

**CLERMONT COUNTY DOMESTIC RELATIONS COURT  
GUIDELINE PARENTING SCHEDULE**

**This Guideline Parenting Schedule is effective April 26, 2019. This Schedule does not apply to any orders journalized prior to April 26, 2019.**

This Guideline uses the singular term “child” for ease of reading but it includes all of the minor children of the marriage.

**1. GENERAL PARENTING PRINCIPLES**

During and after a divorce, there is often a crisis period (from several months to years) during which families are under great stress because of loss, conflict, and change. Most studies show, and psychologists uniformly agree, that the child who does best following a divorce is from a family that maintains a low level of conflict. The absence of conflict is more critical than the amount of time either parent spends with the child. Although parents may decide to terminate their marriage, parents should never terminate their relationship with their child.

Shared parenting is the preferred method of parenting a child following the termination of a marriage. Shared parenting does not necessarily mean that the child will spend equal time with each parent. Shared parenting means that both parents will continue to be legal custodians and residential parents of their child and will continue to make decisions for their child. Shared parenting requires both parents to respect and trust one another and to act in their child’s best interest. If there is evidence that the parents are unable or unwilling to operate under a Shared Parenting Plan, then shared parenting may not be in the child’s best interest.

If shared parenting is not in the child’s best interest, one parent will be designated the sole residential parent and legal custodian. The other parent has the right to see the child under the parenting schedule, but is not a legal custodian or residential parent.

No specific parenting schedule will satisfy the needs of a child and parents over the years. Critical to the success of any schedule is that each parent remains flexible, based upon the changing needs of the child, as the child grows older. This Guideline Parenting Schedule takes into account the changing developmental needs of a child. This Court recognizes that each situation is different and that each child is different. It is preferred that parents tailor the parenting schedule to meet the specific needs of their child. Consistency in the scheduled time is also helpful for both parents and for a child.

Parents are the best judge of what are their child’s needs. Although parents may consider a child’s wishes and concerns in determining parenting schedules, they are not the controlling factor. If a child indicates a strong opposition to being with the other parent, both parents are responsible for encouraging the child to have a positive relationship with both parents. Both parents must deal appropriately with the situation by calmly discussing with the child his/her reasons. The parents must work together to alleviate these misgivings without confrontation or argument. If they cannot resolve the problem, the parents should seek the assistance of a counselor or other professional. Either parent may file a motion requesting court ordered counseling. It is the absolute duty of each parent to foster an environment which avoids such problems and to make certain that the child has a healthy on-going relationship with both parents.

If parents are unable to agree on a parenting schedule, then this Court will decide what is best for their child. A court imposed parenting schedule is not a judgment by this Court that one parent is better than the other parent. A court imposed parenting schedule is based solely on what is best for the child in the current circumstances.

To maintain frequent contact with a child following a divorce, parents should strongly consider living in the same school district or within close proximity to one another. The farther the distance between the parents’ homes, the more difficult it is for both parents to maintain their involvement with their child.

Parents should create a schedule that works best for their family. In creating a schedule, parents should consider all of the following:

- A. The developmental needs and age of their child;
- B. The activities in which their child are involved;
- C. Whether their child has any special needs;
- D. The preservation or development of a close relationship with each parent;
- E. Each child's temperament and ability to handle change; and
- F. The parents' career demands and work schedules

\_\_\_\_\_ (“Parent 1”) will have parenting time with the child under the following schedule.  
 Insert Parent's Name

\_\_\_\_\_ (“Parent 2”) will have parenting time with the child at all other times.  
 Insert Parent's Name

**2. WEEKLY SCHEDULE**

**A. Birth to Sixteen Years**

As a child matures, he/she will often have extracurricular and peer group activities. Both parents should continue to support their child in these activities to the same extent they would had if the marriage not been terminated. 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. Neither parent, however, may use his/her authority to schedule extracurricular activities in a manner that defeats or seriously infringes on the other parent's ability to spend time with the child.

Parent 1 will have parenting time alternating weekly as follows:

Week A: Wednesday at 8:00 a.m. until Monday at 8:00 a.m. If the child has school on Wednesday morning, then Parent 1 will pick up the child after school on Wednesday. If the child does not have school on Wednesday morning, then Parent 1 will pick up the child at 8:00 a.m. on Wednesday. Parent 1 must provide transportation from school on Wednesday, to and from school on Thursday and Friday, and to school on Monday morning. If the child does not have school on Monday morning, Parent 1 must return the child to Parent 2 or the child care provider by Monday at 8:00 a.m.

Week B: Wednesday at 8:00 a.m. until Friday at 8:00 a.m. If the child has school on Wednesday morning, then Parent 1 will pick up the child after school on Wednesday. If the child does not have school on Wednesday, then Parent 1 will pick up the child at 8:00 a.m. on Wednesday. Parent 1 must provide transportation from school on Wednesday, to and from school on Thursday, and to school on Friday. If the child does not have school on Friday, Parent 1 must return the child to Parent 2 or the child care provider by Friday at 8:00 a.m.

BIRTH TO AGE SIXTEEN YEARS PARENTING SCHEDULE							
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Week A			Begins at 8 a.m.	O	O	O	O deliver to school, Parent 2 or child care by Monday at 8 a.m.
Week B			Begins at 8 a.m.	O	Deliver to school, Parent 2 or child care by 8 a.m.		

O means overnight

**B. Age Sixteen 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 marriage. 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.

Parent 1 will have parenting time as follows:

Alternating weekends from Friday at 6 p.m. until Monday morning. If school is in session, Parent 1 is responsible for taking the child to school on Monday morning. If school is not in session, Parent 1 must return the child to Parent 2 by Monday at 10 a.m. Parents should respect an older child's need to spend time with peers and in organized activities, and less time with each parent.

C. Siblings in different age groups

If a family has a child in Brackets 2A and 2B above, then Parent 1 will have parenting time with the child according to each child's bracket.

**3. ADDITIONAL PARENTING TIME**

A. <u>Holidays</u>	Even Numbered Years	Odd Numbered Years	<u>Schedule</u>
New Year's Day*	Parent 1	Parent 2	12/31 6:00p.m. to 1/1 6:00p.m.
Martin Luther King Day	Parent 2	Parent 1	Sunday 6:00p.m. to Monday 6:00p.m.
President's Day	Parent 1	Parent 2	Sunday 6:00p.m. to Monday 6:00p.m.
Easter	Parent 2	Parent 1	Saturday noon to Sunday 6:00p.m.
Memorial Day	Parent 1	Parent 2	Sunday 6:00p.m. to Monday 6:00p.m.
Fourth of July	Parent 2	Parent 1	11:00a.m. to 11:00p.m.
Labor Day	Parent 1	Parent 2	Sunday 6:00p.m. to Monday 6:00p.m.
Halloween (Beggar's Night)**	Parent 2	Parent 1	5:00p.m. to 9:00p.m.
Thanksgiving	Parent 1	Parent 2	Wednesday 6:00p.m. to Friday 6:00p.m.
Christmas Eve	Parent 1	Parent 2	12/23 noon to 12/24 9:00p.m.
Christmas Day	Parent 2	Parent 1	12/24 9:00p.m. to 12/26 6:00p.m.
Mother's Day***	Mother	Mother	10:00a.m. to 9:00p.m.
Father's Day***	Father	Father	10:00a.m. to 9:00p.m.
Child's Birthday (school)****	Parent 1	Parent 2	5:00p.m. to 9:00p.m.
Child's Birthday (no school)****	Parent 1	Parent 2	9:00a.m. to 9:00p.m.

\*The year in which New Year's Day falls determines whether the holiday is in 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 Parent 1 and Parent 2 are the same sex, Parent 1 will have parenting time from 10:00a.m. to 9:00p.m. on Mother's Day in even years and Father's Day in odd years, and Parent 2 will have parenting time from 10:00a.m. to 9:00p.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.

Parents may celebrate additional days of special meaning in which the child should be permitted to participate. These days of special meaning include, but are not limited to, a parent's wedding, extended family

members' birthday celebrations, anniversaries, religious holidays, and cultural holidays. Holidays of religious or cultural significance should be allocated between the parents in their parenting order.

**B. Extended Time**

Each parent is entitled to three weeks of additional parenting time each year, two of which may be consecutive. A week is a period not exceeding seven consecutive days. If a parent does not use the full seven days of extended time, those unused days are forfeited.

Extended parenting time may not be tacked on to the parent's regular parenting schedule. If a parent is exercising seven or more consecutive days of parenting time, the other parent must have at least one overnight parenting time immediately prior to and one overnight parenting time immediately after the consecutive days of parenting time. If a parent is exercising extended parenting time but the total time is less than seven consecutive days, there is no requirement that the other parent have overnight parenting time immediately prior to or immediately after the extended parenting time.

Each parent will provide the other parent with his or her vacation destination, method of travel, times of arrival and departure, and the telephone number where the child can be reached if extended time is going to occur out of town. The vacationing parent must provide this information to the non-vacationing parent at least 14 calendar days prior to the start of the vacation. A parent is not required to travel out of town or use vacation time from work in order to exercise extended parenting time.

Each parent must notify the other parent in writing of the times desired for these extended periods, at least 30 days prior to the requested extended parenting time. Where there is a conflict between the parents, the parent who first gave written notice to the other parent prevails.

**4. ORDER OF PREFERENCE**

In the event of a conflict, the order of preference for parenting time is: (1) holidays; (2) extended periods; (3) weekly schedule.

**5. MISCELLANEOUS**

A. Unless otherwise specified in this Schedule, Parent 1 must provide transportation at the beginning of his/her parenting time and Parent 2 must provide transportation at the end of Parent 1's parenting time. 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 be under the influence of alcohol or use illegal drugs or other substances while transporting the child.

B. Each parent may have reasonable telephone and email contact with the child.

C. 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. 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 his/her specific parenting time forfeits that specific time.

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

F. Either parent may request a modification of parenting time by filing a motion to modify. This Court will modify a parenting time 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.

## 6. STATUTORY NOTICES

**RELOCATION NOTICE:** Pursuant to R.C. 3109.051(G), the parents are notified as follows: If either parent intends to move to a residence other than the last residence of court record, he/she must file a notice of intent to relocate with the Clerk of Courts. Except as provided in R.C. 3109.051(G)(2), (3) and (4), the Clerk of Courts will mail a copy of the notice to the other parent. On receipt of the notice, this Court, on its own motion or on the motion of the other parent, may schedule a hearing with notice to both parents to determine whether it is in the best interest of the child to revise the parenting schedule.

Pursuant to DR 23 neither parent/legal custodian may relocate the child outside of a 75 mile radius of the residence address of the residential parent (sole custody) or the other residential parent (shared parenting) at the time of the last parenting time order without first obtaining a modified parenting time order. The parents may file a motion and submit an agreed entry modifying parenting time, with a provision for allocation of transportation expenses, which complies with DR 36, to the Court for adoption by the Court as an order.

If the parents are unable to agree, the parent filing the Notice to Relocate must, prior to relocation, 1) file a motion asking the Court to modify the parenting time schedule, 2) set a hearing, and 3) obtain a modified parenting time order. The motion must include the notice of relocation new residence address unless not required under R.C.3109.051(G)(2). Because relocating a child can be harmful to the parent/child relationship, the Court will not continue hearings to address a modification of the parenting schedule due to an imminent relocation except in extreme circumstances.

**RECORDS ACCESS NOTICE:** Pursuant to R.C. 3109.051(H) and 3319.321(B)(5)(a), the parents are notified as follows: Except as specifically modified or otherwise limited by court order or by law, both parents are entitled to equal access to any record related to the child, including school and medical records. Any keeper of a record, public or private who knowingly fails to comply with this order is in contempt of court.

**DAY CARE CENTER ACCESS NOTICE:** Pursuant to R.C. 3109.051(I), the parents are notified as follows: Except as specifically modified or otherwise limited by court order or by law, both parents are entitled to equal access to any day care center that is or will be attended by the child.

**SCHOOL ACTIVITIES NOTICE:** Pursuant to R.C. 3109.051(J), the parents are notified as follows: Except as specifically modified or otherwise limited by court order or by law, both parents are entitled to equal access to any student activity related to the child. Any school official or employee who knowingly fails to comply with this order is in contempt of court.