

APPENDIX B
CLERMONT COUNTY JUVENILE COURT PARENTING GUIDELINES

(BIRTH TO AGE 6 MONTHS)

The Court may consider an order granting parenting time rights in an original parentage action pursuant to Ohio Revised Code Section 3119.08 and/or as an order in the best interest of the minor child(ren) as authorized by Ohio Revised Code Section 3113.13(C). The parties shall be prepared to address parenting time issues whether or not raised in the pleadings.

Parenting time issues in Juvenile Court cases often 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 the subject(s) of the proceedings. Additionally, the Court may also be considering situations in which a child(ren)'s legal custodian is not a parent of the child(ren). These circumstances often make application of a model parenting time order problematical.

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

In determining the appropriate parenting time schedule, the Court will consider the following:

1. The age and developmental needs of each child
2. Any extraordinary medical and/or educational needs of the child(ren) and the non-residential parent's resources and ability to accommodate those needs
3. The psychological attachments of each child
4. The preservation or development of a close relationship with each parent
5. A consistent and predictable schedule that minimizes the transition between the households, especially when young children are involved. Failure to consistently exercise parenting time may result in a modification of the parenting time schedule
6. Each child's temperament and ability to adjust to change
7. Each child's school schedule and/or reasonable extracurricular activities
8. Parents' education/career demands and work schedules
9. The need for periodic review of the schedule, noting trouble signs and revising as each child's needs and circumstances change

For purposes of interpreting these guidelines, 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.

The best parenting time schedule is your own plan, entered into by mutual agreement and cooperation.

However, if you cannot agree, the Court has designed this plan to ensure that your child(ren) will have frequent and consistent contact with both parents.

A. STANDARD PARENTING TIME SCHEDULE:

- (1.) The non-residential parent shall be entitled to parenting time with the child(ren) for a maximum of three (3) days per week. Each visit shall take place at the home of the residential parent, under the supervision of the residential parent or a suitable adult of his/her choosing. The supervisor shall be the only person present during the parenting time between the non-residential parent and the child(ren). Each visit shall be no more than two (2) hours in duration.
- (2.) Unless otherwise agreed by the parties, the parenting time shall take place in accordance with the following schedule: every Sunday from 2:00 P.M. until 4:00 P.M.; and every Tuesday and Thursday from 5:30 P.M. until 7:30 P.M.
- (3.) The non-residential parent shall bring no other person(s) to the parenting time unless otherwise agreed between the parties.

B. HOLIDAY PARENTING TIME:

Unless otherwise agreed between the parties, there shall be no holiday parenting time provided in this schedule.

C. EXTENDED PARENTING TIME:

Unless otherwise agreed between the parties, there shall be no extended parenting time provided in this schedule.

D. RULES REGARDING PARENTING TIME:

- 1. 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 in writing that the child not be exposed to anyone outside the residential parent's home, in which event the residential parent shall notify the non-residential parent no later than 24 hours after the hospitalization or the physician's recommendation. Any weekend parenting time that is missed pursuant to this provision shall be made up the weekend following the

child's release from hospitalization or the expiration of the physician's recommendation.

- 2. Cooperation:** Each parent shall refrain from criticizing the other parent, or arguing with the other parent, in the presence of the child(ren). Each parent shall refrain from discussing the court proceedings with, or in the presence of, the child(ren).
- 3. Exchange of Address, Email, and Phone Numbers:** Unless otherwise ordered by the Court, each parent shall keep the other parent informed of his/her current address, email, and telephone number and a telephone number where the child(ren) may be reached. Any changes in any of the foregoing shall be provided to the other parent no later than 24 hours after such changes.
- 4. Grace Period:** The non-residential parent shall be entitled to a grace period of thirty (30) minutes at the commencement of his/her parenting time. In the event that the non-residential parent exceeds the grace period, that period of parenting time shall be forfeited unless prior notification and arrangements have been made between the parents. An exception to the forfeiture provision is where the non-residential parent suffers an unavoidable vehicle breakdown or other delay en route and he/she promptly notifies the residential parent by telephone of the delay. Repeated violations by either parent without just cause shall be grounds for granting a modification of the parenting time schedule.
- 5. Make up time:** Make up time shall be provided to the non-residential parent if the child(ren) or the residential parent is not available at the commencement of the scheduled parenting time, or if the residential parent denies the scheduled parenting time without just cause. All make up days shall be rescheduled and exercised within thirty (30) days of the date of the denial of said parenting time.
- 6. Notification of Medical Issues:** Each parent shall notify the other parent immediately (defined as no later than 1 hour after the event or discovery of the issue) of any medical emergency or significant medical issue or event that necessitates professional medical care. The parent shall first attempt to contact the other parent by phone; if unable to reach the other parent, he/she shall send a text message.
- 7. Relocation Notice:** Pursuant to Ohio Revised Code Section 3109.051(G), the parents are notified as follows: If the residential parent intends to move to a residence other than the last residence of court record, he/she shall file a notice of intent to relocate with the Court. Except as provided in Ohio Revised Code Section 3109.051(G)(2), (3), and (4), a copy of such notice shall be mailed by the Court to the non-residential parent. On receipt of the notice, the Court, on its own motion or on a motion filed by the non-residential parent, may schedule a hearing with notice to both parents, to determine whether it is in the best interest of the child(ren) to revise the parenting time schedule for the child(ren).
- 8. Records Access Notice:** Pursuant to Ohio Revised Code Section 3109.051(H) and 3319.321(B)(5)(a), the parents are notified as follows: Except as specifically modified

or otherwise limited by court order, and subject to Ohio Revised Code Section 2301.35(G)(2) and 3319.321(F), the non-residential parent is entitled to access under the same terms and conditions as the residential parent to any record that is related to the child(ren) and to which the residential parent 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.

- 9. Day Care Center Access Notice:** Pursuant to Ohio Revised Code Section 3109.051(I), the parents are hereby notified as follows: Except as specifically modified or otherwise limited by court order, and in accordance with Ohio Revised Code Section 5104.011, the non-residential parent 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 the residential parent is granted access to the center. The non-residential parent shall not remove the child(ren) from the day care premises except during periods of time to which the non-residential parent is otherwise entitled pursuant to this order or except by written agreement of the parents.

E. CONCLUSION

Flexibility in the implementation of the foregoing schedule to best suit the changing needs of the child(ren) as well as the employment schedules of the parents is strongly encouraged. HOWEVER, absent an Order of the Court, the foregoing schedule shall be followed absent a clear mutual understanding between the parents to deviate. Any deviation or modification shall be in writing, if feasible.