

LOCAL RULE 7 -PARENTING TIME/VISITATION/COMPANIONSHIP

Standard Parenting Time (Visitation) Guidelines and Rules

These rules set forth specific times for Parenting Time (visitation) to enable child(ren) to spend an equitable amount of time with both their parents in consideration of their age, educational and extracurricular obligations and their parents' work schedules. The times designated are designed to give the child(ren) specific periods that they can plan on to be with their parents and to provide them with stability, order and continuity.

These rules are not created to give parents legal weapons to use against each other. The Court will consider a parent's breach of an obligation, first in the light of the effect it has on the child(ren), and secondly, its effect on the other parent. Parenting Time (visitation) is a time for child(ren) to spend with the parent they do not live with. Liberal visiting arrangements are encouraged, as contact with both parents is important to the child(ren). **Specific items in the Journal Entry of the Court or a parenting plan adopted by the Court will take precedence over this schedule.**

At the outset, **visitation should be at such times and places as the parents can agree.** If the parents are unable to agree, then visitation shall be no less than the following:

REGULAR PARENTING TIME (VISITATION):

Visitation by the non-residential parent shall be on alternating weekends from Friday at 7:00 p.m. to Sunday at 7:00 p.m. (the beginning and ending times may vary to accommodate the work schedules of the parties). This alternating weekend schedule shall not change, even if interrupted by holiday and birthday, and/or summer parenting time.

The non-residential parent shall have weekly parenting time from 5:30 p.m. to 8:30 p.m. (at least one evening per week). The beginning and ending times may be varied by agreement to accommodate the work schedules of the parties, the schedule of the children and the appropriate bedtime for children during the school year. If the parties are unable to agree upon the day of the week for this time, Wednesday will be used unless otherwise ordered by the Court.

Additionally, there shall be visits at such other times as the parents may agree. Although the parents are not obligated to do so, the Court encourages additional visitation.

HOLIDAYS AND DAYS OF SPECIAL MEANING:

Unless otherwise indicated, holiday visitations shall commence at the regular hour as set for the commencement of weekend visitation and shall end at the regular hour set for the ending of weekend visitation. Listed holiday and days of special meaning visitation shall take precedence over regular and summer visitations.

The child(ren) shall spend **Mother's Day** in the companionship of the mother commencing at 7:00 p.m. the Friday before Mother's Day and concluding at 7:00 p.m. on Mother's Day. The child(ren) shall spend **Father's Day** in the companionship of the father commencing at 7:00 p.m. the Friday before Father's Day and concluding at 7:00 p.m. on Father's Day.

The child's birthday shall be spent with the mother in even numbered years and the father in odd-numbered years, provided that the visiting parent gives one week's notice of his or her intent to exercise such birthday visitation. Such visitation shall take place from 5:00 p.m. to 8:00 p.m. Visitation for the child's birthday shall take precedence over all other visitation schedules.

The parents shall have the child(ren) on the holidays as follows:

EVEN YEARS

MOTHER	FATHER
Martin Luther King Day- Friday at 7:00 p.m. to Monday at 7:00 p.m.	President's Day- Friday at 7:00 p.m. to Monday at 7:00 p.m.
Memorial Day- Friday at 7:00 p.m. to Monday at 7:00 p.m.	Easter- Thursday at 7:00 p.m. to Sunday at 7:00 p.m.
Labor Day- Friday at 7:00 p.m. to Monday at 7:00 p.m.	July 4 th – If the 4 th falls on Tuesday, Wednesday, or Thursday, the time shall commence at 7:00 p.m. on July 3 until 9:00 a.m. on July 5. If the 4 th falls on Sunday or Monday, the time shall commence on Friday night at 7:00 p.m. and conclude July 5 at 9:00 a.m. If the 4 th falls on Friday or Saturday, parenting time shall commence at 7:00 p.m. on July 3 rd and conclude Sunday at 7:00 p.m.
Veteran's Day Friday at 7:00 p.m. to Monday at 7:00 p.m.	Thanksgiving Day- Wednesday at 7:00 p.m. to Sunday at 7:00 p.m.
Christmas – December 22 or the Beginning of the Christmas school holiday (whichever is earlier and even if the child(ren) is/are not of school age) at 7:00 p.m. to noon on December 25	Christmas-Noon on December 25 for the remainder of the Christmas holiday until 7:00 p.m., being the evening before school resumes (whether the children are of school age or not)

During the ODD YEARS this shall be reversed.

Holiday visitation shall take precedence over regular parenting time and summer visitation.

SUMMER VISITATION:

Each parent shall have summer visitation with the child(ren). The non-residential parent shall not be permitted to exercise his/her right to summer visitation with the child(ren) unless he/she has maintained a consistent and regular visitation schedule with the child(ren).

Each parent shall be entitled to five (5) weeks of uninterrupted parenting time each year to be exercised in blocks of time consisting of fourteen (14) or seven (7) consecutive days per time period.

(1) Unless otherwise ordered, the uninterrupted parenting time shall be used during the summer months, which shall begin the Sunday after the school year ends and end the Sunday before the new school year begins. This uninterrupted parenting time shall not interfere with the child(ren)'s school, school-related activities, and extracurricular activities.

(2) Absent the agreement of the parties, the seven (7) day and fourteen (14) day periods shall commence on Friday at 7:00 p.m., at the beginning of the requesting parent's regularly scheduled weekend, and terminate on the following Friday at 7:00 p.m., or second Friday at 7:00 p.m. if exercising the fourteen (14) day period.

(3) Unless otherwise agreed in writing or ordered by the Court, the parent intending to exercise uninterrupted parenting time shall give at least thirty (30) days advanced written notice to the other parent. If both parties desire the same week(s), then the parent that gave advanced notice first shall be entitled to said week(s).

(4) Unless otherwise ordered, holiday parenting time and days of special meaning shall take precedence over weekend parenting time and summer visitation.

GENERAL GUIDELINES AND RULES REGARDING PARENTING TIME:

Waiver of Visitation:

Failure to give notice of not exercising visitation is a waiver of that visitation.

The non-residential parent must give 24-hour advance notice of intent NOT to exercise parenting time. Unless prior arrangements are made, a parent who does not exercise the parenting time forfeits that time. Failure to exercise scheduled time is upsetting to the child(ren). A parent who continually fails to exercise this right may have parenting time modified and may be subject to other legal remedies by motion of the other parent. Visitation shall not terminate support for that period of time, unless by specific order, since the weekly rate is adjusted for those periods of visitation and summer visitation at the non-custodial residence.

Transportation:

With the exception of midweek parenting time, the receiving parent shall transport the child at the start of his/her parenting time period. This means that the parents, unless otherwise agreed to by both parents or unless ordered by the Court, shall share the transportation of the child equally. The non-residential parent shall be solely responsible for transporting the minor child(ren) to and from the midweek parenting time. A parent, if unavailable for the pick-up of the child, shall have a responsible adult, well-known to the child, provide substitute transportation for the child. All child restraint laws must be complied with by any person driving with the child. No person transporting the child may be under the influence of drugs or alcohol. Only licensed drivers may transport the child. Unless otherwise ordered by the Court or agreed to by the parties, the child shall be dropped off/picked up at the parent's homes. If the child is to be picked up from a daycare or school facility which requires written consent for the pickup, the residential parent shall sign such written consent prior to the commencement of any parenting time period.

Both parties shall be diligent in having the child(ren) ready and available at the appointed times and the non-residential parent shall be prompt in picking up the child(ren), provided however, that the non-residential parent shall have a grace period of thirty (30) minutes for pickup. In the event that the non-residential parent exceeds the grace period, the visitation for the weekend is forfeited, unless prior notification and arrangements have been made.

Clothing:

The residential parent shall send with the child(ren) on visitation sufficient clothing and outer wear appropriate for the season to last the period of visitation. In the case of infants, sufficient bottles, formula and diapers to last the weekend or for the travel time plus one day for summer vacation.

Schoolwork:

A parent must provide time for any child to study and complete homework assignments, papers or other school assigned projects, even if the completion of this work interferes with a parent's plans with the child.

School and Day Care records, and notices:

The residential parent shall contact the administrator of the school that the child(ren) attends and cause the school to enter in its student records the name, residence address and telephone number of the non-residential parent and any information the school may need to reach the non-residential parent for routine or emergency reasons.

The residential parent shall direct and authorize the school to release any and all information concerning the child(ren) to the non-residential parent. The non-residential parent shall be responsible to contact the school to make such arrangements as are necessary to timely provide to the non-residential parent copies of all grade reports, notices and bulletins that the residential parent would routinely receive from the school.

Child(ren)'s Activities:

Regardless of where the child is living, the child's participation in extracurricular activities, whether school-related or otherwise, shall not be interrupted because of parenting time. The parent with whom the child is residing at the time of an activity shall transport the child to the activity, unless otherwise agreed by the parties, in advance of the parenting time period. Each parent shall fully inform the other parent of any organized activities of the child, in advance, complete with a schedule and the name and contact information for any activity leader, if available.

The purpose of visitation and companionship schedules is to provide the child(ren) time to spend with their non-residential parent. The Court will not look favorably on any parent who consistently leave the child(ren) with baby-sitters or other non-family persons while the parent pursues their own pleasures or entertainment and will consider the same a violation of these Rules.

Medical, dental and optical care:

The child(ren) shall continue to be cared for by the same health care providers that attended them during the time prior to a filing with the Court unless otherwise agreed to by the parties, or for geographic reasons is not practical. If a child is ill, requiring medication or consultation with a doctor/dentist, each parent must notify the other as soon as possible. If the child becomes ill or injured while with the residential parent prior to a scheduled parenting time period, the parent must contact the other parent and discuss the advisability of parenting time while considering the best interest of the child as the primary concern.

Routine medical, dental and optical care will be arranged by, and be the responsibility of, the residential parent. Consulting with the non-residential parent is not required before such routine care is undertaken. Either parent who has the physical custody of the child(ren) at the time, shall promptly notify the other of any illness or injury that requires the child(ren) to be seen or treated by a doctor or other health care provider.

Neither parent shall subject the child(ren) to a piercing or tattooing of any part of their anatomy, or allow the child(ren) to do so on their own, without the consent of the other parent.

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.

Relocation:

Either parent must notify the other in writing at least thirty (30) days in advance of his/her intent to change residence. Each parent shall provide a current address and telephone number to the other parent at all times. The parties shall also comply by notifying the Court and Child Support on any change in address within thirty (30) days prior to moving.

Address and Telephone Numbers:

Unless the Court orders otherwise, each parent shall keep the other parent informed of his/her current address and telephone/cell/text number, and an alternate telephone number in the event of an emergency. Absent an order of the Court, no parent shall put a block on his/her phone prohibiting the other parent from calling. Voicemails for both parents are encouraged, in order to facilitate communication. If either parent takes the child outside the county in which that parent resides, for a period of 48-hours or more, that parent must provide the other parent with the destination, times of arrival and departure, and method of travel and a telephone number where the child can be reach in case of an emergency.

Obligations imposed on both parents

When exercising parenting time, a child may exhibit a strong emotional reaction when saying good-bye to either parent. Child mental health professionals concur that this emotional response is generally quite normal, especially with young child(ren), and does not mean that the child does not love the other parent or does not want to spend time with the other parent. Both parents need to calmly reassure the child that the child will see the other parent soon. The length of the adjustment will vary. If a child indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation. Parents should comfort and calmly talk with the child, and provide reassurance. Confrontation and unpleasant scenes are to be avoided. If the matter is not settled, either parent should seek the immediate assistance of a mental health professional, or file a motion with the Court. As uncomfortable as this issue may be for a parent, this issue should not remain unresolved. **IT IS THE DUTY OF THE RESIDENTIAL PARENT TO TAKE ALL REASONABLE MEASURES TO MAKE SURE THAT THE CHILD GOES FOR THE PARENTING TIME PERIOD.**

Mutual respect:

Neither parent shall criticize the other or allow a subsequent spouse or significant other to do so in the presence of the child(ren). A parent should not, nor permit any other person to, suggest, encourage or require a child to refer to any person other than the child's parents as "mom" or "dad", etc.

Discipline:

It is presumed that the parents will use consistent discipline between the households and will communicate with each other concerning the need for discipline of the child(ren). If the parents disagree over the appropriate discipline or solutions to the child(ren)'s behavior, they should seek the help of a professional. Examples of concern are decline in grades, truancy problems, delinquency, or drastic changes in behavior.

Communication between parents:

Both parents will communicate directly with each other regarding any matters involving their child(ren). Neither parent will communicate with the other through subsequent spouses, significant others, relatives or the minor child(ren) unless such communications are amicable and are of minor significance. **UNDER NO CIRCUMSTANCES SHALL A PARENT USE THE CHILD(REN) TO COMMUNICATE WITH THE OTHER PARENT.**

It is the parent's responsibility, not the child(ren), to make all parenting time arrangements. It is not the child's responsibility to mediate or become involved in parental differences over parenting times, dates or activities. If the parties are unable to communicate with each other, they may use other adults or the OurFamilyWizard program to make parenting time arrangements. The best solution is to seek professional help to improve their ability to communicate for the best interest of their child(ren).

Communication between parent and child(ren):

Both parents shall encourage free communications between the child(ren) and the other parent. Neither parent shall do anything to impede or restrict communications by E-mail, text, fax, or regular mail between the child(ren) and the other parent, whether the same is initiated by the child(ren) or the other parent.

The non-residential parent shall have the right to reasonable telephone access to the child(ren) when they are with the residential parent. The residential parent shall have the right to reasonable telephone access to the child(ren) when they are with the non-residential parent.

Non-Compliance:

Any of the rights or responsibilities outlined in this schedule may be enforced by the Court after the filing of the appropriate motion of either party. A parent may not withhold parenting rights because the other party does not obey another Court Order, including, but not limited to, the payment of child support. A parent who willfully fails to comply with this schedule may be found guilty of contempt of Court.

The parents are advised that it is a violation of law for any person to obtain or attempt to obtain from a child a written or recorded statement setting forth the child's wishes and concerns regarding the allocation of parental rights. ORC 3109.04(B)(3).

In all cases that involve minor child(ren), it shall be the responsibility of the Attorney of record to cause a copy of these Rules to be delivered to his/her client. Said attorney shall make reasonable efforts to make sure his/her client reads and understands these Rules.

These are guidelines concerning parental rights and responsibilities and they will be changed or modified by the Court if it is shown that there is a need for such change. The Court also recognizes that it is impossible to devise a set of rules that will apply in each and every case and therefore encourages the parties to attempt to work out their differences on their own keeping in mind, the best interests of their child(ren).

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