

DELAWARE COUNTY JUVENILE COURT
LOCAL PARENTING TIME SCHEDULE

If the Court Order or Decree indicates that the Court schedule is the order for parenting time, then the ORDER OF THE COURT IS THE FOLLOWING:

PARENTING TIME FOR THE NON-RESIDENTIAL PARENT SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES CAN AGREE (these are the most important words). This shall not normally be less than:

1. Weekends

Beginning on a specific date (_____), every other weekend from Friday night at 7 p.m. to Sunday night at 7 p.m.

2. Mid-week

In addition, the child(ren) shall spend a minimum of one week day as follows:

For a child not yet in mandatory education, 5 p.m. to 7:30 p.m.

For a child in grades Kindergarten - 8th grade, 5 p.m. to 8 p.m.

For a high school student, 5 p.m. to 9 p.m.

When there is a great disparity in the ages of the children in the family, the Court shall determine the appropriate hours for each child.

3. Holidays

Parents may wish to change a holiday by agreement at least one week in advance in order to observe family or religious traditions. If not changed by agreement, holiday times are as follows:

	<u>Even-numbered</u> <u>Years</u>	<u>Odd-Numbered</u> <u>Years</u>	<u>As Agreed. OR</u>
Easter	Father	Mother	Sat 7 pm - Sun 7 pm
Memorial Day	Mother	Father	Sun 7 pm - Mon 7 pm
July 4th	Father	Mother	7/4 4 pm – 7/5 noon
Labor Day	Mother	Father	Sun 7 pm - Mon 7 pm
Thanksgiving	Father	Mother	Wed 7 pm – Fri noon
Christmas Day	Mother	Father	12/24 noon – 12/26, noon

Mother's Day shall always be spent with the mother; Father's Day shall always be spent with the father, regardless of which parent is entitled to the weekend. If the parties cannot agree on times, the time is 10 a.m. to 7 p.m. The child(ren) shall spend the rest of the weekend with the parent who normally has that weekend.

Halloween (Beggars' Night): Mother will have Beggars' Night (trick or treat) in the even years and Father in the odd years through a child's 6th grade year if the parents live in communities that have Beggars' Night on the same date. If the parents live in communities with separate dates for the event, then each parent gets the child(ren) on Beggars' Night for his or her community. If the parents cannot agree on times, the hours will be from one hour prior to the start of Beggars' Night to one hour after the conclusion of Beggars' Night. Unless the parents agree otherwise, each parent will be responsible for providing the child(ren)'s costume for trick or treating or any other Halloween activities that occur during his/her own parenting time. Beggars' Night is to be spent with the designated parent even if the other parent is entitled to weekend, mid-week, or vacation with the child(ren).

Note: Holidays will take priority over any other parenting time. A holiday that falls on a weekend shall be spent with the parent who is designated to have the child(ren) for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend. This time does not have to be made up.

4. Other Days of Special Meaning

The child's birthday shall always be spent with the mother in the even-numbered years, and shall always be spent with the father in the odd-numbered years. If the parties cannot agree, the time is 10 a.m. to 8 p.m., for a child not in school on the birthday, and 5 p.m. to 8 p.m., for a child in school on the birthday. The other parent can celebrate on another date. Brothers and sisters shall attend the birthday event.

A parent shall have the child(ren) for the parent's birthday. If the parties cannot agree, the time is 10 a.m. to 8 p.m., for a child not in school on the birthday, and 5 p.m. to 8 p.m., for a child in school on the birthday.

Other special days or holidays shall be addressed on a case by case basis.

5. Breaks

Father will have spring school break in the even numbered years, and Mother will have spring school break in the odd numbered years.

Winter break is to be divided equitably between the parents, with the exception of the Christmas holiday as set out above. For division purposes, Winter break is counted from the first day after school ends in December until the day before school resumes in January. Those days, less two days for Christmas, equal the days to be divided. In the event that the days cannot be divided equally, then the parent who does not have the child(ren) for Christmas that year gets the one extra day. Mother has the first half of Winter break in even years and second half of Winter break in odd numbered years. Father gets the first half of Winter break in odd numbered years and the second half of Winter break in even numbered years. Winter break begins at 7:00 p.m. on the last day of school before the break, and ends at 7:00 p.m. the night before school resumes.

6. Summer Parenting Time

Unless parents otherwise agree, the child(ren) will alternate residing with each parent on a weekly basis, starting at 7 p.m. the first Friday after school has ended for the year to the following Friday at 7 p.m. The non-residential parent shall have the first week of summer parenting time. Summer parenting time continues until seven (7) days before school begins. Each parent's time is calculated by taking the number of weeks between those two points and dividing in half.

If the child(ren) attend daycare or are at a babysitter's home in the summer, the parent with whom the child(ren) reside that week is responsible for the payment of daycare or babysitting costs for the week.

Summer school necessary for a child to pass to the next grade must be attended. Regardless of either parent's vacation plans, the child must attend all classes. The parent with whom the child resides that week must provide transportation to and from school.

Each parent must provide the other parent in writing the destination, location, times of arrival and departure, contact information, and method of travel if the vacation will be outside the parent's community. This information shall be provided as soon as possible, but in no case less than two (2) weeks prior to the vacation.

Extended travel plans/vacation, including overseas travel, will be given due deference by the Court.

7. Parenting Time Presumptions

a. Basis for Schedule

This parenting plan presumes that the father and the mother are good parents and that a child is safe with either parent, based on the evidence before the Court; that the father and the mother respect the right of their child(ren) to have two parents throughout the child(ren)'s life for nurturing, continuity, normal development, and emotional and economic support; and the father and mother each respects the right of the other to parent their child(ren).

b. Keeping the Children Together

This schedule presumes that if the parents have more than one child, the parenting time will be exercised with all children together.

c. Child's Response to Parenting Time

There is no specific schedule of parenting time that can address the changing needs of children and parents. It is important for parents to remain flexible based upon the needs of their children. As children mature and become involved in activities outside the home, they often have less time to spend with parents. The Court encourages parents to resolve parenting issues amicably as they occur.

When relationships end, parents may experience a difficult time dealing with one another. Times when children are physically transferred between the parents is NOT an opportunity to direct hostility, including demeaning language or behavior, towards the other parent. **IT IS THE ABSOLUTE DUTY OF EACH PARENT TO MAKE CERTAIN THAT THE CHILD IS READY FOR PARENTING TIME WITH THE OTHER PARENT AND IS TRANSFERRED TO THE OTHER PARENT IN A TIMELY FASHION AT THE START OR CONCLUSION OF PARENTING TIME. IT IS THE ABSOLUTE DUTY OF EACH PARENT TO MAKE CERTAIN THAT HIS OR HER CHILD GOES FOR THE PARENTING TIME.**

The possessory parent shall have the child(ren) ready in a timely manner.

d. Cancellation of Parenting Time by Non-residential Parent

The non-residential parent must give notice of intent NOT to have parenting time, as soon as he or she is aware that it is not possible. A parent who does not exercise parenting time forfeits the time. A parent who continually fails to keep his or her commitment to parenting time may have his or her rights modified, and may be subject to other legal remedies.

e. Make-up Time for Cancellation of Parenting Time by Residential Parent

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 house, in which case the residential parent is to notify the other parent immediately. Any time that is missed under this section is to be made up within fourteen (14) days.

f. Transportation

If the parties are unable to agree, then the parent coming into possession shall pick up the children at the mutually agreed upon or Court ordered location. If a parent is unable to pick up the child(ren), then he or she must use an adult driver well-known to the child(ren). All child restraint laws must be complied with by any person driving with the child(ren). No person transporting the child(ren) may be under the influence of drugs or alcohol. Only licensed drivers may transport the child(ren) and the financial responsibility laws (auto insurance) must be met.

g. Grace Period

The parent transporting the child(ren) for parenting time shall have a grace period of 15 minutes for pick-up and/or delivery if both parents live within 30 miles of each other. If the one-way distance to be traveled is more than 30 miles, the grace period shall be 30 minutes. In the event that the non-residential parent exceeds the grace period, that particular parenting time is forfeited unless the non-residential parent had notified the other parent and made other arrangements. In the event that the non-residential parent experiences an unavoidable accident, emergency, or traffic delay on the way to pick up the child(ren) and promptly notifies the other parent of the delay, then the parenting time is not forfeited. To put into effect the intent of this section, both parents should have working cell phones which are on and available during the proximate travel period for the exchange. If one or both parents do not have working cell phones, the parties should design an alternate and reasonable arrangement.

h. Clothing and Possessions

Clothing and possessions belong to the child(ren) and not to either parent. Clothing and possessions may travel back and forth between the parents' homes. Neither parent may deliberately withhold clothing from the other parent. Security objects, such as a blanket, stuffed animal, or book, likewise belong to the child(ren) and may travel back and forth with the child(ren). Both parents are responsible to make sure the clothing and possessions return with the child(ren) at the end of the parenting time.

i. Special Needs

Where a child has special needs, including allergies and chronic conditions, the parent who has primary responsibility for the medical, therapeutic, and other such appointments shall keep the other parent fully informed as to the child's medicines, treatments, equipment, therapeutic and educational modalities. A

parent may not withhold any required medicines, equipment, or other items needed by the child(ren) during parenting time with the other parent. The parent receiving such medicines, equipment, and the like must return all items to the other parent at the conclusion of parenting time. The parent with whom the child is residing shall be responsible for maintaining and continuing all therapeutic and medical appointments, including transporting the child to and from the appointments. The Court has wide discretion to evaluate each case on a case by case basis and modify this rule as necessary.

j. Schoolwork

A parent must provide time for a child to study, complete homework assignments, papers, or other school assigned projects, even if the completion of this work interferes with the parent's plans with the children. If schoolwork is assigned by the school prior to the parenting time, the residential parent must inform the other parent of the work to be done, and when it must be completed. The residential parent is responsible for the child(ren) starting homework before leaving for parenting time with the other parent.

k. Address and Telephone Numbers

Each parent must, unless the Court orders otherwise, keep the other informed of his or her current address, email address, and telephone number, and, if available, an alternate telephone number in the event of an emergency. In the event that a parent lacks a telephone or cell phone, that parent must provide an emergency contact number. Both parents must notify the Court in writing of any intent to relocate.

l. Traditions and Family

This schedule is in no way meant to interfere with family traditions. Each parent is encouraged to respect each other's family traditions and to adjust the parenting time schedule accordingly. It is expected that the child(ren) will continue contact with grandparents, aunts, uncles, cousins, and any other family members during such times as they are with their parents.

m. Children's Activities

Scheduled parenting time periods shall not be delayed or denied because a child has other scheduled activities such as sports events, work, extracurricular activities, and social events with friends. Parents will discuss such activities in advance of any parenting time, including time, dates, and transportation needs, so that the child is not deprived of activities and maintaining their friendships. If there is equipment, uniforms, or other gear that the child will need to participate, the parent with those items will make sure the child has those things if the child will be at the other parent's residence at the time of the event. It is the responsibility of the parent with whom the child is staying to make sure that the child gets to his or her practices, games, meetings, and the like. Both parents are encouraged to attend all their child's activities. Each parent is entitled by law to equal access to the student activities of their child, unless limited by Court Order.

n. Illness or Injury of a Child

No schedule can adequately spell out what should be common sense when dealing with an ill or injured child.

If a child becomes ill or injured, warranting the giving of prescribed medication or consultation with a doctor or dentist, each parent must notify the other parent as soon as possible. If the child becomes ill while with the residential parent prior to a scheduled parenting time, the parent must contact the other

parent and discuss the advisability of whether the parenting time should take place with the best interests of the child as the primary consideration. Parents should consider the nature of the illness (whether it may be contagious, or the child is physically uncomfortable, etc.), the care necessary, the ability to provide the care, exposure of the illness to others, activities planned, and any other important issues.

If the parents agree that the child should be exchanged, then the residential parent MUST provide written instructions and sufficient prescribed medication to last during the parenting time. The non-residential parent must care for the child as directed, notifying the other parent if the child's condition worsens, or does not improve as might reasonably be expected. If the parents cannot agree on whether the child should go, then the residential parent shall make the final decision. In the event that parenting time is canceled, the missed parenting time shall be made up within 14 days.

o. Routine Medical and Dental Examinations

The residential parent will notify the non-residential parent of all routine medical, dental, and optical examinations, such as well-child visits, physicals, and annual exams. The residential parent shall notify the other parent within 48 hours of making the appointment.

p. Communication between Parents

IT IS THE RESPONSIBILITY OF THE PARENTS, NOT THE CHILDREN, TO MAKE ALL PARENTING TIME ARRANGEMENTS. Neither parent should communicate with a child about the schedule or future events or activities which conflict with the other parent's allotted times. It is not the responsibility of a child to mediate or become involved in parental differences over times, dates or activities.

q. Discipline and Behavior

It is presumed that parents use methods of discipline consistent with the law, and consistent with each other as much as possible, and will communicate with each other if a child is becoming a discipline problem.

Parents need to discuss behavior problems and solutions with each other as the need arises. Parents who have major disagreements over appropriate discipline or solutions to their child's problems and cannot resolve their disagreements should seek the assistance of professionals.

r. Open Communication Between Parent and Child

Open communication between parent and child(ren) is an aid to a stronger parent/child relationship and is in the best interests of the child(ren). The term "communication" includes, but is not limited to, telephone, texting, email, skyping, and other such electronic means. Communication is allowed as is age-appropriate and the Court may set parameters based upon the age of the child(ren) and the method of communication used. Oral communication, such as by telephone, will take place no less than three (3) times a week. Written communication, other than sending birthday or holiday cards, will take place after the child is able to read. For children six (6) years old and younger, communication will be pursuant to Court Order.

Phone calls should be during the normal hours a child is awake; and if the child is unavailable for conversation, each parent shall take the responsibility of seeing that the child timely returns the call. A child is always permitted to call or contact a parent.

s. Moving

Either parent must notify the other at least thirty (30) days in advance of their intent to change their residence, and provide a new address and contact information within ten (10) days of establishing a new residence.

t. Long Distance Parenting Time

Parenting time for a parents who live more than an hour's driving time apart shall be considered by the Court on a case by case basis.

u. Very Young Child(ren)

This schedule may not apply to a newborn or very young child whose sense of time differs from an older child or adult. A newborn needs more frequent contact with a parent not living in the same household than this schedule specifies. Parents need to exercise more flexibility in scheduling times for a newborn and very young child(ren). The Court will set schedules on a case by case basis.

v. Teenagers

Parents should be as flexible as possible when it comes to teenagers as parents generally allow a teenager more freedom of choice. Significant teenage events such as proms or homecoming shall not be missed in order to accommodate a parenting schedule. A regular routine of parenting time may become more difficult as a child ages, has more activities outside of the family unit, obtains a driver's license, dates, works, and spends time with friends. Parents should respect their teenager opting to spend more time with friends or in organized activities, and less time with each parent, especially weekends and summer holidays. Maximum flexibility in scheduling is absolutely necessary for a child of this age.