

## Sample Parenting Plan Language and Tips

### **Parenting Time:**

- “Every other weekend, Friday 6:00 p.m. to Sunday 6:00 p.m.”
  - Consider adding, “...beginning the 1<sup>st</sup> Friday after order is signed,” and “If a period of more than 3 weeks (excluding Holidays) has passed with no parenting time for Father, then the next Friday begins the time in Father’s care.” (\*Note: The language/parent underlined coincides with the parent’s section in the parenting plan that the language is in.)
- “1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> weekend of each month, Friday 6:00 p.m. to Sunday 6:00 p.m.”
  - Consider adding, “The 1<sup>st</sup> Friday of each month determines the 1<sup>st</sup> weekend of each month.”
- “Alternating weeks, exchanging Fridays at 6:00 p.m.” OR “Every other week, Friday 6:00 p.m. to Friday 6:00 p.m.”
  - Consider adding, “The first full week after the order is entered determines the first week of the rotation. If more than 2 weeks has passed with Father having no parenting time, the rotation will begin again the following Friday.”
- “Exchange weekly every Friday at 6:00 p.m.”
- “50/50 or as agreed upon by parties. If parties cannot agree, then parenting time shall be xyz (specific days and times)...”
- “Based on Father’s work schedule. If parties cannot agree, then parenting time shall be xyz (specific days and times)...”
- Graduated plans: See examples.
- TIPS
  - It is common for people to put a Wednesday evening in the plan when there is an every other weekend schedule. Be sure to discuss with parents how practical this is, depending on how far away the parent will have to travel to pick up the child(ren), how many hours are allotted for the evening visit, transportation, etc.
  - It may be beneficial to use a blank calendar and write an M (Mother) or F (Father) in the days each parent will have.
  - Summer, winter, or school breaks: include a start/end date and time.
  - Holidays: stagger odd/even years between Mother and Father so one parent does not lose parenting time during the holidays for an entire year. Include a start/end day and time.
  - For parents moving away, discuss exchange locations.

### **Drug Testing:**

- “Either parent may request that the other parent take a drug test at the requesting parent’s expense. If the test is positive, the parent who tested positive will reimburse the requesting parent the cost of the test. Further, if the test is positive, the parenting time for that parent shall be forfeited until that parent can produce a negative drug result at his or her own expense.”

### **Supervised Access:**

- “Two hours per week with a professional provider or agreed upon third party.”
  - Avoid the visits being supervised by the other parent.
- “Up to two hours of professionally supervised visitation with the minor children each week. Days and times of visits will be arranged with Agency\_\_\_\_\_.”

- “After a period of a minimum of six consecutive months of supervised visitation parents can submit an Agreed Modification or either parent can petition the court to modify visitations.”
  - Do not include language that instructs or requires the provider to recommend when visits shall end or “phase up” to more parenting time; this is against to Rule 16(o).
- TIPS
  - Consider who will pay for each visit if using a professional agency.
  - When using a professional agency, use “every other week” language, rather than 1st, 3<sup>rd</sup>, and 5<sup>th</sup>; this will eliminate scheduling conflicts with other families who have language consistent with “every other.”

**Graduated Plans:**

- Sample 1:
  - Birth – 12 months: 2 days according to Father’s work schedule (days off-to be provided to mother in writing 2 weeks in advance) from 10:00 a.m. – 6:00 p.m.
  - 12 months – 18 months: 1 overnight weekly according to Father’s work schedule (days off-to be provided to mother in writing 2 weeks in advance) from 5:00 p.m. until 6:00 p.m. the following day.
  - 18 months – 3 years: 2 overnights weekly according to Father’s work schedule (days off-to be provided to mother in writing 2 weeks in advance) from 5:00 until 6:00 p.m. the following day.
- Sample 2:
  - Birth – 6 months: Monday, Wednesday, Friday from 6:00 p.m. to 7:00 p.m. Sunday from 5:00 p.m. to 7:00 p.m.
  - 6 months – 12 months: Monday, Wednesday, Friday, 5:30 p.m. – 7: 30 p.m. Sunday from 4:30 p.m. to 7:30 p.m.
  - 12 months – 18 months: 9:00 a.m. – 6:00 p.m. Saturdays, Tuesday and Thursday 6:00 – 8:00 p.m.
  - 18 months – 2 1/2 years: Every other weekend 9:00 a.m. Saturday – 6:00 p.m. Sunday, and every Tuesday and Thursday 6:00 – 8:00 p.m.
  - 2 1/2 years – School Age: Every other weekend 6:00 p.m. Friday – 6:00 p.m. Sunday, and Every Wednesday 6:00 p.m. – 8:00 p.m.
- Sample 3:
  - “Beginning date – Every other weekend Friday 7:00 p.m. to Sunday 7:00 p.m. Overnights will increase by one day each year until parents share time 50/50, alternating weeks. Exchanges will take place on Friday at 7:00 p.m. once weeks alternate.”
- TIPS
  - Consider where the visitations will take place; i.e. “Visits shall take place at mother’s home.”
  - REMEMBER: Overnights for toddlers may not be appropriate if there is an increased level of conflict, one parent has been absent for a period of time, and/or one parent has not been a primary caregiver to the child
  - For children under 5, consider having time one overnight each week with a mid-week evening, rather than only every other weekend (this avoids the 12 days without seeing one parent).

\*Consider language that encourages parties to attempt mediation prior to filing future modifications.