. You are encouraged to discuss the proposed plan with the other parent prior to filing in order to expedite the process. Each parent is allowed to file their own proposed plan to the Court and, allow the Court to determine which plan, if either, is in the best interest of the child(ren). Please keep in mind when drafting your shared parenting plan the Court's policy

is to designate one parent as the obligor and set a child support order unless sufficient reasons for deviating from the child support guidelines exist.

FOR INFORMATIONAL PURPOSES ALL PARTIES ARE ENCOURAGED TO READ THE ATTACHED COURT'S BASIC PARENTING SCHEDULE.

### **EMPLOYMENT/HEALTH INSURANCE INFORMATION SHEETS**

These forms must be filled out for each parent and person seeking custody of the child. If you do not have this information you must make a diligent attempt to obtain it. If you still cannot ascertain the necessary information you must indicate this on the form(s).

### **APPLICATION FOR CHILD SUPPORT SERVICES**

This form must be filled out and will be sent to the Warren County Child Support Enforcement Agency. This form does not obligate you to accept CSEA services and is required by law in any custody, visitation, or support case. Please fill out the form completely and sign at the bottom of the second page. Questions regarding this form should be directed to the Warren County Child Support Enforcement Agency at (513) 695-1580.

### **NOTICE OF HEARING**

You do not need to fill this form out. Upon the filing of the complaint the Clerk of Courts will assign a hearing date. Please mark this date on your calendar. You are expected to be prompt and to dress appropriately. (Shorts, cutoffs, tank tops, etc. are not permissible.)

### **REQUEST FOR SERVICE**

If any parent of the child or any person having rights to custody or visitation is not in agreement with all aspects of the shared parenting plan (child support, visitation, health care, etc.) a request for service form must be completed and filed. Normally certified mail is used, however, you may elect to have service made by a private process server or by the county sheriff of the county in which the person resides. If you are requesting service by other than certified mail you must make prior arrangements with the process server. You may be charged additional costs for these services.

### **AFFIDAVIT FOR PUBLICATION**

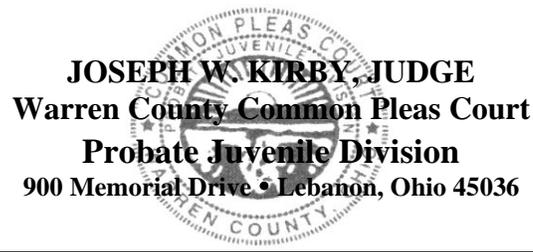
You do not need to fill out this application UNLESS you do not know the address of the other parent of the child. Please note below there is additional \$25.00 filing fee for service by publication.

### **OTHER REQUIREMENTS**

A fee of **\$160.00** must be paid at the time of filing a **COMPLAINT for the first child and \$50 for per additional child**. A fee of **\$75.00** must be paid at the time of filing a **MOTION** (plus service fees if Personal Service is requested) must be paid. **\$25.00 for service by Publication**. **Personal checks are not accepted.**

CAROLYN A. DUVELIUS  
Chief Magistrate

ANDREW L. SIEVERS  
JENNA L. SEITZ  
JEFFREY W. STUEVE  
Magistrates



LAURA A. SCHNECKER  
Court Administrator

MEGAN M. DAVENPORT  
Staff Attorney

In the Matter of: \_\_\_\_\_

Case No: \_\_\_\_\_

**RE: Contact Information of All Interested Parties**

**Name & Relationship to Child:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Name & Relationship to Child:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Name & Relationship to Child:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Name & Relationship to Child:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers: \_\_\_\_\_

Email Address: \_\_\_\_\_

Probate Division  
513.695.1180  
513.695.2945 (Fax)

Juvenile Division  
513.695.1160  
513.695.2948 (Fax)

Detention Center  
513.695.1393  
513.695.1394 (Fax)

Mary Haven  
513.695.1366  
513.695.1839 (Fax)



The child attends school in the following school district: \_\_\_\_\_

and is enrolled in the following grade:\_\_\_\_\_.

Petitioner(s) state that shared parenting is in the best interest of the child for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**WHEREFORE**, petitioner(s) request an award of Shared Parenting to him/her/them and for other relief as may be necessary.

THE FOLLOWING FORMS ARE ATTACHED:

- \_\_\_\_\_ Health Insurance Information Sheet
- \_\_\_\_\_ Employment Information Sheet
- \_\_\_\_\_ Shared Parenting Affidavit
- \_\_\_\_\_ Proposed Shared Parenting Plan
- \_\_\_\_\_ Divorce/Dissolution Decree/Paternity Finding
- \_\_\_\_\_ Application for Child Support Services
- \_\_\_\_\_ Other: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Date Of Birth

\_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Date of Birth

**STATE OF OHIO, WARREN COUNTY  
COMMON PLEAS COURT  
JUVENILE DIVISION**

IN THE MATTER OF: \_\_\_\_\_ )  
a minor. **(Full Legal Name)** )  
DOB: \_\_\_\_\_ )

Case No. \_\_\_\_\_

**PROPOSED SHARED  
PARENTING PLAN**

Now comes \_\_\_\_\_ petitioner(s)  
and submit to the Court a proposed shared plan concerning the following minor child:

\_\_\_\_\_ DOB/Age \_\_\_\_\_.

This Shared Parenting Plan is proposed for use between Father \_\_\_\_\_  
(dob: \_\_\_\_\_) who resides at \_\_\_\_\_  
and Mother \_\_\_\_\_ (dob: \_\_\_\_\_) who resides  
at \_\_\_\_\_.

**PHYSICAL LIVING ARRANGEMENTS AND PARENTING TIME**

Effective \_\_\_\_\_ (enter date) both parties shall be considered the residential parent and legal custodian of the minor child. The parties shall be responsible for taking the child to and from school, appointments, and activities during their parenting time. During parenting exchanges, the parent who will be receiving the child shall provide transportation unless otherwise agreed.

The parties shall alternate parenting time as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or Mother/Father shall have parenting time pursuant to the Court's Basic I/Basic II Parenting Schedule (see attached).

Holiday Parenting Time shall be as follows:

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or if the parties cannot otherwise agree, they shall adhere to this Court's Basic Parenting Order Holiday Schedule, attached hereto. For the sole purpose of enforcing the Court's Basic Parenting Holiday Schedule, \_\_\_\_\_ shall be considered the residential parent.

Extended Parenting Time (aka Vacation Time) shall take place as follows:

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or if the parties cannot otherwise agree, they shall adhere to this Court's Basic Extended Parenting Time Schedule, attached hereto.

Each parent must give the other parent 30 days written notice of the dates he or she intends to have extended parenting time or vacation with the child. In the case of conflict, the schedule of the parent who first gives written notice to the other parent shall prevail. For any vacation or holiday travel, each parent must provide the other parent with destination, times of arrival and departure, and methods of travel.

**SCHOOL DISTRICT**

\_\_\_\_\_ shall be considered the residential parent for school purposes only.

The child shall be admitted to the \_\_\_\_\_ School District, being the district in which the residential parent of the child resides. It is therefore ORDERED that the School District shall be responsible to bear the costs of educating the minor child pursuant to R.C. § 3313.64. Said determination is subject to re-determination by the Department of Education.

**INSURANCE**

Petitioner(s) state that \_\_\_\_\_ has health coverage for the minor child available at a reasonable cost and that he/she/both shall maintain such coverage on said child.

The child is currently covered by the following policy of health insurance:

Policy No. \_\_\_\_\_

Insurance Co. Name: \_\_\_\_\_

Insurance Co. Address: \_\_\_\_\_

Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Petitioner(s) state that if shared parenting is granted the above health insurance coverage WILL/WILL NOT (circle one) remain in effect.

or

Both parties are ORDERED to obtain health insurance for the minor child if it becomes available at a reasonable cost. If either party obtains health insurance, they are ORDERED to submit written proof of the insurance to the Warren County CSEA, P.O. Box 440, Lebanon, OH 45036-0440, within 30 days of obtaining the insurance.

**CHILD SUPPORT**

Effective \_\_\_\_\_ (enter date), \_\_\_\_\_, as Obligor, shall pay child support as follows \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Each party shall notify the Warren County Child Support Enforcement Agency, in writing, of any change of address or employment status immediately upon such change.

or

The parties request an Income Examination be conducted by the Court or Warren County Child Support Enforcement Agency.

**SEE NOTIFICATION ATTACHED HERETO AND INCORPORATED HEREIN**

### **TAX EXEMPTION**

Effective tax year \_\_\_\_\_ and continuing thereafter until further order of the Court, the dependent tax exemption with respect to the minor child shall be awarded to Father on all \_\_\_\_\_ numbered years and Mother on all \_\_\_\_\_ numbered years.

-OR-

Effective tax year \_\_\_\_\_ and continuing thereafter until further order of the Court, the dependent tax exemption with respect to the minor child be awarded to Father/Mother.

The Court shall retain continuing jurisdiction over this issue and may modify this order in the event either party petitions the Court. The Court gives notice that the right of a parent to claim as a tax exemption or credit is specifically conditioned on that parent being current in his/her support obligations for that tax year.

### **UNCOVERED EXPENSES**

Father shall be responsible for \_\_\_\_\_% and Mother responsible for \_\_\_\_\_% of any uncovered medical, dental, orthodontia, psychological, or psychiatric expenses, including deductibles and/or co-payments.

Father shall be responsible for \_\_\_\_\_% and Mother responsible for \_\_\_\_\_% of any expenses including, but not limited, to school fees, school supplies, school lunches, extracurricular activities, and equipment.

### **NOTICE OF INTENT TO RELOCATE**

If a parent intends to relocate, the relocating party must file a "Notice of Intent to Relocate" (Warren County Juvenile Form 7.0 on the web-site) with the Juvenile Clerk of Courts and mail a copy to the other party and the Child Support Enforcement Agency.

If the relocating party is relocating within Warren County, Ohio the Notice of Intent to Relocate shall be filed and served upon all other parties with custodial/parental/visitation rights and the CSEA not less than thirty (30) days prior to relocation.

If the relocating party is relocating outside of Warren County, Ohio then the Notice of Intent to Relocate shall be filed and served upon all other parties with custodial/parental/visitation rights and the CSEA not less than sixty (60) days prior to relocation.

Any party seeking a modification of custody, visitation, child support, or parental rights and responsibilities due to the relocation shall file a motion with the Court.

**ACCESS TO RECORDS**

Both parents shall have equal access to school, medical, and/or day care records of the child or children unless otherwise specifically limited herein. Any record keeper of any applicable school, day care or medical records can furnish information to each parent upon request.

**ADDITIONAL PROVISIONS:**

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Dated: \_\_\_\_\_

\_\_\_\_\_  
Father Signature

\_\_\_\_\_  
Mother Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Date Of Birth

\_\_\_\_\_  
Date of Birth

Both parents are not required to sign a proposed shared parenting plan

# SHARED PARENTING AFFIDAVIT

## STATE OF OHIO, WARREN COUNTY:

Now comes \_\_\_\_\_, and after being duly cautioned and sworn, states the following:

1. The information contained herein pertains to the following minor

child: \_\_\_\_\_

dob: \_\_\_\_\_

2. Petitioner(s) relationship to subject minor child(ren) is:

\_\_\_\_\_.

3. Subject minor child currently resides with:

\_\_\_\_\_ at

\_\_\_\_\_.

4. The child has resided there since \_\_\_\_\_.

5. The former residence of subject child was with:

\_\_\_\_\_ at

\_\_\_\_\_.

6. For the past year the child has resided as follows:

<u>With</u>	<u>Address</u>	<u>From</u>	<u>To</u>
_____	_____ _____	_____	_____
_____	_____ _____	_____	_____
_____	_____ _____	_____	_____

7. There are no prior or pending court or administrative cases pending which concern this child, or, if there are, the details are as follows:

<u>Court Type</u>	<u>County</u>	<u>Approx. Dates</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. That any persons having a legal right to pay child support or to exercise custody or visitation are as follows:

<u>Name</u>	<u>Relationship</u>	<u>Custody/Support/Visitation</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. That he/she HAS/HAS NOT (circle one) been convicted of or has pled guilty to a charge involving neglect, abuse, abandonment, or violence towards a child or an adult. If so, the details are as follows:

\_\_\_\_\_

\_\_\_\_\_

10. Mother/Father/Child Has/Has Not (circle one) previously been investigated by Children's Services. If so, the details are as follows: (ie year, allegations, services offered, outcome of investigation)

\_\_\_\_\_

\_\_\_\_\_

11. There is/is not (circle one) an open Children's Services case at this time.  
a. if so, the reasons for Children's Service's involvement are:

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- b. the assigned caseworker is:

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\_\_\_\_\_  
Petitioner

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

## SUMMONS/NOTICE OF HEARING

In the Matter of: \_\_\_\_\_ ) Case No. \_\_\_\_\_  
\_\_\_\_\_ )

Minor Child.

YOU ARE HEREBY NOTIFIED THAT A COMPLAINT FOR SHARED PARENTING HAS BEEN FILED WITH THIS COURT. AS AN INTERESTED PARTY YOU HAVE A RIGHT TO APPEAR AT THE HEARING AND TO FILE AN ANSWER TO THE COMPLAINT. IF YOU FAIL TO DO EITHER OF THE ABOVE THE COURT MAY GRANT THE SHARED PARENTING REQUEST, ISSUE SUPPORT, VISITATION, TAX EXEMPTION, INSURANCE AND ANY OTHER ORDERS REGARDING THE MINOR CHILD(REN)'S CUSTODY, CARE AND CONTROL.

THE COURT HAS SET A **PRE-TRIAL/HEARING DATE OF \_\_\_\_\_ AT \_\_\_\_\_ .M. BEFORE JUDGE/MAGISTRATE \_\_\_\_\_**, in the Warren County Juvenile Court building, 900 Memorial Drive, Lebanon, Ohio 45036.

YOUR ATTENDANCE IS REQUIRED AT THE PRETRIAL/HEARING. Failure to appear may result in an order granting the requested relief or dismissal of the action.

PROPER ATTIRE IS REQUIRED. **Shorts and tank tops are not permitted in the courtroom.**

Please make appropriate child care arrangements prior to the hearing.

# REQUEST FOR SERVICE

In the Matter of: \_\_\_\_\_ )

Case No. \_\_\_\_\_

**TO THE CLERK:**

Please serve a copy of the Complaint for Shared Parenting along with supporting documents by:

- \_\_\_\_\_ Certified Mail
- \_\_\_\_\_ Publication (Affidavit must be attached)
- \_\_\_\_\_ Other (specify below)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_.

on the following persons:

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

# WARREN COUNTY COURT OF COMMON PLEAS JUVENILE DIVISION

## APPENDIX I

### PARENTING TIME; BASIC PARENTING SCHEDULE

#### INTRODUCTION

The Court may consider an order granting parenting time rights in an original parentage action pursuant to Revised Code section 3119.08 and/or as an order in the best interests of the child as authorized by Revised Code section 3111.13 (C). Parties shall be prepared to address parenting time issues whether or not raised in the pleadings.

The Court may grant a basic order of parenting time as set forth herein or a special order of parenting time.

Parents/legal custodians are encouraged to create parenting schedules tailored to the specific needs of the child(ren), taking into account their respective work schedules and the individual needs of the child(ren).

This parenting schedule is not intended to apply in all cases where there is disagreement upon a parenting schedule. Rather, this schedule is to provide a basic parenting schedule that addresses most parenting time issues.

Parenting time issues in juvenile court cases oftentimes present situations where a child(ren)'s parents may never have resided together and/or where a parent may never have resided with the child(ren) who are subject(s) of the case. Additionally, the Court will also consider situations in which a child's legal custodian is not a parent of the child. These situations oftentimes make application of a basic parenting time order problematical.

This schedule should not be considered by a party as a minimum entitlement to parenting time. The Court shall exercise discretion in determining whether this parenting schedule is appropriate in any given case based upon the totality of the circumstances and the best interests of the child(ren). In cases where this schedule is not appropriate the Court shall issue a special parenting time schedule. The Court may incorporate by reference into any special parenting time schedule such portions of this basic parenting schedule as may be appropriate.

These schedules are intended to further two goals: (1) preservation of or development of a close relationship between child(ren) and each parent; and (2) consideration of the changing developmental needs of the child(ren).

Note: For purposes of interpreting this order and if a shared parenting plan refers to this schedule, the party with whom the child(ren) spend the majority of time shall be referred to as the residential parent and the other parent as the non-residential parent provided that the shared parenting plan does not contain any provisions to the contrary.

**A. INFANTS: (0 MONTHS- AGE 1)** (Parenting time is spent away from residential parent's residence.)

1. **(0 MONTHS- 6 MONTHS)** Beginning at birth through six months, the non-residential parent may spend time with the child away from the residential parent's residence every Tuesday and Thursday evening from 5:30 p.m. to 8:30 p.m. and one day each weekend, alternating between Saturday and Sunday, from 10:00 a.m. to 6:00 p.m.
2. **(6 MONTHS- 12 MONTHS)** From six months to twelve months, the non-residential parent may spend time with the child as follows: every Tuesday and Thursday evening from 5:30 p.m. to 8:30 p.m. and on alternating weekends from Saturday at 10:00 a.m. to Sunday at 6:00 p.m.
3. **Holidays:** In odd numbered years, the non-residential parent may spend time with the child(ren) from 10:00 a.m. to 6:00 p.m. on President's Day, Memorial Day, Thanksgiving and Christmas Eve. In even numbered years, the non-residential parent may spend time with the child(ren) from 10:00 a.m. to 6:00 p.m. on Easter, July 4<sup>th</sup>, Labor Day and Christmas Day.
4. **Older Siblings:** If there are older brothers and sisters of the infant child(ren), the parenting time (including holidays) set forth below for children ages two years through twelve years shall govern infant visitation once the infant is two months old.

**B. CHILDREN AGE 1 THROUGH 12: The non-residential parent shall spend time with the children according to one of the following schedules as designated in the current court order:**

**Basic I:**

1. **Weekends:** Alternate weekends beginning Friday at 6:00 p.m. and ending Sunday at 6:00 p.m.
2. **Weekdays:** Every Wednesday (or other day by agreement) from 5:30 p.m. to 8:30 p.m.

**Basic II:**

1. **Weekends:** Alternate weekends beginning Friday at 6:00 p.m. and ending Monday morning at school or 9:00 a.m. if no school.
2. **Weekdays:** Every Wednesday (or other day by agreement) from 5:30 p.m. to the following morning at school or 9:00 a.m. if no school.

**C. TEENAGERS - AGE 13 THROUGH 15:**

**Weekends and Weekdays:** It is recommended that the above schedule for children age two through twelve be continued through age fifteen if possible. However, parents should respect a teenager's need to spend time with peers and in organized activities, and less time with each parent, especially during weekends and summer holidays. Quality of time is more important than a rigid schedule. Flexibility in scheduling is necessary. When possible, it is preferable to consider the teenager's wishes as long as the parents agree. At a minimum, the nonresidential parent may spend time with children in this age bracket every Wednesday from 5:30 p.m. to 8:30 p.m. and at least one overnight and day on alternating weekends.

**D. TEENAGERS - AGE 16 UNTIL 18:**

Parenting time for children in this age bracket shall be fixed between the child and the non-residential parent. Parenting time shall not be limited other than as the child and the non-residential parent choose.

**E. HOLIDAYS (for children aged 1-18 and subject to sections C, D and E above):**

1. In **odd** numbered years, **Mother** will have the child(ren) and in **even** numbered years **Father** will have the children on:

**July 4<sup>th</sup> :** from 9:00 a.m. to 11:00 p.m.

**Labor Day:** from Friday at 6:00 p.m. to Monday at 7:00 p.m.

**Christmas Break:** from December 24<sup>th</sup> at 9:00 p.m. to January 1<sup>st</sup> at 6:00 p.m.

**Easter:** from 9:00 a.m. to 7:00 p.m.

2. In **odd** numbered years, **Father** will have the child(ren) on and in **even** numbered years **Mother** will have the children on:

**Martin Luther King Day:** from Friday at 6:00 p.m. to Monday at 7:00 p.m.

**President's Day:** from Friday at 6:00 p.m. to Monday at 7:00 p.m.

**Memorial Day:** from Friday at 6:00 p.m. to Monday at 7:00 p.m.

**Halloween:** from 30 minutes prior to and 30 minutes after the conclusion of the community's scheduled hours. In the event Beggar's Night occurs on different days in Mother's and Father's communities, each parent shall have parenting time during their respective communities' observance of Beggar's Night.

**Thanksgiving:** from Wednesday night at 6:00 p.m. to Thursday at 7:00 p.m. unless the

following weekend is that parent's regularly scheduled weekend, in which case the parenting time shall continue until the regular termination of the visiting party's weekend visitation/parenting time.

**Christmas:** from December 21<sup>st</sup> or the last day of school, whichever is later, at 6:00 p.m. to December 24<sup>th</sup> at 9:00 p.m.

**Spring Break** commencing at 9:00 a.m. the day after school recesses to 6:00 p.m. the day before school resumes. (Only applies to school age children).

3. Other important days:

**Mother's Day:** With the mother from 9:00 a.m. to 7:00 p.m.

**Father's Day:** With the father from 9:00 a.m. to 7:00 p.m.

**Birthdays:** No special provision is made for the children's birthdays unless otherwise agreed.

**Other Cultural**

**Holidays:** Any other religious holidays, cultural holidays or days of significance not referenced herein shall be addressed by agreement of the parties or court order.

If any of the above holidays falls on a Monday following that parent's regular weekend, then the parenting time will be continuous through the holiday.

**F. Extended Parenting Time, Summer Vacations and Travel:**

The non-residential parent shall have extended parenting time with the child(ren) to coincide with his or her work vacation if possible. The parenting time may extend to two weeks (non-consecutive) for ages two to four years; it may extend to two consecutive weeks for ages four and five years; and it may extend for up to four weeks (with no more than two weeks being consecutive) for ages six through twelve years. The residential parent may also have an extended vacation with the child(ren) not to exceed two weeks. All parenting/vacation time taken under this section must be taken in blocks of time of at least seven days. Each parent must give the other parent thirty days prior written notice of the dates he or she intends to have extended parenting time or vacation with the child or children. In the case of conflict, the schedule of the parent who first gives written notice to the other parent shall prevail. For any vacation or holiday travel, each parent must provide the other parent with destination, times of arrival and departure, and methods of travel. If there are children in different age brackets, the provisions set forth for the oldest age bracket shall govern as to all children, except that there shall be no extended parenting time/vacation for children under two years of age. NOTE: Child support will not be reduced during summer vacation periods specified in this provision.

**G. RULES REGARDING PARENTING TIME:**

1. **Conflicting Schedules:** In the event of any conflict between parenting time schedules, the following is the order of precedence:

- a. Holidays
- b. Vacation periods or extended parenting times
- c. Weekends and mid-week days

For example, one parent may not schedule his or her summer vacation to include July 4<sup>th</sup> if July 4<sup>th</sup> is the other parent's holiday that year. As another example, the residential parent may be entitled to have the children on the Easter holiday even though it falls on the non-residential parent's alternating weekend. In this case, the non-residential parent's weekend shall conclude at 6:00 p.m. on Saturday evening.

2. **Illness:** Parenting time shall be provided to the non-residential parent even if the child is ill unless the child is hospitalized or a physician has recommended that the child not be removed from the residential parent's home, in which event immediate notice shall be given to the non-residential parent. Any weekend parenting time that is missed under this provision shall be made up the following weekend.
3. **Telephone, Mail and Digital Communication:** Both parents may have reasonable telephone contact with the child(ren) not to exceed once a day between the hours of 7:00 a.m. and 9:00 p.m. If the children are not available, the child(ren) should return the telephone call. Both parents shall encourage free communications between the child(ren) and the other parent and shall not do anything to impede or restrict reasonable communications by telephone or mail between the child(ren) and the other parent, whether initiated by the child(ren) or the other parent. Any mail between the child(ren) and either parent shall be strictly confidential and shall not be opened or read by the other parent. Both parents may have reasonable contact with the child by text message and email and through social networking websites so long as such communication does not interfere with the other parent's parenting time.
4. **Cooperation:** Both parents shall refrain from criticizing the other parent or arguing with the other parent in the presence of the child(ren).
5. **Exchange of Phone Numbers:** Unless this Court orders otherwise each parent must keep the other parent informed of his or her current telephone number and a telephone number where the child(ren) may be reached.
6. **Transportation:** In the event that the parents are unable to reach an agreement regarding transportation, the parent receiving the child(ren) shall arrange transportation. For example, if the parents are following the Basic Order of this Court, the non-residential parent will pick up the children from the residential parent's home on Friday evenings. Likewise on Sunday evenings the residential parent will pick up the children from the non-residential parent's home. In the event that either party moves and thereby increases the distance that existed between the parties at the time of the last court order by more than 25 miles, that party must provide all of the transportation or file a motion to have the

transportation duties reviewed. Until such hearing, the moving parent shall provide all the transportation.

7. **Grace Period:** The transporting parent for parenting time shall have a grace period of fifteen minutes for pick-up and delivery if both parties live within thirty miles of each other. If the one way distance to be traveled is more than thirty miles, the grace period shall be thirty minutes. In the event the nonresidential parent exceeds the grace period, that period of parenting time is forfeited unless prior notification and arrangements have been made and excepting cases where the non-residential parent lives in excess of thirty miles away and suffers an unavoidable breakdown, or delay en route and the non-residential parent promptly notifies the residential parent by telephone of the delay. Repeated violations by either parent shall be cause for granting a modification of the parenting order.
8. **Clothing and Supplies for Children:** The residential parent shall send with the child(ren) on parenting time sufficient clothing and outerwear appropriate for the season and for any known, planned activities. For the weekend, this shall consist of a minimum of a coat and shoes appropriate for the weather, two extra sets of play clothes, one dress outfit and underwear, in addition to the clothes the children are wearing at the time of the start of the weekend. In the case of infants, the residential parent shall send with the child(ren) sufficient bottles, formula and diapers and shall inform the non-residential parent of the child's sleeping and eating schedules. The non-residential parent shall return all items that are sent with the child(ren) at the end of his or her parenting time.
9. **Child(ren)'s Activities:** Scheduled periods of parenting time shall not be delayed or denied because a child has other activities (with friends, work, lessons, sports, etc.). It is the responsibility of the parents to discuss extra-curricular activities of the child(ren) in advance, including time, dates and transportation needs, so that the child(ren) are not deprived of activities and maintaining friends. Each parent shall provide the other with copies of any written material (i.e. activity schedules, maps, instructions) that are distributed in connection with the child(ren)'s activities. The parent who has the child(ren) during the time of scheduled activities is responsible for transportation, attendance and/or other arrangements. Both parents are encouraged to attend all their child(ren)'s activities.

## **CONCLUSION**

Flexibility in the implementation of the foregoing schedule to best suit the changing needs of the child(ren) and the employment schedules of the parents is encouraged. HOWEVER, absent an order of this Court, the foregoing schedule shall be followed absent a clear, mutual understanding between parents to deviate. Any modification shall be in writing if feasible. **Experts uniformly agree that the absence of conflict between parents is more critical to a child's welfare than the amount of time either parent spends with the child.**