

## APPENDIX B

### CLERMONT COUNTY JUVENILE COURT PARENTING GUIDELINES

The schedules contained in the attached document are merely guidelines for parenting time. It is the parents' responsibility to tailor their schedule as necessary to meet the best interests of their children and their situation before the Court orders a particular schedule.

## PARENTING TIME FOR MOTHER

### 1. GENERAL PARENTING PRINCIPLES

After the break-up of a family, there is often a crisis period (from several months to years) during which families are under great stress because of loss, conflict, and change. Most studies show and psychologists uniformly agree that the children who do best are from those families that maintain a low level of conflict. The absence of conflict is even more critical than the amount of time either parent spends with the child.

Children, however, clearly benefit by continued meaningful contact with both parents. Children need the continuing and regular involvement of both parents to feel loved. No specific schedule will satisfy the change in needs of both children and parents over the years. Critical to the success of any schedule is that each parent be flexible, based upon the changing needs of a child as the child grows older. The different Weekly Schedules below take into account the different needs of children and their families. It is recognized that each situation and each child is different. It is preferred that parents tailor the parenting schedule to meet the specific needs of their children.

In all cases, the Court will strive to adopt a parenting schedule that is in the child(ren)'s best interests. The factors contained in ORC §3109.051(D) shall be considered in any proposed deviation from the guideline parenting schedule. Absent a request for deviation and evidence in support thereof, the Court will impose the guidelines set forth below. A good parenting schedule developed for a family should be based upon the following considerations:

- A. the developmental needs and age of each child;
- B. the psychological attachments of each child;
- C. the way child-rearing tasks may have been shared when the family was living together;
- D. the preservation or development of a close relationship with each parent;
- E. a consistent and predictable schedule that minimizes the transition between the households, especially where young children are involved--failure to consistently exercise parenting time may result in modification of the parenting schedule;
- F. each child's temperament and ability to handle change;
- G. the child's school schedule and/or reasonable extracurricular activities.
- H. parents' career demands and work schedules; and
- I. the need for periodic review of the plan, noting trouble signs and revising as each child's needs and circumstances change.

**For purposes of implementing this parenting schedule, parenting time granted shall be for Mother. Father shall have parenting time with the child(ren) at all other times not specified herein.**

**2. WEEKLY SCHEDULE – Court will select the schedule that is in the best interests of the child(ren).**

A. A rotating four-week schedule for Mother’s parenting time as follows:

Every Wednesday evening from 5:30 pm until 8:30 pm

Week 1-Friday 6:00 pm until Saturday at 6:00 pm

Week 2-Saturday 6:00 pm until Sunday at 6:00 pm

Week 3-Friday 6:00 pm until Sunday at 6:00 pm

Week 4-Father’s weekend.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Week 1			X		O		
Week 2			X			O	
Week 3			X		O	O	
Week 4			X				

X = Evenings

O = Overnight

The day of the week for weekday parenting time may be changed by agreement of the parents.

B. A rotating four-week schedule for Mother’s parenting time as follows:

Week 1 and 3: Thursday afternoon, consistent with Mother’s work schedule and/or the child(ren)’s school schedule if school is in session, until Sunday at 6:00 p.m. Mother will be responsible for transporting school age child(ren) to and from school on Friday.

Week 2 and 4: Thursday afternoon, consistent with Mother’s work schedule and/or the child(ren)’s school schedule if school is in session, until Friday morning. If school is in session, Mother shall be responsible for taking school age child(ren) to school on Friday morning. If school is not in session, Mother shall be responsible for taking the child(ren) to the day care provider or Father on Friday morning, depending on Father’s work schedule.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Week 1				O	O	O	D
Week 2				O			
Week 3				O	O	O	D
Week 4				O			

O means overnight; D means overnight ends at 6:00 p.m.; The day of the week for weekday parenting time may be changed by agreement of the parents.

C. Phase-In Schedule - Where the child(ren) may not be sufficiently familiar with Mother to immediately warrant one of the parenting time schedules set forth above, the Court may consider, subject to the child(ren)’s best interests, the following phase-in parenting time guidelines before initiating one of the parenting time schedules set forth above. Because the intent of the phase in

parenting schedule is to allow the child(ren) to be comfortable with Mother, it is important that Mother exercise substantially all of the scheduled parenting time in consecutive weeks. Mother's failure to do so may be a valid defense to a denial of the next level of parenting time. If the child(ren) is too ill to visit with Mother for his scheduled parenting time, then make up time shall be scheduled as soon as possible.

1. Supervised Day Parenting Time.

The Mother shall have parenting time on \_\_\_\_\_ (day), from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m., beginning on \_\_\_\_\_ and occurring every week/every alternate week. Supervision will be provided by \_\_\_\_\_, who will remain within sight and sound of the child at all times. The location for Mother's parenting time will be \_\_\_\_\_. The parties shall provide their own transportation to such location. This schedule shall continue for \_\_\_\_\_ consecutive weeks.

2. Unsupervised Partial-Day Parenting Time

The Mother shall have parenting time on \_\_\_\_\_ (day), from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m., beginning on \_\_\_\_\_ and occurring every week/every alternate week. Father shall provide all the transportation for this phase of Mother's parenting time. This schedule shall continue for \_\_\_\_\_ consecutive weeks.

3. Unsupervised Full Day Parenting Time.

The Mother shall have parenting time on \_\_\_\_\_ (day), from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m., beginning on \_\_\_\_\_ and occurring every week/every alternate week. Mother shall provide all the transportation for this phase of Mother's parenting time. This schedule shall continue for \_\_\_\_\_ consecutive weeks.

4. Unsupervised One-And-A Half-Day Parenting Time.

The Mother shall have parenting time on \_\_\_\_\_ (day), from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ (day) at \_\_\_\_\_ a.m./p.m., beginning on \_\_\_\_\_ and occurring every week/every alternate week. Mother shall provide transportation at the beginning of her scheduled parenting time and Father shall provide transportation at the conclusion of Mother's scheduled parenting time. This schedule shall continue for \_\_\_\_\_ consecutive weeks.

5. Unsupervised Two-Day Parenting Time

The Mother shall have parenting time on \_\_\_\_\_ (day), from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ (day) at \_\_\_\_\_ a.m./p.m., beginning on \_\_\_\_\_ and occurring every week/every alternate week. Mother shall provide transportation at the beginning of her scheduled parenting time and Father shall provide transportation at the conclusion of Mother's scheduled parenting time. This schedule shall continue for \_\_\_\_\_ consecutive weeks.

6. End of Phase-In Schedule

At the conclusion of the Phase-in-Schedule on \_\_\_\_\_, Mother shall have parenting time as set forth above in Section 2A/2B. In the event of a conflict, the Phase-In Parenting Time schedule shall take precedence over the Weekly Schedule or any other parenting schedule. Transportation shall be carried out as set forth in Section 5E below.

### 3. ADDITIONAL PARENTING TIME

#### A. Holidays

<u>Holiday</u>	<u>Even # Years</u>	<u>Odd # Years</u>	<u>Schedule</u>
New Year's Day*	Mother	Father	12/31 6:00p.m. to 1/1 6:00p.m.
Martin Luther King Day	Father	Mother	Sunday 6:00p.m. to Monday 6:00p.m.
President's Day	Mother	Father	Sunday 6:00p.m. to Monday 6:00p.m.
Easter	Father	Mother	Saturday noon to Sunday 6:00p.m.
Memorial Day	Mother	Father	Sunday 6:00p.m. to Monday 6:00p.m.
Fourth of July	Father	Mother	9:00a.m. to 9:00p.m.
Labor Day	Mother	Father	Sunday 6:00p.m. to Monday 6:00p.m.
Halloween (Beggar's Night)**	Father	Mother	5:00p.m. to 9:00p.m.
Thanksgiving	Mother	Father	Wednesday 6:00p.m. to Friday 6:00p.m.
Christmas Eve	Father	Mother	10:00 a.m. 12/24 to 10:00 a.m. 12/25
Christmas Day	Mother	Father	10:00 a.m. 12/25 to 10:00 a.m.12/26
Kwanzaa (1st night)	Father	Mother	5:00 p.m. to 9:00 p.m.
Rosh Hashanah Eve	Mother	Father	overnight 5:00p.m. to 9:00a.m. next day
Rosh Hashanah Day	Father	Mother	9:00a.m. to 6:00p.m.
Yom Kippur Eve	Mother	Father	overnight 5:00p.m. to 9:00a.m. next day
Yom Kippur Day	Father	Mother	9:00a.m. to 6:00p.m.
Passover (1st night)	Mother	Father	overnight 5:00p.m. to 9:00a.m. next day
Hanukkah (1st night)	Father	Mother	overnight 5:00p.m. to 9:00a.m. next day
Mother's Day	Mother	Mother	9:00a.m. to 9:00p.m.
Father's Day	Father	Father	9:00a.m. to 9:00p.m.
Child's Birthday (school)***	Mother	Father	5:00 p.m. to 9:00 p.m.
Child's Birthday (no school)***	Mother	Father	9:00 a.m. to 9:00 p.m.
Parent's Birthday (school)	Celebrating parent every year		5:00p.m. to 9:00p.m.
Parent's Birthday (no school)	Celebrating parent every year		9:00a.m. to 9:00p.m.

Additional holidays/days of special meaning may be incorporated into the above schedule by agreement of the parents or by the Court for good cause.

\*The year in which New Year's Day falls determines whether the holiday is in an even or odd-numbered year.

\*\*If Beggar's Night occurs on different nights in each parent's neighborhood, then the child may participate in Beggar's Night in each parent's neighborhood.

\*\*\*The parenting time for birthdays shall include all children of the parties, not just the child celebrating his/her birthday.

\*\*\*\* Either or both parents may celebrate additional days of special meaning in which the child(ren) should be permitted to participate. These days of special meaning include, but are not limited to, extended family birthday celebrations, anniversaries, religious holidays and cultural holidays. If a specific day of special meaning is not incorporated into the above chart, then the parent wishing to exercise such day of special meaning may use extended parenting time, as set forth below, so that the child(ren) may participate in the celebration.

#### B. Extended Time

Each parent shall be entitled to twenty-one calendar days of additional parenting time each year, fourteen calendar days of which may be consecutive. This time may be exercised during the summer, the child(ren)'s spring break from school (every other year per parent) or at any other appropriate time during the year. This time may also be exercised during the child(ren)'s Christmas school break (every other year

per parent), but unless otherwise agreed to by the parties, the extended time shall not begin before December 26 nor continue past December 31.

Extended time may be taken in increments of one day or more. If a parent is exercising extended parenting time for two days or less, then the extended parenting time must be taken as an extension of that parent's weekend parenting time. That is, the one or two days of extended parenting time must occur at either the beginning or the end of that parent's regular weekend parenting time

Each parent will provide the other parent with his or her vacation destination, method of travel, times of arrival and departure, and the telephone number where the child(ren) can be reached if extended time is going to occur out-of-town. Said information shall be provided to the non-vacating parent at least fourteen calendar days prior to the commencement of the vacation. A parent is not required to travel out-of-town or use vacation time from work in order to exercise extended parenting time.

Extended time shall be arranged at least fourteen calendar days prior to the time requested, unless otherwise agreed to by the parents. The parent wishing to exercise extended time shall notify the other parent in writing of the times desired for the extended period. Where there is a conflict between the parents, the parent who first gave written notice to the other parent shall prevail.

#### **4. ORDER OF PREFERENCE**

In the event of a conflict, the following is the order of preference: (1) holidays; (2) extended periods; (3) weekends; and (4) midweek days. This means that a parent may not exercise extended parenting time to prevent the other parent from exercising his/her scheduled holiday parenting time.

#### **5. MISCELLANEOUS**

A. The child(ren) and/or Father have no duty to wait for more than 30 minutes for Mother to arrive for parenting time. Mother who is more than 30 minutes late for a particular parenting time shall forfeit that time. An exception shall be made if the tardiness of Mother is for just cause and Father receives both prompt notice and a reasonable estimated arrival time.

B. A parent who is more than 30 minutes late in returning the child(ren) without calling to make arrangements and without just cause may be subject to contempt.

C. If either parent will be unavailable during his/her scheduled parenting time, regardless of the age of the child(ren), he/she shall offer that parenting time to the other parent. "Unavailable" means that parent will be gone from his/her home overnight for any reason.

D. Make up time shall be given if the child(ren) or Father is not available at the scheduled time or if Father denies access to the child(ren) without just cause. All make-up days shall be rescheduled within 30 days.

E. If the parents are unable to reach an agreement regarding transportation, and unless otherwise provided by Court order, Mother shall pick up the child(ren) at Father's residence or another designated location within 15 miles of Father's residence at the beginning of her parenting time and Father shall pick up the child(ren) at Mother's residence or another designated location within 15 miles of Mother's residence at the end of Mother's parenting time.

An adult known to the child and both parents may provide transportation if the parent is unavailable. Any person transporting a child(ren) shall use the proper child restraint seat and/or seat belts

as required by law and shall be properly licensed and insured. No person shall be under the influence of drugs and/or alcohol during the transportation of a child(ren).

F. Each parent shall keep the other parent notified of any change in address and/or telephone number.

G. Each parent shall have reasonable telephone and email contact with the child(ren).

H. The parents shall promptly notify each other in the event a child's illness or injury requires medical attention by a health care provider. Elective surgery shall only be performed after consultation between both parents.

I. Each parent shall be responsible for transporting the child(ren) to/from school and scheduled activities that occur while the parent is exercising parenting time.

J. 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.

## **6. STATUTORY NOTICES**

A. Relocation Notice: Pursuant to ORC §3109.051(G), the parties are notified as follows: If Father intends to move to a residence other than the last residence of court record, he shall file a notice of intent to relocate with this Court. Except as provided in ORC §§3109.051(G)(2), (3) and (4), a copy of such notice shall be mailed by the Court to Mother. On receipt of the notice, the Court, on its own motion or on the motion of Mother, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child(ren) to revise the parenting schedule for the child(ren).

B. Records Access Notice: Pursuant to ORC §§3109.051(H) and 3319.321(B)(5)(a), the parties are notified as follows: Except as specifically modified or otherwise limited by court order, and subject to ORC §§2301.35(G)(2) and 3319.321(F), Mother is entitled to access under the same terms and conditions as Father to any record that is related to the child(ren) and to which Father is legally provided access, including school and medical records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of Court.

C. Day Care Center Access Notice: Pursuant to ORC §3109.051(I), the parties hereto are hereby notified as follows: Except as specifically modified or otherwise limited by court order, and in accordance with ORC §5104.011, Mother is entitled to access to any day care center that is or will be attended by the child(ren) with whom parenting time is granted, to the same extent that Father is granted access to the center. Mother shall not remove the child(ren) from the daycare premises except during periods of time to which the Mother is otherwise entitled pursuant to this order or except by written agreement of the parents.

D. School Activities Notice: Pursuant to ORC §3109.051(J) the parties are notified as follows: Except as specifically modified or otherwise limited by the court order, and subject to ORC §3119.321, Mother is entitled to access, under the same terms and conditions as Father, to any student activity that is related to the child(ren) to which Father legally is provided access.