

RULE 1

Seminar for Separating Parents

All parents in Divorce, Legal Separation, or Dissolution actions in which there are minor children shall attend an educational seminar for separating parents prior to the date of the final hearing. No action shall proceed to final hearing until this rule is complied with, however, the court may waive the requirement for good cause shown.

Seminar attendance may be required by court order in connection with post-decree motions seeking a change of parental rights or visitation.

One such program is the P.E.A.C.E. program. (offered in the Marion County Court of Common Pleas). Attendance at other similar programs may be acceptable to the court, but parents should contact the court's administrative assistant for domestic cases to assure that the program meets with court approval.

RULE 2

Local Model Parenting Time Rule

Parenting time is a time for children to do things with the parent they do not reside with. Activities you can do with them or skills you can teach them help the time be rewarding. Helping the children find friends in your neighborhood also helps make it like home for them.

Liberal parenting time arrangements are encouraged, as contact with both parents is important to the children. Specific items in the Journal Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such action is shown. This schedule does not affect support payments.

Please be advised that this schedule is merely a guideline for parenting time. It is each party's responsibility to tailor this schedule as necessary to meet the best interests of their children. The Ohio Supreme Court's guide, "Planning for Parenting Time: Ohio's Guide for Parent's Living Apart" that contains guidelines for parenting schedules is a good resource for alternate arrangements that consider the age and the circumstance of a particular child.

PARENTING TIME BETWEEN THE CHILDREN AND THE PARENT WHO IS NOT THE RESIDENTIAL PARENT SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES AGREE BUT WILL NOT NORMALLY IS LESS THAN:

1. **Weekends:** Alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m. This alternating weekend schedule shall not change, even if interrupted by holiday and birthday, summer and/or vacation parenting time.
2. **Weekdays:** One weekday evening per week from 5:00 p.m. to 8:00 p.m.

3. Extracurricular Activities: Regardless of where the children are living, their continued participation in extracurricular activities, school related or otherwise, shall continue uninterrupted. It shall be the responsibility of the parent with whom they are residing at the time of the activity to provide the physical and economic cost of transportation to these activities. The residential parent shall provide the parent who is not the residential parent with notice of all extracurricular activities, school related, or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten by the residential parent if no formal schedule is provided by the activity) and the name of the activity leader (including address and telephone number if reasonably available to the residential parent).

4. Pre-School Age Children: Pre-school age children follow the same schedule of school age children in the school district where they live regardless of whether or not other school age children live in the family.

5. Holidays and Birthdays: In odd-numbered years, mother has New Year's Day, Spring Break, Memorial Day, Labor Day, Christmas Eve and the first half of Christmas break. In odd-numbered years, father has Martin Luther King's Day, Easter, Fourth of July, Thanksgiving, Christmas Day, and the second half of Christmas break. In the even-numbered years, the schedules are reversed.

a. In the event of a conflict between regular visitation and holiday visitation, holiday visitation prevails. The alternating weekend visitation shall be suspended as a consequence of the holiday schedule and shall recommence with the same rotation the first weekend immediately following. For example: If the weekend immediately preceding a holiday was mother's weekend, the holiday weekend would be celebrated with the parent entitled to the holiday. The weekend rotation would recommence the weekend after the holiday as father's weekend. This occurs even though one parent may have the children two weekends in a row.

For any holiday falling on a Monday or Friday, if the immediately preceding or following the holiday visitation is spent with the same parent, there is no need for that parent to return the children that evening and then pick them up the next morning. For holidays falling on a Friday, parenting time commences Friday evening and continues to Monday evening.

b. Mother's Day and Father's Day and the parent's birthdays, only when they fall on a Saturday or Sunday, to be spent with the appropriate parent. These are as agreed, or 10:00 a.m. to 7:00 p.m. These do not have to be made up.

c. Other days of special meaning, such as religious holidays, etc., (i.e., New Year's Eve and Day, Kwanzaa, Passover, Easter, Rosh Hashana, Christmas Eve, Christmas Day) should be decided together as follows:

These do not have to be made up.

d. Hours for parents who can not agree are:

1. New Year's Day.....9:00 a.m. to 7:00 p.m.
2. Martin Luther King Day.....9:00 a.m. to 7:00 p.m.
3. Spring Break.....6:00 p.m. ON THE DAY school is out to 7:00 p.m. the day before school recommences, to be coincidental with the days of the school vacation and not to interfere with school.)
4. Memorial Day and Labor Day..... 6:00 p.m. Friday to 6:00 p.m. Monday
5. July 4th 9:00 a.m. to 9:00 a.m. the next day
6. Thanksgiving.....6:00 p.m. Wednesday to 6:00 p.m. Sunday
7. Winter Break..... (first half commences at 6:00 p.m. the last day of school before Winter Break begins, until December 25 at noon; Second half commences at noon December 25 until 6:00 p.m. the day before school recommences.)

e. 48-hour notice should be given by the parent with whom the holiday is being spent for any arrangements for out of town travel on the holidays or of a change in pick-up/return times.

f. The children's birthdays should be alternated per child, between the parents and on an annual basis. Hours for parents who can not agree are 4:00 p.m. to 8:00 p.m. Brothers and sisters attend the birthday event. These do not have to be made up.

6. Transportation: The parties shall divide the transportation equally. The parent who is exercising their parenting/visitation rights shall pick up the child.

7. Waiting: Neither parent shall be more than 30 minutes late picking up the children. If the non-residential parent has not arrived to pick up the children within the 30 minute period, parenting time is forfeited and shall not be made up.

8. Cancellation: The parent who is not the residential parent should give 24 hour notice to cancel. The time canceled by the parent who is not the residential parent is forfeited.

9. **Illness:** If a child is ill, the residential parent should give 24 hour notice, if possible, so appropriate plans can be made. However, if more than one day of any visitation, weekend, holiday/birthday, or vacation is missed due to non-emergency.

10. **Summer:** The non-residential parent shall have parenting time with the children for the last half of the summer each year. The summer school vacation commences the day after the children are out of school and continues until seven (7) days before school begins. The number of intervening weeks (full and/or partial) shall be divided in half, and the non-residential parent shall have the last half of the summer vacation with the children.

During the summer visitation, the residential parent receives weekday and alternating weekend visitation as afforded the non-residential parent the rest of the year.

11. **Vacations:** Each parent may arrange an uninterrupted vacation of not more than two weeks with the children. Each parent shall schedule this vacation during his/her half of the summer. A general itinerary of the vacation shall be provided for the other parent, including dates, locations, addresses, and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed, requiring scheduling of the vacation around these events or that the missed occasion is made up. Alternate weekends are missed during vacation, and are therefore not required to be made up.

12. **Moving:** Upon either parent learning that he/she will be moving, he/she shall immediately notify the other parent except in those circumstances wherein notice is not required by R.C. 3109.051 (G), and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new parenting time schedule.

13. **Telephone Access:**

a. **As Between Parents:** Telephone communication between the children with the parent with whom they are not residing shall occur not less than three (3) times per week for not less than fifteen (15) minutes. Children may call the other parent as often as the parent and child agree, at reasonable times, so long as the call is collect if it is a long distance call. The non-possessory parent shall be allowed to communicate with children not less than one time per week for not less than ½ hour by either calling or having the children call him/her. Possessory parent shall not interfere with or stop the telephone communication.

b. At school, day care facilities, extracurricular activities, or all other public locations: Provision 13a., above, shall not in any way contravene the statutory directives granting equal access by both parents to their children at any and all times while the children are at school, at a day care facility, babysitter, attending extracurricular activities, etc.

14. Make-up Parenting Time: Any make-up parenting time required by this schedule shall occur the first weekend of the other parent immediately following the missed parenting time and shall continue during the other parent's weekends until made up in full, including partial weekends.

15. Current Address and Telephone Number: Except as provided in the Court order, each parent shall keep the other informed of his/her current address and telephone number at all times.

a. **Emergency Contact:** Both parents shall at all times, regardless of whether the children are with him/her, provide the other parent with a telephone number for contact in the event of an emergency.

16. Car Seat: For any and all children required by law to ride in a car seat, the parents shall transfer the car seat with the child as parenting time exchanges occur.

17. Clothing: The parents shall cooperate in the exchange of the children's clothing prior to and following parenting time.

MODEL PARENTING TIME RULE FOR PARENTS TRAVELING OVER 90 MILES ONE WAY

Parenting time is a time for children to do things with the parent they do not live with. Activities you can do with them or skills you can teach them help the time to be rewarding. Helping the children find friends in your neighborhood also helps make it like home for them.

Liberal parenting time arrangements are encouraged, as contact with both parents is important to the children. Specific items in the Court Order take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown.

AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE.

This will not normally be less than:

1. Christmas: Christmas vacation will be divided in half and alternated annually, by half, between the parents.

2. **Spring Break:** School vacation (the day school is out to the day before school recommences, to be coincidental with the days of the school vacation and not to interfere with school) in odd-numbered years.

3. **Alternate Holiday Plan:** Those who desire more frequent contact, and who develop a plan to pay for the transportation, can have half of Easter vacation, half of summer, alternate year Thanksgiving, an half of Christmas vacation each year. The holidays themselves must be alternated, as the parties agree, or Easter and Thanksgiving in the odd-numbered years and Christmas in even-numbered years, for the parent who is not the residential parent.

4. **Summer:** One half of the school summer vacation. Summer school necessary for the child to pass to the next grade must be attended. The residential parent shall notify the parent who is not residential parent by March 15 of when the summer vacation begins and ends. The parent who is not the residential parent must notify the residential parent as to their intentions by April 15.

a. If the parties cannot agree which half of the summer they prefer, in the even-numbered years, the first half of the summer shall be spent at the home of the parent who is not the residential parent, and in the odd-numbered years, the second half.

b. The children must be allowed to communicate by telephone, one time per week, with both parents, regardless of with whom the child is currently residing. Both parents shall permit no less than one half hour conversations. The calling party shall bear the expense. The children may call either parent, collect, at any and all reasonable times as he or she wishes.

c. A general itinerary should be provided either parent if more than 2 days will be spent away from either home when the children are in that parent's care.

5. **Vacations:** Each parent may arrange an uninterrupted vacation of not more than two weeks with the children. A general itinerary of the vacation shall be provided for the other parent including dates, locations, addresses, and telephone numbers.

a. A vacation is defined as a trip away from the parent's home. It does not include a parent's vacation time off from work where the parent spends it at home.

b. Summer school necessary for the child to pass to the next grade must be attended.

6. **Additional Parenting Time:**

a. **Weekend:** A once-a-month weekend visit to the parent who is not the residential parent will be permitted if the child's traveling time does not exceed three (3) hours one way. The residential parent must be notified at least one week in advance.

b. Father's Day and Mother's Day can always be spent with the appropriate parent.

c. The parent who is not the residential parent shall notify the residential parent at least two days in advance of any time the parent who is not the residential parent will be in the area and wants a visitation period. Absent extraordinary circumstances, this visitation shall occur.

d. The residential parent must notify the parent who is not the residential parent at least two days in advance when the residential parent and child will be in the area of the parent who is not the residential parent, and visitation must be allowed.

7. **Transportation:** Responsibility for transportation costs should be decided in advance and a plan written into an Order of the Court. The costs of transportation, in the appropriate case, may be a basis for deviation from the child support schedule.

8. **Moving:** Upon either parent learning that he/she will be moving, he/she shall immediately notify the other parent except in those circumstances wherein notice is not required by R.C. 3109.051(G), and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new parenting time schedule.

9. **Current Address and Telephone Number:** Except as provided in the Court order, each parent shall keep the other informed of his/her current address and telephone number at all times.

a. **Emergency Contact:** Both parents shall at all times, regardless of whether the children are with him/her, provide the other parent with a telephone number for contact in the event of an emergency.

10. **Car Seat:** For any and all children required by law to ride in a car seat, the parents shall transfer the car seat with the child as parenting time exchanges occur.

11. **Clothing:** The parents shall cooperate in the exchange of the children's clothing prior to and following parenting time.