

COURT RULE 16 (I)
STANDARD PARENTING SCHEDULE

1) PREFACE:

Children require the continued and regular involvement of both parents, despite the termination of the relationship of the parents. No standard Parenting Time schedule can possibly meet the needs of every parent-child relationship, and therefore the Court encourages parties to work together towards an agreement which best fits the needs of their children, and will meet their specific circumstances.

During and after the termination of a family relationship, there is often a crisis period during which families are under a great stress due to loss, conflict and change. Unfortunately, whether intentional or otherwise, children tend to become pawns in a struggle between the parents. Most studies indicate, and psychologist uniformly agree, that the children who "do best" following divorces are those children in which the family maintains lower levels of conflict. The absence of conflict is just as important as the amount of time either parent spends with the child.

Although the Court has established this Standard Parenting Time Schedule, it is with hope that it is unnecessary. It is only when parents cannot agree that the Court will require the provision of this Standard Parenting Time Schedule to be utilized. In such case where the parents cannot agree to Parenting Time, this Schedule will be ordered by the Court, and considered controlling over Parenting Time issues. The Court encourages the parents to minimize conflicts as much as possible. Specific items in the Final Order (Judgment Entry) of the Court take precedence over this Schedule. This Schedule in no way affects child support obligations or payments.

When a Journal Entry or Divorce Decree refers to "the right of reasonable Parenting Time" upon the non-residential parent, this Rule shall be considered incorporated by reference, attached to and made a part of the Entry or Decree. Attorneys shall provide copies of this Schedule to clients involved in any child Custody/Parenting Time litigation.

2) Mandatory Domestic Relations Seminar:

All parents in divorce, legal separation, dissolution or post-decree custody/visitation motions in which there are minor children, **SHALL** attend an educational seminar for separating parents. SEE RULE 16 (K)

3) Court Ordered Mediation:

In the event parties have a conflict primarily involving visitation issues, the Court may elect to refer the matter to the Court's in-house mediation program. SEE RULE 17

4) GENERAL PROVISIONS

4-a) Cancellation of Parenting Time:

The non-residential parent should give 24 hour notice to the other party, if he/she will not be available for scheduled Parenting Time. Any cancellation by the non-residential parent is considered forfeited. If an emergency arises which causes the cancellation, the non-residential parent shall notify the residential parent as soon as possible.

4-b) Illness:

If a child(ren) is ill, the residential parent should give 24 hour notice, if possible, in order that appropriate plans can be made. However, if more than one day of any Parenting Time period is missed due to a non-emergency and/or non-critical illness, then any missed Parenting Time shall be made up as soon as practicable.

4-c) Current Address and Phone Number:

Each parent must keep the other informed of his/her current address and telephone number at all times. Any change of address or phone number is to be reported to the other party within 48 hours.

4-d) Extra-curricular Activities:

Regardless of where the child(ren) are living, their continued participation in extra-curricular activities, school related, or otherwise, shall continue uninterrupted. It shall be the responsibility of the parent with whom the children are physically with, at the time of the activity, to provide physical and economic cost of transportation to the activities. The residential parent/legal custodian shall provide the non-residential parent with notice of all extra-curricular activities, school related or otherwise, in which the child(ren) participate. A written schedule of all extra-curricular activities, and the name of the activity leader (including address and phone number, if reasonably available), shall be provided to the non-residential parent, by the other party as soon as the schedule is established, and the date and time of the activity is learned. This rule is to be applied with a standard of reasonableness.

4-e) Access to Records:

Both parents shall have access to all medical, dental, optometric, psychiatric and psychological records of the minor child(ren), and may consult with any treating physician, dentist or other health care provider of the child(ren). Both parents shall execute any authorizations or releases necessary to release these records and documents to the other. Both parents shall retain the authority to consent to any necessary emergency medical treatment for the child(ren). Each parent shall promptly notify the other of any health problems of the child(ren).

Both parents shall have access to the child(ren)'s school records. Both parents shall have the right to participate in parent-teacher conferences, school trips, programs or other school activities and events in which parents are invited to participate. The parent receiving the grade card shall be responsible for making a copy and providing same to the other parent within 3 days of receipt.

Both parents shall have access to babysitting, day care, nursery school and/or other latchkey records of the child(ren). Both parents shall be entitled to communicate with all physical care providers for the child(ren). Either parent shall execute any authorizations or releases necessary to release the records to the other party. Both parents shall have access to all religious records of the child(ren). Both parents shall have the right to participate and attend all religious activities of the child(ren).

4-f) Transportation:

The non-residential parent has the responsibility for picking up and returning the child(ren). The non-residential parent, if not available for pickup or delivery of the child(ren), must use an adult well known to the child(ren) for this purpose. All child restraint laws must be complied with by any person driving 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). Both parties shall be diligent in having the child(ren) ready and available at the appointed times, and transporting party shall be prompt in picking up and delivering the child(ren). However, the transporting parent for visitations shall have a grace period of 15 minutes for pick-up and delivery, if both parties live within a distance of 30 miles from each other. If the one-way distance to be traveled is in excess of 30 miles, the grace period is 30 minutes. In the event the visiting parent exceeds the grace period, the visitation for that weekend is forfeited, unless prior notification and arrangements have been made, **and** in cases where the visiting parent lives in excess of 30 miles away and suffers unavoidable breakdown or delay enroute, and the visiting parent promptly notifies the residential parent by phone of the delay. Repeat violations by either parent shall be cause for granting a modification of the custody order either by changing custody or curtailing visitation, as the case may be.

The parent who becomes the residential/custodial parent as the result of a post decree judgment entry and moves from (with the Court's permission) or does not reside in Adams County, Ohio, shall be the parent responsible for the transportation of the child(ren) for visitation purposes, unless the Court otherwise provides in the Judgment Entry establishing such custody and visitation.

The residential parent shall send with the child(ren) on visitation sufficient clothing and outerwear appropriate to the season to last the period of visitation. (For a weekend visitation, this shall consist of a minimum of two extra sets of play clothes and one dress outfit, in addition to the clothes the child(ren) are wearing at the time of the start of visitation). In the case of infants, the residential parent shall send with the child sufficient bottles, formula and diapers to last the visitation period. Likewise, the non-residential parent shall return all clothes, bottles, unused formula and unused diapers to the residential parent upon returning of the child(ren). Continued violation of this requirement shall be deemed sufficient cause for a change of custody.

4-g) Moving:

The residential parent shall not remove the child(ren) from Adams County, or in the event the child(ren) are not presently in Adams County, to a situs more distance from Adams County than their present situs without first obtaining permission of the Court by Judgment Entry, or by written agreement of the other party, and then approved by the Court.

If the residential parent, with the Court's permission, moves to a residence more than 150 miles from the non-residential parent, the non-residential parent may elect to have the subject child(ren) from the close of school to the beginning of the next school term each summer vacation, each school vacation, including Thanksgiving, Christmas and Spring Break, rather than having regular visitation.

IN THE EVENT THE NON-CUSTODIAL PARENT INTENDS TO EXERCISE THIS OPTION, IT IS THE REQUIREMENT OF THIS COURT THAT SAID PARENT GIVE ADVANCED WRITTEN NOTICE THEREOF TO THE CUSTODIAL PARENT. THIS NOTICE MUST BE DELIVERED TO THE CUSTODIAL PARENT A MINIMUM OF 120 DAYS PRIOR TO SAID EXTENDED VISITATION. FURTHER, A COPY OF THE NOTICE MUST BE DELIVERED TO THE CLERK OF COURTS TO BE FILED IN THE CASE INVOLVING SAID PARTIES.

4-h) Telephone and Other Communications:

The residential parent shall encourage free communication between the child(ren) and the non-residential parent, and shall not do anything to impede or restrict communication by phone or mail between the child(ren) and the non-residential parent, whether initiated by the child(ren) or by the non-residential parent. The mail between the child(ren) and parent shall be strictly confidential between the child(ren) and parent, and **shall not** be opened or read by the other parent. This Rule applies equally to the non-residential parent, when the children are on an extended visitation with the non-residential parent.

The non-residential parent shall be entitled to telephone **each** child twice per week, not to exceed 15 minutes with each child, (if there is more than one child). If there is only one child, the time period is 20 minutes.

4-i) Interview of the Child by Court:

A) Any interview of a minor child shall be conducted pursuant to Ohio Revised Code 3109.04, with the best interest of the child(ren) in mind.

B) All interviews of minor children conducted by the Court shall be scheduled according to the Court's docket at a separate time other than the time the pertinent issue is scheduled for hearing, unless the Judge/Magistrate assigned to the case decides otherwise.

C) A separate motion for an in-camera interview of a minor child shall be filed in order to facilitate the scheduling of said interview. Interviews of minor children shall not be scheduled without a proper motion being submitted to the Court.

D) Parties to custody and/or Parenting Time/visitation litigation are **strongly urged NOT** to bring minor children to hearings, unless said child is called as a witness, or ordered by the Court to attend the hearing.

VISITATION
NEWBORN TO ONE (1) YEAR

BIRTH TO 4 MONTHS:

Non-residential parent shall have Parenting Time only in the home of the residential parent as follows:

SATURDAY from 12:00 noon until 3:00 P.M.

WEDNESDAY from 5:30 P.M. until 8:30 P.M.

4 MONTHS TO 8 MONTHS:

Non-residential parent shall have Parenting Time outside the home of the residential parent as follows:

SATURDAY from 12:00 noon until 6:00 P.M.

WEDNESDAY from 5:30 P.M. until 8:30 P.M.

8 MONTHS TO ONE (1) YEAR:

Non-residential parent shall have Parenting Time outside the home of the residential parent as follows:

SATURDAY from 8:00 A.M. until 8:30 P.M.

WEDNESDAY from 5:30 P.M. until 8:30 P.M.

HOLIDAY VISITATION BIRTH TO 8 MONTHS

EASTER: Non-residential parent shall have Parenting Time from 3:00 P.M. until 6:00 P.M. outside the home of residential parent.

MOTHER'S DAY: (if non-residential parent is mother) or
FATHER'S DAY: (if non-residential parent is father) from 3:00 P.M. until 6:00 P.M. outside the home of the residential parent.

THANKSGIVING: From 3:00 P.M. until 6:00 P.M. outside home of residential parent.

CHRISTMAS: From 3:00 P.M. until 6:00 P.M. outside home of residential parent.

VISITATION
1 YEAR TO 1 1/2 YEARS (18 MONTHS)

The non-residential parent shall have Parenting Time as follows:

The First, Third and Fourth weekend of January, alternating with the First and Third weekend of the following month (February), continuing to alternate odd and even months thereafter.

Visitation hours shall commence on SATURDAY at 8:00 A.M. until SUNDAY at 6:00 P.M.

PLUS: Every WEDNESDAY from 5:30 P.M. until 8:30 P.M.

SUMMER VISITATION:

Under the age of 1 1/2 years (18 months) there shall be no extended Parenting Time for the summer

HOLIDAY VISITATION
8 MONTHS TO 1 1/2 YEARS (18 MONTHS)

EASTER: The non-residential parent shall have Parenting Time from 2:00 P.M. until 6:00 P.M. outside the home of the residential parent.

MOTHER'S DAY: (if non-residential parent is mother) or
FATHER'S DAY: (if non-residential parent is father) from 2:00 P.M. until 6:00 P.M. outside the home of the residential parent.

THANKSGIVING: From 2:00 P.M. until 6:00 P.M. outside home of residential parent.

CHRISTMAS: From 2:00 P.M. until 6:00 P.M. outside home of residential parent.

REGULAR STANDARD VISITATION
AFTER AGE 1 1/2 YEARS (18 MONTHS)

The non-residential parent shall have Parenting Time as follows:

The First, Third and Fourth weekend of January, alternating with the First and Third weekend the following month (February), continuing to alternate odd and even months thereafter.

Visitation hours shall commence on FRIDAY at 6:00 P.M. until SUNDAY at 6:00 P.M.

PLUS: Every WEDNESDAY from 5:30 P.M. until 8:30 P.M.

SUMMER VISITATION

The non-residential parent shall enjoy six weeks of summer Parenting Time as follows:

The last three weeks of June

The last week of July

The first two weeks of August

During the summer visitation, the parent that does not have physical custody of the child(ren) shall have the same weekday and weekend visitation as afforded the non-residential parent during the rest of the year.

EXCEPT THAT: Each parent may arrange a two week period of un-interrupted Parenting Time for a vacation with the child(ren). The parent shall schedule this during the period of time that he or she already have the children for Parenting Time (Visitation).

Each party shall provide written notice to the other party of the dates of the intended un-interrupted Parenting Time, and if the parties plan to be traveling during this time, he or she shall provide to the other party information as to the destination, etc.. The written notice of the dates that the party intends to exercise the un-interrupted Parenting Time should be provided to the other party at least 30 days prior thereto, and sooner, if the party knows same. The information concerning travel and destination should be provided at least one to two weeks prior to leaving on said vacation.

Adequate clothing shall be provided by the non-residential parent during the summer Parenting Time, and shall return any and all clothing provided by the residential parent in clean condition.

EXTENDED PERIODS OF PARENTING TIME:

Under age of two, there will be no extended periods of Parenting Time.

When a child reaches age two, the non-residential parent shall be entitled to one week of additional time each year herein designated as "extended period of Parenting Time". This extended period of Parenting Time may be exercised during the child's spring break from school (every other year), or at any other appropriate time during the year, except Christmas Break or Summer Visitation.

HOLIDAY VISITATION
AGE 1 1/2 (18 MTS.) YEAR AND OLDER

ODD YEARS:

In odd years, the non-residential parent shall have the child(ren) as follows:

Mother's Day: (if non-residential parent is the mother) or
Father's Day: (if non-residential parent is the father) from
9:00 A.M. until 6:00 P.M.

Memorial Day: FRIDAY before the holiday at 6:00 P.M. until
MONDAY at 6:00 P.M.

Christmas: December 25th at 2:00 P.M. until January 1st at 6:00 P.M.

EVEN YEARS:

In even years, the non-residential parent shall have the child(ren) as follows:

Easter: FRIDAY before Easter at 6:00 P.M. until Easter SUNDAY at 6:00 P.M.

Mother's Day: (if non-residential parent is the mother) or
Father's Day: (if non-residential parent is the father) from
9:00 A.M. until 6:00 P.M.

July 4th: From 9:00 A.M. until 10:30 P.M.

Halloween (Beggar's Night):

Halloween Day at 5:00 P.M. until 9:00 P.M..

If Beggar's Night occurs on different nights in each parent's neighborhood, the child(ren) may participate in Beggar's Night in each parent's neighborhood.

Thanksgiving: From WEDNESDAY prior to Thanksgiving at 6:00 P.M. until SUNDAY after Thanksgiving at 6:00 P.M.

Christmas: From the last day of school for Christmas Break, or December 20th for non-school age child(ren) at 6:00 P.M. until December 25th at 2:00 P.M.

HOLIDAY VISITATION SHALL HAVE PRECEDENCE OVER THE REGULAR VISITATION SCHEDULE, BUT SHALL NOT OTHERWISE MODIFY IT.

(J) TERMINATION OF INACTIVE CASES: An inactive case is a case which has been on the docket for six months and which (1) has not been tried; (2) is not awaiting trial assignment and (3) is not stayed by order of the Judge to whom the case is assigned. Inactive cases shall be set for hearing to be tried or dismissed after written notice to counsel of record for failure to proceed unless good cause is shown to the contrary.

COURT RULE 16 (K)
DOMESTIC RELATIONS SEMINAR

~~Effective January 2, 2006, all parties to divorce, dissolution, or parties coming back into Court on motion filed post-decree, with minor children involving visitation or custody issues filed on or after the effective date of this Amendment, shall register for, attend and successfully complete the "Helping Children Cope with Family Separation" Program which the Domestic Relations Division of this Court had adopted. The moving party for any divorce, whether complainant or counter-complainant, must complete the Program prior to their divorce being scheduled, and both parties to any dissolution must attend the Program before their final hearing is held. Failure to attend by any party will be a factor considered by the Domestic Relations Court in awarding residential parenting status and/or parenting time/visitation privileges, together with all other factors in determining the child(ren)'s best interest. No action shall proceed to final hearing until there has been a compliance with this Rule, provided, however, that non-compliance by a parent who enters no appearance and does not contest the action, shall not delay the final hearing. This requirement may be waived by the Court for good cause. **This Rule does not apply to contempt proceedings or support enforcement actions initiated by the CSEA.**~~

Upon the filing of a complaint for divorce or petition for dissolution of marriage, the

attorney filing the case, shall submit a completed "NOTICE OF SEMINAR FOR SEPARATING PARENTS" for each parent involved in the action, and shall cause a Registration Form to be served upon the non-filing party, together with the summons, (copy of the Registration Form attached & incorporated herein). This registration form may be amended from time to time by the Court, or by Lifespan Solutions, the Program Administrator, or any successor administrator. The Clerk of Courts shall note delivery/service of these forms to the party in the Case Docket. The Clerk shall not accept for filing any case that does not have the "Notice" included with the pleadings.

The Clerk of Court shall forward a copy of this "Notice" to the Family Divorce Services who shall schedule a seminar attendance and issue notice of the date and time to the parties.

It is the responsibility of each party, not the Court or the Administrator, to arrange scheduling and to satisfactorily complete the program session.

Should either parent fail to attend the seminar within forty-five (45) days after the commencement of the action, notice of non-attendance shall be forwarded to the counsel of record or the party, if unrepresented. Failure by the parent to reschedule and attend a subsequent seminar within ninety (90) days of the original action shall be reported to the Court by Family Divorce Services.

Seminar attendance may also be required by order of the Court in connection with motions for post-decree relief concerning custody of or visitation with minor children.

Failure by any party to comply with this Rule of Court prior to the scheduled final hearing may result in the imposition of appropriate sanctions.

COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
ADAMS COUNTY, OHIO

"NOTICE OF SEMINAR FOR SEPARATING PARENTS"

To: _____
Name

Date: _____

Case No.: _____

Address _____

PLAINTIFF/PETITIONER

ATTORNEY FOR PLAINTIFF

VS

DEFENDANT/PETITIONER

ATTORNEY FOR DEFENDANT

In compliance with the Rules of this Court, you are hereby required to attend a SEMINAR FOR SEPARATING PARENTS on _____, 200____ at _____.M.. This seminar will be held at _____

The duration of the seminar is approximately _____

Children, significant others, relatives and/or friends are NOT to attend the seminar.

Special assistance is available to disabled individuals. Please notify us in advance of any special needs. For those individuals not conversant in English, please notify us in advance for special instructions.

If you have any further questions please call: FAMILY DIVORCE SERVICES at 513-234-3999, Monday through Friday between 8:00 A.M. and 4:00 P.M.

BRING THIS NOTICE WITH YOU