

## **APPENDIX G**

### **GENERAL PARENTING TIME REGULATIONS**

(Adopted by the Court, and applicable to all Orders issued on or after January 1, 2016.)

#### **IMPORTANT CONSIDERATIONS**

Unless the Court Order states otherwise, both parents shall make their best effort to consult, communicate and cooperate with each other on all major issues involving their child(ren) and should put the best interests of the child(ren) above their individual interests or their differences of opinions.

- The needs of the child(ren) shall have first priority.
- Each parent shall make an extraordinary effort to avoid negative comments or statements about the other parent. Each parent has the absolute responsibility to prohibit any person from communicating negative comments to the child(ren).
- Neither parent shall question the child(ren) for the purpose of spying on the other parent.
- When one parent refuses to communicate or be with a child or children, the child(ren) may feel abandoned and unimportant. It is the responsibility of the parent to seek to establish the parent-child relationship.
- An Order of shared parenting is encouraged when parents communicate easily.

#### **DEFINITIONS**

“Allocation of Parental Rights and Responsibilities” – the determination of what was formerly "custody and visitation," and includes financial obligations for the child(ren).

“Parenting Time” - a legal term meaning the time set aside for the non-residential parent to parent his or her child(ren) or without any legal restriction except as to time. Restrictions, if any, are always written specifically into the Court Order.

“Supervised Parenting Time” - a legal term meaning the time set aside for the non-residential parent to parent his or her child(ren) with legal restrictions as to time, place and neutral party who is always present with the child during the parenting time period. Restrictions are always written specifically into the Court Order.

“Curb-side Exchange” - a legal term always written into the Court Order if the Court orders it. The receiving parent is prohibited from entering upon the property of the other parent to exchange the child(ren); the other parent must remain inside the home, and there must be no communication during the exchange of the child(ren). The process of curb-side exchange means the receiving parent (at the specified time of parenting time) parks in front of the other parent’s residence and honks the horn to notify the other parent to send the child(ren) to the receiving

parent's car. The other parent shall immediately send the child(ren) to the car, making certain the driver is well known to the child(ren) (if the driver is not the receiving parent) and watch the child(ren) enter the car and leave.

## **PARENTING TIME REGULATIONS**

**a. Cancellation of Parenting Time by Non-residential Parent** The non-residential parent shall give notice of intent NOT to have parenting time, not less than twenty-four (24) hours in advance, unless a last minute emergency occurs. A parent who does not exercise parenting time forfeits the time.

**b. Keeping the Children Together** If the parents have more than one (1) child, the parenting time will be exercised with all children together.

**c. Returning the Child(ren) After Exercising Parenting Time** The non-residential parent shall not return the child(ren) prior to the end of the parenting time period stated, unless the parties agree in advance.

**d. Promptness** Each parent shall be on time for pickup and return of the child(ren) and shall ensure that the child(ren) are emotionally and physically ready for the transition. If pickup at the residential parent's home is more than thirty (30) minutes late without notification, parenting time is cancelled. A pattern of lateness for pick up and/or return is subject to penalties under the law.

**e. Transportation** Unless otherwise ordered, the parent receiving the child shall provide transportation. Any adult well-known to the child(ren) may assist with transportation. The chosen driver shall abide by the child restraint laws, shall be a licensed driver in compliance with all insurance requirements, and not under the influence of alcohol or drugs.

**f. Clothing** The residential parent shall provide clean clothing for parenting time as well as appropriate clothing for any special activity which the non-residential parent has requested at least two (2) days in advance. Clothing sent by the residential parent shall be returned immediately after the parenting time period. Clothing belongs to the child and shall be available to the child at the child's option.

**g. Schoolwork** A parent must provide time for any child to study or complete homework assignments, even if the schoolwork disrupts the parent's plans. The residential parent must inform the other parent of the assigned schoolwork to be done.

**h. Address and Telephone Numbers** Each parent shall keep the other informed of his/her current address and telephone number and an alternate emergency phone number.

**i. Traditions and Family** Each parent is encouraged to respect the other's family traditions and new ones which develop by adjusting the parenting time schedule to meet the needs of the child(ren), who look forward to these special occasions. It is expected that the child(ren) will continue contact with extended family members whenever they are with their parents.

**j. Illness or Injury of a Child** In the case of illness of or injury to a child, immediate communication shall occur between parents to determine course of action, advisability of scheduled parenting time, and sharing of information regarding child's needs. Any allergy or chronic condition diagnosed in a child shall be shared in writing from the residential parent to the non-residential parent, including medication or treatment recommended. If parenting time does occur during illness, the residential parent shall provide written instructions and adequate medication for the parenting time with the non-residential parent. Any parenting time missed because of illness shall be made up within sixty (60) days to the non-residential parent at a reasonable time.

If a child often misses parenting time due to illness or injury of child, the non-residential parent may require that the child be examined by the child's usual physician at his/her own expense. Both parents may be present, subject to the doctor's discretion. If the residential parent refuses to schedule a requested medical appointment, the non-residential parent may file a Motion with the Court.

**k. Communication Between Parents** Parents should never communicate with each other through their child(ren). If parents cannot talk to each other without conflict, they should text, send emails or communicate through an online program designed for this purpose.

**l. Children's Activities** Scheduled periods of parenting time shall not interfere with a child's other scheduled activities, such as sport practices, work, homework, music lessons, etc. At the same time, parents should not schedule activities for the child that deprive the other parent of parenting time with the child.

**m. Infants and Young Children** The Court may write a special plan for parenting time with an infant or young child. An infant needs more frequent contact with a parent not living in the same household than the standard Local Parenting Schedule (Appendix J). Parents need to exercise more flexibility in scheduling parenting time for an infant or very young child. The parents may need to consult with a professional in the event they are unable to agree on a schedule.

**n. Teenagers** As part of normal development, teenagers desire to spend more time outside the family unit. They obtain a driver's license, date, spend more time with friends, and get jobs. The parenting time schedule shall change to accommodate the teenager's desire for more time away from both parents.

**o. Step-Parents** A step-parent's proper role is that of a beloved caregiver. The step-parent should never attempt to replace a biological parent. Children should not be required to call their step-parent "mom" or "dad" or something similar. If, however, children choose to do this on their own, parents should discuss the request but should not prohibit the children from that choice. Biological parents shall be in charge of discipline. Step-parents shall take a supportive role to the biological parents and follow their lead.

**p. Discipline** Behavioral expectations and discipline shall be as similar as possible at each household. If serious behavior problems arise, parents shall discuss the situation and come to a solution they both agree on. If they cannot discuss and agree on what to do, they shall consult a mental health professional together. Examples of problems that are a signal for concern include a decline in school grades, excessive moodiness, extreme defiance and disrespect, stealing, lying, severe lack of energy and motivation.

**q. Child(ren)'s Records**

**1.** Both parents shall use the proper birth or adoptive name of the child(ren) on all records.

**2. School Records** The residential parent is responsible to personally provide copies of every grade card or notice regarding the child(ren) within five (5) days of receipt, and may not use the child(ren) to deliver the grade cards or notices. The residential parent shall list the non-residential parent as a parent of the child(ren), shall authorize the school to release to the non-residential parent all information concerning the child, and shall personally inform the other parent of school or special activities, such as parent-teacher conferences, school programs, athletic events, honors programs, special ceremonies, and graduation events, and any other school activity in which the child(ren) is involved as soon as (s)he receives the notice.

**3. Medical Records/Consultation** The residential parent shall, upon request by the non-residential parent, immediately comply with whatever action is required, including the signing of a full release, to provide access to any medical, dental, hospital, surgical, optometric, or mental health records of/consultations regarding the minor child(ren)

**r. Telephone Calls, Electronic Communications** The child(ren) is/are permitted to call/text/email/contact a parent at any time; however, the contact should not occur more than once per day unless the parent from whose home the contacts are being made consents. If the parents are unable to agree, then each parent shall be permitted to speak with the children on the telephone twice per week when the children are at the other parent's home. Phone calls should be during the normal hours the child(ren) is awake; if the child(ren) is unavailable for conversation, each parent shall take the responsibility of seeing that the child(ren) timely returns the call. The parent responsible for the child(ren) is permitted to place reasonable limits on the child(ren)'s access to communication with the other parent, such as appropriate times, frequency, and length of contacts, so that the other parent does not interfere with the time allotted to the parent with the child(ren).

**s. Employment of Parents** Parents shall be available for his/her parenting time. If a parent is routinely unavailable for parenting time due to employment, and the parties are unable to agree on modification of the parenting schedule, then either party may consult with a mediator or file a motion with the court.

**t. Non-Compliance With Court Order** All responsibilities and rights outlined in this schedule will be enforced by the Court upon the filing of the appropriate motion by either party.

A parent shall not withhold parenting time because the other parent does not obey a Court Order, for instance, to pay support or medical bills, etc. **Penalties for willful denial of parenting time include fines, a jail sentence and/or modifications of parental rights.**

**u. Moving** Each parent shall notify the Court in writing at least forty-five (45) days in advance of his or her intent to change their residence out of the county in which they resided at the time of the last Court Order. If the parties move more than 150 miles apart after the Court orders or adopts the schedule herein, unless the parties agree otherwise, each is Ordered to comply with the long distance parenting time schedule contained in Appendix K without further Order of the Court.

**v. Modification of Parenting Time** The Court has the authority to modify the parenting time order upon motion by either party, or upon its own motion when necessary.