

FORM 6.05A
MEDINA COUNTY DOMESTIC RELATIONS COURT
STANDARD PARENTING TIME SCHEDULE

Parties are encouraged to create their own parenting time plans. For parties who cannot agree, however, the Court has designed this plan to ensure that minor children have frequent and consistent contact with both parents.

If you are unable to agree to a different plan, but have objections to this plan because of special circumstances (*e.g.*, travel time, work schedules) or problems (*e.g.*, substance abuse, mental illness, violence) be prepared to present specific facts in a scheduled hearing to show why this parenting time schedule is not in the best interests of your children.

Parents shall share responsibility for parenting time transportation. Unless otherwise agreed, the parent receiving possession of the children shall provide transportation for weekend and holiday visits. The nonresidential parent shall provide all other transportation. Unless otherwise agreed or provided by Court order, all pick-up and return shall be at the parental residence.

I. WEEKEND AND MIDWEEK PARENTING TIME.

- A. For children from birth to twelve (12) months, three (3) times per week for two (2) to four (4) hours on the following days and times as agreed by the parties: Every _____ from _____ until _____, every _____ from _____ until _____, and every _____ from _____ until _____. (If the parties are unable to agree, then the days shall be every Saturday from 2:00 p.m. to 6:00 p.m. and every Tuesday and Thursday from 5:30 p.m. until 8:00 p.m. unless otherwise ordered by the Court.) Parents shall adjust the parenting time schedule for children ages birth to twelve (12) months to provide for alternate holiday time consistent with the holiday parenting time schedule hereinafter set forth.
- B. For a child twelve (12) months to two (2) years, two (2) times per week and one (1) overnight on alternating weekends on the following days and times as agreed by the parties: Every _____ from _____ until _____, and every _____ from _____ until _____ and an overnight on alternating weekends from _____ day at ____ o'clock __.m. until _____ day at _____ o'clock __.m. (If the parties are unable to agree, then the days shall be every Tuesday and Thursday from 5:30 p.m. until 8:00 p.m., and the overnight shall be

on alternating weekends on Friday from 6:00 p.m. until Saturday at 6:00 p.m. unless otherwise ordered by the Court.) Parents shall adjust the parenting time schedule for children age twelve (12) months and older to provide for alternate holiday parenting time consistent with the holiday parenting time schedule hereinafter set forth.

- C. For children age two (2) and older, alternate weekends from 6:00 p.m. Friday to 6:00 p.m. Sunday plus one (1) evening per week. (If the parties cannot agree, then the midweek parenting time shall be on Wednesday from 5:00 p.m. to 8:00 p.m.)

The alternating weekend schedule shall not change, even if interrupted by holiday, birthday, summer vacation or other parenting time.

II. **HOLIDAY PARENTING TIME**. This schedule applies to children age two (2) or older. See Section I for holiday parenting time with younger children.

<u>Holiday</u>	<u>Even Year</u>	<u>Odd Year</u>	<u>Days & Times</u>
Martin Luther King Day	Father	Mother	9:00 a.m. - 6:00 p.m. ¹
President's Day	Mother	Father	9:00 a.m. - 6:00 p.m. ¹
Easter Sunday	Father	Mother	6:00 p.m. Easter Saturday to 6:00 p.m. Easter Sunday

<u>Holiday</u>	<u>Even Year</u>	<u>Odd Year</u>	<u>Days & Times</u>
Spring Break:			
Option 1:	Shared equally by parties		6:00 p.m. day school ends to
Option 2:	Alternate from year to year		6:00 p.m. day before school Reconvenes

Spring Break Parenting Time does *not* apply for children not in school.

Memorial Day	Mother	Father	Friday preceding Memorial Day at 6:00 p.m. to Memorial Day Monday at 6:00 p.m.
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¹Provided this is a day off from school.

4th of July	Father	Mother	July 4 at 9:00 a.m. to July 5 at 9:00 a.m.
Labor Day	Mother	Father	Friday preceding Labor Day At 6:00 p.m. to Monday at 6:00 p.m.
Halloween	Father	Mother	4 hours in the day/night des- ignated for trick-or-treating
Thanksgiving Option 1: [Share time equally]	Father	Mother	Wednesday at 6:00 p.m. to Friday at 6:00 p.m. and
	Mother	Father	Friday at 6:00 p.m. to Sunday at 6:00 p.m.
Thanksgiving Option 2: [Alternate annually]	Father	Mother	Wednesday at 6:00 p.m. to Sunday at 6:00 p.m.
Christmas Eve	Father	Mother	12/23 at 9:00 p.m. to 12/24 at 9:00 p.m.
Christmas Day	Mother	Father	12/24 at 9:00 p.m. to 12/25 at 9:00 p.m.
New Year's Day (Determined by year of January 1st)	Mother	Father	12/31 at 6:00 p.m. to 1/1 at 6:00 p.m.

Winter break [does not alter holiday parenting time)

6:00 p.m. day school ends
to 6:00 p.m. day before
school reconvenes

Option 1: Shared equally by parties with the mother taking the first half in even years
and the father taking the first half in odd years.

Option 2: Alternate from year to year

Winter break parenting time does not apply to children not yet in school. The parties must select holiday options in the judgment entry and in the event an option is not specified and the parties do not agree, then Option 1 shall be in effect. Holiday parenting time preempts regular weekend/midweek parenting time. Spring and Winter breaks are defined by the school calendar in the district where the residential parent resides and preempts regular weekend/midweek

visitation. Spring and Winter breaks begin at 6:00 p.m. the day school ends and terminate at 6:00 p.m. the day before school reconvenes.

III. **DAYS OF SPECIAL MEANING.**

- A. Religious or ethnic holidays shall alternate between the parties yearly. Visits shall be from 9:00 a.m. until 6:00 p.m., or as otherwise agreed, consistent with the children's school schedule.
- B. Mother's Day and Mother's birthday shall be spent with Mother, consistent with the children's school schedule. Father's day and Father's birthday shall be spent with Father, consistent with the children's school schedule. Visits shall be from 9:00 a.m. until 6:00 p.m. consistent with the children's school schedule.
- C. Children's birthdays shall alternate from year to year between Mother and Father, Mother having even-numbered years and Father having odd-numbered years. If the birthday occurs on a non-parenting time weekday or weekend, it shall be an additional day of parenting time. The parenting time must take into consideration school and work hours, if applicable. All children of the parties shall be included in birthday parenting time. Other siblings, who are not children of both parties, may be included as the parties may agree. The parties should take into consideration whether such siblings are familiar with and/or have a relationship with the parenting time parent. In absence of agreement, the birthday visitation shall be from 5:00 p.m. to 8:00 p.m. on a weekday or 9:00 a.m. to 6:00 p.m. on a weekend.
- D. If a parent is available to spend time with the children on other scheduled school closings, parenting time shall occur, taking into consideration the work schedule of the other parent as well as the usual child care arrangements. If both parents are available, such days shall alternate between the parties. The hours shall be from 9:00 a.m. to 6:00 p.m.

IV. **SUMMER VACATION.**

- A. For children age five (5) and over, one-half the school summer recess. School summer recess is defined as beginning the Friday after the last day the children attend school at 6:00 p.m., through the Friday one full week before school reconvenes. If the children are not yet of school age, summer recess will be based upon the public school calendar of the district in which the residential parent resides. The residential parent shall inform the non-residential parent by March

15th of each year of the specific dates summer vacation begins and ends. The non-residential parent shall give written notice of summer parenting time dates at least forty-five (45) days in advance and summer parenting time shall not be exercised during the last week before school reconvenes unless agreed by the parties in writing or ordered by the Court. The parties should discuss any special plans or activities the children may have during the summer, such as sports, camp, overnight camps, lessons, etc. Parents should make all reasonable efforts to accommodate the children's activities in scheduling the summer parenting time.

In the event the parties cannot agree on dates the mother shall have the first half of the summer in odd numbered years and the father shall have the first half in even numbered years. Each parent shall be entitled to take the children on vacation away from his or her residence for a period of up to fourteen (14) days upon fourteen (14) days advance written notice to the other parent, accompanied by a written agenda indicating the vacation destination, phone numbers where he or she can be reached, times of arrival and departure and method of travel.

- B. For children age 2 or 3 or 4 (under age 5): Four (4) weeks during the summer recess period to be taken in installments of two (2) weeks at a time, and separated by at least two (2) weeks at home with the residential parent. If a child in this age group has older siblings, the parenting time shall be scheduled to coincide with the older siblings' parenting time as much as possible.

Each parent shall be entitled to take the children on vacation away from his or her residence for a period of up to fourteen (14) days upon fourteen (14) days advance written notice to the other parent, accompanied by a written agenda indicating the vacation destination, phone numbers where he or she can be reached, times of arrival and departure and method of travel.

- C. For children under age two (2), extended summer parenting time shall be only by written agreement of the parties or special order of Court. In considering parenting time for children in this age group, parents should consider the child's maturity, emotional attachment to each parent and attachment to any older siblings who will have extended parenting time.
- D. During all summer parenting time (except the fourteen (14) day away-from-home vacations for children two (2) and over), children should continue to spend alternate weekends with each parent on the same schedule as the rest of the year. Also, the residential parent is entitled to the same midweek parenting time granted to the nonresidential parent.

V. **TELEPHONE CALLS.**

Each parent has the right to talk over the telephone with the children as often as the parents agree. If the parents do not agree, then the nonresidential parent should normally have telephone privileges at least twice per week. In addition, a parent may call a child once during a scheduled or agreed parenting time period that is missed. Also, the residential parent has the right to call a child when on vacation with the other parent as the parties can agree; if no agreement, then the residential parent has telephone privileges up to twice per week. Phone calls should be made 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. Also, any time a child is with one parent, he or she shall be permitted to call the other parent. Any long distance calls made by a child to a parent shall be collect unless the other parent agrees otherwise.

VI. **PROMPTNESS.**

Each parent shall be prompt for the pick up and return of the children at parenting time. The residential parent shall prepare the children both emotionally and physically for the parenting time. The residential parent has no duty to wait for the nonresidential parent to pick up the children longer than thirty (30) minutes, unless the nonresidential parent notifies the residential parent that she/he will be late, and the residential parent agrees to remain available after the thirty (30) minute waiting period. A parent who is more than thirty (30) minutes late loses the parenting time period. The nonresidential parent will not return the children before the end of the stated parenting time period, unless the parties agree in advance. The residential parent or a responsible adult well known to the children shall be present when the children are returned.

VII. **CANCELLATION.**

The nonresidential parent must give notice of intent NOT to have parenting time at least twenty-four (24) hours in advance, unless a last minute emergency occurs. A parent who does not exercise parenting time forfeits the time. A parent who repeatedly fails to keep his or her commitment to parenting time or repeatedly violates the court's schedule, may have rights of parenting time modified, and may be subject to other legal remedies as well, upon motion by the residential parent.

VIII. **ILLNESS.**

If a child is too ill for parenting time, the residential parent should notify the visiting parent at least twenty-four (24) hours in advance, if possible. A child who is confined to bed rest

pursuant to a doctor's instructions, or who has a fever of 100 degrees Fahrenheit or greater and other signs of illness is presumed too ill for parenting time. If a child has a less severe illness or medical condition, the parents shall 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, parenting time plans, and any other important matters. If the parents agree that the child should go for the parenting time period, then the residential parent shall provide the parenting time parent with all appropriate medications and/or medical instructions, which shall be administered or followed by the parenting time parent. The parenting time parent must care for the child as directed, and notify the other parent if the child's condition worsens, or does not improve as might reasonably be expected.

IX. SUPPORT OF PARENTING TIME.

If a child indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child as to the child's reasons, and to work with the other parent to do what is in the child's best interests, and particularly, to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent may seek the immediate assistance of a mental health professional or file a motion. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. It is the absolute affirmative duty of the residential parent to make certain that his or her child goes for the parenting time period.

X. CLOTHING.

The residential parent is responsible for providing sufficient appropriate clean clothing for every parenting time period with the nonresidential parent, based on the lifestyle of the residential parent and child. If the planned parenting time activities require special or unusual clothing needs, the non-residential parent must notify the residential parent at least two (2) days in advance of the parenting time period. If the child does not have the type of clothing requested, the residential parent is under no obligation to comply with the request and shall promptly notify the non-residential parent. All clothing sent by the residential parent must be returned immediately after the visitation period. Clothing provided by the nonresidential parent and worn home by a child shall be cleaned and returned at the next visit.

XI. CHILDREN'S POSSESSIONS

The children shall be entitled to take clothing and items of personal property to each parent's household. Gifts given to a child shall not be restricted to one household unless special circumstances make it unreasonable to move the item between households. Normally, special circumstances would be deemed to apply to computer hardware (but not software), video game

systems (but not individual game software) and large items that cannot be easily transported. Each parent shall use due diligence to ensure that items brought from the other household are returned with the children in good condition.

XII. SCHOOLWORK.

A parent must provide time for the children to study and 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 school work 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 it must be completed during the parenting time period.

XIII. ADDRESS AND TELEPHONE NUMBERS.

Each parent must, unless the Court orders otherwise, keep the other informed of his or her current address and telephone number, and an alternate telephone number in the event of an emergency. A post office box address or other address that is used for mail, but is not the actual residence, does *not* satisfy this requirement. If mail is only received at a post office box address, that address must also be provided.

XIV. CHILDREN'S ACTIVITIES.

Scheduled periods of parenting time shall not be delayed or denied because a child has other scheduled activities (with friends, work, lessons, sports, etc.). It is the responsibility of the parents to discuss activities important to the children in advance, including time, dates, and transportation needs, so that the children are not deprived of activities and maintaining friendships. The parent who has the children during the time of scheduled activities is responsible for transportation, attendance and/or other arrangements. If the activities are regularly scheduled, they should be agreed upon in advance and written into the judgment entry or decree. Both parents are encouraged to attend all their children's activities.

XV. NOTICE OF RELOCATION.

Pursuant to the determination made under O.R.C. §3109.051(G)(1), the non-residential parent shall be sent a copy of any notice of relocation filed with the Court.

XVI. ACCESS TO SCHOOL AND MEDICAL RECORDS, DAY CARE RECORDS, AND STUDENT ACTIVITIES.

Pursuant to O.R.C. §§3109.051(H), (I) AND (J), the non-residential parent is entitled to access under the same terms and conditions under which access is provided to the residential parent to any record related to the children, and any student activity related to the children, or any public school, private school, or day care that is, or in the future may be, attended by the children.