

*This rule applies to orders and entries journalized effective November 1, 2019 and thereafter.

MODEL PARENTING TIME SCHEDULE
PREBLE COUNTY COMMON PLEAS COURT

This schedule is merely a guideline for parenting time. It is the parties' responsibility to tailor this schedule as necessary to meet the best interests of their children and their situation before the schedule becomes a court order.

Children require the continued and regular involvement of both parents despite the termination of their parent's relationship. No standard Parenting Time schedule can possibly meet the needs of every parent-child relationship and therefore the Court encourages parties to develop parenting plans which meet the specific needs of their child(ren). This includes the importance of keeping cultural and religious celebrations in mind when creating a schedule.

During and after the termination of a family relationship, there is often a crisis period during which families are under great stress because of loss, conflict and change. Unfortunately, whether intentional, or otherwise, children tend to become pawns in a struggle between their parents. Most studies indicate, and psychologists uniformly agree, that the children who "do best" are those whose parents are able to maintain a low level of conflict. The absence of conflict is just as important as the amount of time either parent spends with the child(ren).

The Court adopts this minimum Parenting Time Schedule in the hopes that it is unnecessary. In cases where the parents cannot agree to parenting times, the Court's Standard Parenting Time Schedule will be considered the minimum parenting time for a non-residential parent absent a showing of danger to the child(ren), and the Court encourages the parties to minimize conflicts as much as possible.

Careful consideration has been given to fostering Parenting Time between the child(ren) and both parents. The Court has established distinct schedules according to the distance between the parents and the age of child(ren). These parenting time schedules were developed to provide children with continuing contact with both parents while being sensitive to the children's ages and developmental needs. These schedules may not be appropriate for all families.

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 is shown.

Activities you engage in with your children, skills you teach them, or friends you help them make will make their time with you more rewarding. Additionally, regardless of how much time each parent spends with the children, there are many opportunities to be involved in their lives, such as participation and attendance at their school, sporting and extracurricular activities.

PARENTING TIME BETWEEN THE CHILDREN AND THE PARENTS SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT IN ABSENCE OF AGREEMENT SHALL BE

REGULAR PARENTING TIME

Local (for parents that live within 45 miles of each other)

Particularly with very young children, the more frequently the non-residential parent sees the children, the more appropriate it is to have longer periods of time with the non-residential parent.

If the non-residential parent has not had regular contact with the children, short periods of parenting time must precede extended periods.

Parents shall adjust parenting time to allow for frequent contact for the non-residential parent to accommodate their work schedules.

1. Birth until 1 year.

The non-residential parent shall have parenting time three times a week throughout the year, twice for 3 to 6 hours and once for 8 hours. If the parents cannot agree, parenting time shall take place every Tuesday and Thursday from 5:00 p.m. until 8:00 p.m. and one day every weekend, alternating Saturday/Sunday from 10:00 a.m. until 6:00 p.m.

Birth to 1 year – Parenting Schedule							
	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.	Sun.
Wk 1		X		X			D
Wk 2		X		X		D	
Wk 3		X		X			D
Wk 4		X		X		D	
X= Evenings, D = 10:00 a.m. to 6:00 p.m.							

The parties shall communicate regarding sleep schedules, feeding schedules, and any special dietary or other considerations for the child. The non-residential or non-custodial parents shall follow these schedules and considerations so as to make the transition between homes as seamless as possible for the infant child.

2. 1 year to 3 years.

The non-residential parent shall have parenting time as follows: Tuesday and Thursday evenings from 5:00 p.m. until 8:00 p.m. and a rotating four week schedule as follows:

- Week 1 – Friday at 6:00 p.m. until Saturday at 6:00 p.m.
- Week 2 – Saturday at 6:00 p.m. until Sunday at 6:00 p.m.
- Week 3 – Friday at 6:00 p.m. until Sunday at 6:00 p.m.
- Week 4 – Residential Parent’s weekend

1 to 3 years – Parenting Schedule							
	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.	Sun.
Wk 1		X		X	O		
Wk 2		X		X		O	
Wk 3		X		X	O	O	
Wk 4		X		X			
X= Evenings, O = Overnight							

3. 3 through 5 years:

The non-residential parent shall have parenting time on a rotating schedule as follows:

Weeks 1 & 3 – Tuesday at 5:00 p.m. until 8:00 p.m. plus Friday evening at 6:00 p.m. to Sunday at 6:00 p.m.

Weeks 2 & 4 – Tuesday at 5:00 p.m. until 8:00 p.m. plus Thursday at 5:00 p.m. until Friday morning before school

3 to 5 years – Parenting Schedule							
	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.	Sun.
Wk 1		X			O	O	
Wk 2		X		O			
Wk 3		X			O	O	
Wk 4		X		O			
X= Evenings, O = Overnight							

4. 6 through 15 years:

Elementary school age children can adapt to longer periods of separation from their principal caretakers than younger children can. The needs of the 6-15 year old child with regard to school schedules, homework, and extra-curricular activities must be respected.

Adjusting to and moving back and forth between two households increases the complexity of life for a child in a divorce situation. It may, therefore, be necessary to simplify other aspects of a child’s life, e.g. by reducing the number of outside activities.

The non-residential parent shall have parenting time as follows:

Weeks 1 & 3 – Tuesday from 5:00 p.m. until 8:00 p.m. and Friday at 6:00 p.m. until Monday morning before school.

Weeks 2 & 4 – Tuesday from 5:00 pm until 8:00 pm and Thursday at 6:00 p.m. until Friday morning before school.

6 through 15 years – Parenting Schedule							
	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.	Sun.
Wk 1		X			O	O	O
Wk 2		X		O			
Wk 3		X			O	O	O
Wk 4		X		O			
X= Evenings, O = Overnight							

5. 16 years and above:

A child in this age group tends to view his/her peer group as more important than his/her family. This does not mean that parents are insignificant or have no role to play with a child of this age. Each parent must continue to support their child’s relationship with both parents. Both parents should continue to support their child in his/her activities to the same extent as if they had not terminated their

relationship. Each parent must put aside any animosity he/she feels toward the other parent when the parents are attending their child’s activities, to avoid embarrassing the child.

An older child may be driving by age 16; he/she may be working part time jobs, and participating in extracurricular activities in addition to attending high school. Both parents have to be reasonable with their demands for their child to spend time with the parents, especially during weekends and summer holidays. Quality of time is more important than a rigid schedule. Flexibility in scheduling is necessary. When possible, the parents should consider the older child’s wishes.

The non-residential parent shall have parenting time as follows:

Weeks 1 & 3 – Friday at 6:00 p.m. until Monday morning before school.

16 years and above – Parenting Schedule							
	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.	Sun.
Wk 1					O	O	O
Wk 2							
Wk 3					O	O	O
Wk 4							
O = Overnight							

6. Siblings in different age groups. If a family has children in different age groups, parents are encouraged to adopt a single schedule to promote consistency and balance the needs of all the children. If parents are unable to agree on a single schedule, parenting time will be controlled by the age category in which the oldest child falls, unless otherwise ordered by the Court. Children under 1 shall always follow the regular schedule for their age group.

7. Regional (parents who live more than 45 miles apart but less than 200 miles)

Parents shall follow the local schedule based on the age of the child except that any midweek parenting time shall be exercised in the county of the children’s residence and the non-residential parent shall be responsible for all midweek transportation. Midweek parenting time shall be Tuesday from 5:00 p.m. until 8:00 p.m. **The weekend parenting time shall end at 6:00 p.m. on Sunday instead of extending through Monday morning once the children begin attending school.**

8. Summers: The parties shall exercise summer parenting time in alternating one week increments beginning the first Friday after the last day of school. Each period shall begin on Friday at 6:00 p.m. until the following Friday at 6:00 p.m. In all cases, this summer schedule ends at 6:00 p.m. the Friday before classes resume. That Friday the children shall be returned to the residential parent. Effective that Friday, regular weekend and weekday parenting time resumes. In the odd numbered years, the non-residential parent shall start the first week. In the even numbered years, the residential parent shall start the first week.

If either party is employed by an employer that has an annual mandatory shut-down, that party shall have priority for parenting time during that period. If both parents have an identical shut-down period, the non-residential parent shall have priority. If the mandatory shut-down period creates a conflict with the alternating weekly schedule, the parties shall trade an equal amount of time as make-up for the lost shut-down parenting time.

Mid weekday and alternating weekend parenting time shall be suspended during summer vacation parenting time. Child support will not be reduced during summer parenting time.

9. Vacations: Each parent may arrange an uninterrupted vacation of not more than two (2) weeks with the children. Each parent shall schedule this vacation during his/her time during the summer (each parent may arrange either two one-week vacations to take place only during his/her time or they may arrange one two-week vacation using one week of each parent's time, which shall only be permitted if a two-week vacation is scheduled). The vacationing parent shall notify the other parent and provide a general itinerary of the vacation to the other parent, including dates, locations, addresses, and telephone numbers, no later than thirty (30) days prior to the scheduled vacation. Holiday and birthday celebrations with either parent shall not be missed, requiring scheduling of the vacation around these events. If parenting time with the other parent is missed during vacation, there is no requirement that it be made up. **Parents shall notify each other of their vacation plans by May 1 each year, and in the event of a conflict, non-residential parent's schedule shall prevail in odd-numbered years; residential parent's schedule shall prevail in even-numbered years.**

10. Holidays: Parents are encouraged to agree to a holiday schedule based upon legal and religious holidays they observe. If the parents cannot agree, holiday parenting time shall take place according to the following schedule.

HOLIDAY	Even Numbered Years	Odd Numbered Years	Schedule
New Year's Day *	Non-residential	Residential	12/31 at 6:00 p.m. to 1/1/ at 6:00 p.m.
Martin Luther King Day	Residential	Non-residential	Sunday 6:00 p.m. to Monday at 6:00 p.m.
President's Day	Non-residential	Residential	Sunday 6:00 p.m. to Monday 6:00 p.m.
Easter	Residential	Non-residential	Saturday noon to Sunday 6:00 p.m.
Memorial Day	Non-residential	Residential	Sunday 6:00 p.m. to Monday at 6:00 p.m.
Fourth of July	Residential	Non-residential	9:00 a.m. to 9:00 p.m.
Labor Day	Non-residential	Residential	Sunday 6:00 p.m. to Monday 6:00 p.m.
Halloween (Beggar's Night) **	Residential	Non-residential	5:00 p.m. to 9:00 p.m.
Thanksgiving	Non-residential	Residential	Wednesday 6:00 p.m. to Friday 6:00 p.m.
Christmas Eve	Non-residential	Residential	12/23 noon to 12/24 9:00 p.m.
Christmas Day	Residential	Non-residential	12/24 9:00 p.m. to 12/26 6:00 p.m.
Mother's Day ***	Mother	Mother	10:00 a.m. to 9:00 p.m.
Father's Day ***	Father	Father	10:00 a.m. to 9:00 p.m.
Child's Birthday (school) ****	Non-residential	Residential	5:00 p.m. to 9:00 p.m.
Child's Birthday (no school) ****	Non-residential	Residential	9:00 a.m. to 9:00 p.m.

* The year in which New Year's Day falls determines whether the holiday is an even or odd numbered year.

** If Beggar's night occurs on different nights in each parent's neighborhood, then the child may participate in Beggar's night in each parent's neighborhood.

*** If the residential and non-residential parent are the same gender, the non-residential parent will have parenting time from 10:00 a.m. to 9:00 p.m. on Mother's Day in even years and Father's day in odd years, and the residential parent will have parenting time from 10:00 a.m. to 9:00 p.m. on Mother's Day in odd years and Father's Day in even years.

**** The parenting time for birthdays will include all children of the marriage, not just the child celebrating his/her birthday.

11. School Breaks Unless the parties agree otherwise, all breaks from school (summer, winter, spring, etc.) commence on the last day of school, and end the day before school resumes.

a. Winter Break The parents will equally divide the children's winter break. This paragraph should be read in conjunction with the holiday schedule above. The parents will discuss and agree upon the allocation of the break at least 30 days prior to the commencement of the break. If the parents cannot agree on the schedule for the break, the break will be divided equally.

If there is no agreement, the parent who is scheduled to celebrate Christmas Eve shall have the children from the day school is adjourned for the winter break through the scheduled Christmas Eve holiday, and the parent who is scheduled to have Christmas day will have the children for an equal number of days. The remaining days of the break shall also be equally divided with the parent scheduled to have the children for the New Year's holiday including that time in their half of the remaining days.

b. Spring Break The parents shall annually alternate Spring break with the residential parent having the break in odd numbered years and non-residential parent having the break in even numbered years.

12. ORDER OF PREFERENCE In the event of a conflict, the following is the order of preference: (1) holidays; (2) vacations; (3) weekly schedule.

13. Long Distance (parents who live more than 200 miles apart)
(Excerpts from Planning for Parenting Time: Arizona's Guide for Living Apart)

Parents must be aware of the impact of relocation on their child and that relocation may require the permission of a judge. Long-distance parenting rules apply whenever the move between homes is more than 200 miles.

Disagreements about long-distance parenting time often result in the judge or magistrate making a decision. Unfortunately, a decision by a judge or magistrate may not please either party. Each relocation case is unique, and the right decision is based on the specific facts for each family. Parents should make a serious effort to resolve a parenting time dispute themselves or with the help of a mediator, or an attorney. Any reasonable agreement between the parents negotiated in good faith is usually better than having a judge decide the matter after the expense and stress of a court hearing.

A parent who wants to move a long distance with, or without, a child should think about many things before making a decision. Long distances often weaken the relationships between children and parents. If

the move is necessary, parents might want to consider relocating both households to the same city. If it isn't possible, parenting time for the distant parent must be at regular and frequent times during the year. The court considers many factors, and parents should think about these factors. Each parent should take a moment and "stand in the other parent and the child's shoes." What is their point of view? How would I feel if my child moved away to another city? Think about all the facts including the age and maturity of the child, the child's developmental needs, sibling bonds, school and work schedules, transportation costs, the presence of supportive family and friends in each city, and the gains or loss of extended family.

For most children, a long-distance move may result in less regular contact with both parents. If both parents are within a reasonable distance of each other, the child will benefit. When parents live far apart, a child's daily and weekly contact is reduced and large gaps of time without physical contact between the child and parent develop. When both parents move to the same general area, it is less disruptive. No matter the distance, a child will benefit from as much regular and frequent physical contact with each parent as possible.

If the parties have more than one child and the children fall into different age categories, parenting time will be controlled by the age category in which the oldest child falls for all children at issue, unless otherwise agreed by the parties or ordered by the Court.

a. Birth to Kindergarten

This is an important time for bonding between parents and children. For most children, the loss of a strong bond is a lifelong issue. In contrast, building a strong bond creates a sense of belonging, encourages active and committed parents, causes healthy adult relationships with both genders, facilitates co-parenting, and improves communication between parents and a growing child. If possible, the long distance separation should be delayed so that both parents and children can make the best use of their time together during these formative years. If the move can't be delayed, the parenting time schedule should be designed to provide the most direct and frequent physical contact between the child and both parents that time and money permit. If the parents cannot agree, the following schedule shall control.

Upon thirty (30) day notice to the residential parent the non-residential parent may exercise any of the times granted under the Local schedule.

Up to eight (8) weeks per year in four (4) separate blocks of time lasting two (2) weeks each. Unless otherwise agreed, parenting time shall occur February 1st through 14th, May 1st through 14th, and August 1st through August 14th.

Additionally, parenting time shall occur in odd numbered years from December 1st through 14th and in even numbered years from December 14th through December 28th.

b. Kindergarten to Age 18

The parties should continue to make the most of the time each parent has with the child. The schedule should be adjusted to follow closely the child's regular school schedule. The school year parent must sacrifice frequent physical contact during non-school times such as the summer and holidays, while the non-school parent must sacrifice frequent physical contact during the school semesters. Some schools have year-round or modified year-round schedules that provide for more frequent or longer breaks with the distant parent. If parents can find a school with such a schedule, this will be of assistance to children.

Parents need to remember that as children get older they may be less likely to be in favor of spending large blocks of time due to their own activities. It is important to consider the child's wishes, concerns, and ideas in developing a long distance plan. If the parents cannot agree, the following schedule shall control.

Upon thirty (30) day notice to the residential parent the non-residential parent may exercise any of the times granted under the Local schedule.

Up to five (5) weeks during the summer break commencing a week after the last day of school and ending no later than a week before school resumes in the fall.

Every spring break from 6:00 PM on the last day of school before the break until 6:00 PM the day before school resumes.

One half of every winter break. The non-residential parent shall exercise parenting time the first half of winter break in even numbered years and the second half of winter break in odd numbered years.

14. Absent Parent Reunification

Some children may have a parent who wants to become part of their lives after years, or a lifetime, of not being involved with them. Other children may have a parent who was in their lives at one time but left, and then, after many months or years, wants to be part of their lives again. The emotional issues for both children and the custodial parent are often very complicated and difficult to understand. Most children and parents need professional help to build trust between the child and the absent parent. This kind of help is called reunification counseling. The time it takes for the counseling to be successful will depend in part on the child's age and personality. Counseling also can help parents learn to communicate and cooperate. This kind of counseling is called co-parent counseling.

The Court, on a case by case basis, may order reunification counseling and co-parent counseling.

For parents who live within 45 miles of each, the absent parent will be permitted contact with the minor child(ren) to begin to reestablish a relationship.

The non-residential parent will be permitted to contact the child(ren), by telephone, one time per week for a period of 8 weeks. After 8 weeks of telephone contact, the non-residential parent will be permitted 1 day per week of parenting time for a period of 2 hours. If the parties are unable to agree, the parenting time shall be on a Saturday or Sunday from 2:00 p.m. until 4:00 p.m. After 4 weeks of the 2 hour parenting time, the non-residential parent shall be permitted 6 hours of parenting time on Saturday or Sunday, every other weekend. Any additional parenting time shall be by specific Order of the Court.

15. MISCELLANEOUS

A. **Transportation:** Unless otherwise provided in these rules or as the parents agree, transportation shall be shared equally by the parents. The parent beginning to exercise parenting time must provide transportation at the beginning of his/her parenting time. For example, the non-residential parent picks up children on Friday evening and residential parent picks up the children on Monday after school. **For midweek times**, the non-residential parent shall pick the children up and drop them off.

If the parent providing transportation is unavailable, another person may provide transportation if he/she is over the age of 18, has a valid driver's license, has car insurance and is one of the following: a person related to the child or who is part of the extended family of either parent; a friend of the parent known to

both the parents and the child; and any other person agreed upon in advance by the parents. Any person transporting a child must use the proper child restraint seat and/or seat belts as required by law. No person may consume alcohol or use illegal drugs immediately prior to or during the transportation of a child.

B. Phone Contact and Electronic Communication: Each parent may have reasonable telephone and electronic contact with the child. Contact includes phone calls and all other electronic communication, including email, texting, Skype, Facetime, videoconferencing and social networking. The children may contact, whether by phone or by other electronic device, either parent at any and all reasonable times as the children wish.

The frequency of telephone contact, excluding text messages, shall be reasonable, defined as once per day, or as the parents agree. Phone calls shall be reasonable in duration and not disruptive to the parent with the children. The other parent shall not participate in these calls. If the children are not available when the parent calls, the parent with the children shall have them return the other parent's call as soon as possible.

C. Late Pick-Up: Parents are expected to be prompt for all parenting time exchanges. If a parent is going to be late, he/she must contact the other parent and give a reasonable estimated arrival time. Chronic lateness may be a reason to modify the schedule. The child should be ready to leave with the parent at the scheduled time.

D. Cancelling Parenting Time: Each parent must give notice of his/her intent not to have parenting time, at least 24 hours in advance, unless a last minute emergency occurs. A parent who does not exercise a specific parenting time forfeits that specific time.

E. A parenting time exchange is not the time for parents to air his/her grievances with the other parent. It is important for the child that the exchanges take place without any conflict between the parents.

F. Either parent may request a modification of parenting time by filing a motion to modify. This Court will modify a parenting schedule based upon the best interest of the child. Whether a parent is exercising his/her parenting time, whether there are conflicts during the parenting time exchanges, and whether a parent is prompt in the pickup and return of the child are examples of factors that this Court will consider in determining what is in the child's best interest.

G. Illness of Child: Parenting time with the non-residential parent shall take place even if the child is ill unless the child is hospitalized or a physician has recommended that the child not be removed from the residential parent's home, in which case immediate notice shall be given to the non-residential parent. All parenting time that is missed under this provision shall be made up as soon as the child recovers. All prescribed medication shall be exchanged between the parents.

If a child becomes ill or injured during parenting time warranting emergency medical or dental care, the parent with the child shall secure appropriate treatment and notify the other parent as soon as possible.

H. Clothing: The residential parent shall provide sufficient, appropriate, clean clothing for every parenting time consistent with the lifestyle of the residential parent and the children. IF the planned parenting time activities require special or unusual clothing needs, the non-residential parent shall notify and request such clothing from the residential parent at least two days in advance of the parenting time. The residential parent is under no obligation to comply with the request if the children do not have the type of clothing requested. All clothing sent by either parent shall be returned immediately after the parenting time.

The non-residential parent shall return the clothing washed and cleaned if his or her parenting time exceeds four days.

I. **Travel notification:** IF either parent intends to travel with the children, he or she shall give the non-traveling parent reasonable advance notice of the travel dates, at least forty-eight (48) hours prior to the departure; written detailed information as to the destination, accommodations, method of travel (including name of airline and flight number of other such detailed information depending on the mode of travel); and a telephone number where the traveling parent or the children may be reached while away from home.

J. **Contact information and access to records:** Each parent shall keep the other informed of the names, addresses, telephone numbers of the children's health care, schools, and consistent child care providers.

Both parents shall have access to the children's medical, dental, optometric, psychiatric and psychological records.

Both parents shall have access to the children's school records.

Both parents shall have access to the children's baby-sitting, day care, preschool, and/or latchkey records.

Both parents shall have access to the children's religious records.

K. **Extracurricular activities:** The children are entitled to participate in a reasonable amount of activities, school related or otherwise. Parents should communicate and cooperate in order to support their children's activities. Parents are encouraged to attend their children's activities. Scheduled parenting time shall not be delayed or denied because children have other scheduled activities (with friends, work, lessons, sports, etc.). Each parent shall provide the other parent with notice of all activities, school related or otherwise, in which the children participate. Schedules of all activities and the name of the activity leader (including address and telephone number if reasonably available) shall be given to the other parent. Each parent shall provide transportation for the children to their activities during their parenting time. If the parent exercising parenting time is unable to take the child to an activity he/she shall notify the other parent and allow him/her to take the children to their activities.

L. **Car/Booster Seat:** Each parent should have a car/booster seat for any child required by law to ride in one. If the parents are unable to provide separate car/booster seats, the parents shall transfer the car/booster seat when parenting time exchanges occur.

M. **Current address and phone number:** Except as otherwise ordered by the Court, each parent shall keep the other informed of his or her current address and telephone number at all times. Any change of address, or phone number shall be reported to the other parent within 48 hours.

N. **Schoolwork:** Parents shall provide time for the children to study, complete homework assignments, papers, or other school assigned projects, even if completion of this work interferes with the parent's plans with the children. If schoolwork is assigned by the school prior to the parenting time, the residential parent shall inform the other parent of the work to be done and it must be completed during the parenting time.

O. **Physical Appearance:** The non-residential parent shall not alter the physical appearance of the children, including cutting or coloring hair, piercing the body and permanent tattooing, without the prior written consent of the residential parent.