

# KLAMATH COUNTY STANDARD PARENTING PLAN

## **1. IMPORTANT DEFINITIONS**

Joint or Sole Legal Custody - The terms sole and joint custody indicate how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children's education, residence, non-emergency health care and religious training. The terms sole and joint custody have nothing to do with the amount of time that children spend with either parent, nor do they affect child support calculations. The court cannot order joint custody unless both parents agree to it.

Parent A – This is the parent that has sole legal custody or, if there is joint legal custody, the residential parent. The child(ren) attend school in the district where this parent lives.

Parent B – This is the parent that does not have sole legal custody or, if there is joint legal custody, the nonresidential parent.

## **2. INTRODUCTION**

There is no one recommended plan but rather three alternatives. The proper alternative should be selected based upon the amount of time the nonresidential parent is able to spend with the child(ren).

First Alternative – Best suited where Parent B wants regular contact but is not able to provide extensive care-giving due to an inflexible work schedule or other circumstances.

Second Alternative – Best suited for a Parent B who is able to have greater contact.

Third Alternative - Best suited for a Parent B who has been involved to a significant extent in the day to day care of the child and is able to have maximum contact.

## **3. PARENTS CAN AGREE TO A DIFFERENT PLAN**

The alternative plans in this document are templates that parents can use as is or modify to create their own plan. Parents can always agree to modify their parenting time. However, if they do not both agree to a modification, parenting time will be as ordered by the court.

#### 4. CHILDREN AGED BIRTH TO 18 MONTHS –

##### First Alternative

(a) Routine Schedule - Parent B will have the child every Sunday from 1:00 p.m. to 3:00 p.m. and every Tuesday and Thursday from 5:30 p.m. to 7:30 p.m.

Week	M	T	W	Th	F	Sa	Su
#1		5:30-7:30		5:30-7:30			1:00-3:00
#2		5:30-7:30		5:30-7:30			1:00-3:00

(b) Holidays – See Holiday and Vacation Schedule on Page 6.

(c) Summers – No change; continue with routine schedule.

##### Second Alternative

(a) Routine Schedule – Parent B will have the child alternating Saturdays from 9:00 a.m. to 5:00 p.m. and every Tuesday and Thursday from 5:30 p.m. to 8:30 p.m.

Week	M	T	W	Th	F	Sa	Su
#1		5:30-8:30		5:30-8:30		9:00-5:00	
#2		5:30-8:30		5:30-8:30			

(b) Holidays – See Holiday and Vacation Schedule on Page 6.

(c) Summers – Each parent will have the child(ren) for the three (3) weeks described below in the summer during which time the routine schedule will stop. Parent B will have the child(ren) from 12:00 noon Friday to 12:00 noon Friday seven (7) days later starting the second Friday in June, July, August. Parent A will have the child(ren) from 12:00 noon Friday to 12:00 noon Friday seven (7) days later starting the third Friday in June, July, and August.

Third Alternative

(a) Routine Schedule – In the first week Parent B will have the child every Tuesday and Thursday from 5:30 p.m. to 8:30 p.m. and from Friday at 6:00 p.m. to Sunday at 6:00 p.m. In the second week Parent B will have the child Tuesday, Wednesday and Thursday from 5:30 p.m. to 8:30 p.m. These weeks continue to alternate.

Week	M	T	W	Th	F	Sa	Su
#1		5:30-8:30		5:30-8:30	6:00pm		6:00 p.m.
#2		5:30-8:30	5:30-8:30	5:30-8:30			

(b) Holidays – See Holiday and Vacation Schedule on Page 6.

(c) Summers – In June, July, or August each parent will have the child(ren) for an uninterrupted two (2) week block of time. Parent B must notify Parent A before April 1<sup>st</sup> which two (2) weeks he/she chooses. If Parent B fails to give that written notice before April 1<sup>st</sup>, he/she is still entitled to exercise their summer parenting time but Parent A can then choose the dates. In that situation Parent A must notify Parent B which two (2) weeks he/she chooses by May 1<sup>st</sup>.

**5. CHILDREN OVER 18 MONTHS**

First Alternative

(a) Routine Schedule – Alternating weekends commencing at 6:00 p.m. on Friday and ending at 6:00 p.m. on Sunday; and every other week from 6:00 p.m. to 8:00 p.m. on the Monday preceding Parent B’s weekend with the children.

Week	M	T	W	Th	F	Sa	Su
#1	6:00-8:00				6:00pm		6:00 p.m.
#2							

(b) Holidays – See Holiday and Vacation Schedule on Page 6.

(c) Summers – Whether or not the child(ren) is/are in school, Parent B will have the child(ren) for a period of thirty-five days (5 weeks) during the period of school summer visitation. “Alternate weekends” are discontinued for the school summer vacation. However, in the event that a parent has the child(ren) for more than nineteen (19) consecutive days, the other parent will have the right to have the child(ren) on the third weekend after the commencement of the extended parenting time.

Before April 1<sup>st</sup> of each year, Parent B must notify Parent A in writing the dates of the summer parenting time periods. If Parent B fails to give that written notice before April 1<sup>st</sup>, she or he is still entitled to exercise their summer parenting time but Parent A can then choose the dates. In that situation Parent A must notify Parent B which dates he/she chooses by May 1<sup>st</sup>.

Second Alternative

(a) Routine Schedule – Alternating weekends commencing at 6:00 p.m. on Thursday and ending at 8:00 am, (or when school starts) on Monday, and every other week from 5:30 p.m. to 8:00 p.m. on the Thursday following Parent B’s weekend with the child(ren).

Week	M	T	W	Th	F	Sa	Su
#1				6:00 p.m.			
#2	8:00 a.m.			5:30-8:00			

(b) Holidays – See Holiday and Vacation Schedule on Page 6.

(c) Summers - Whether or not the child(ren) is/are in school, Parent B will have the child(ren) for a period of thirty-five days (5 weeks) during the period of school summer visitation. “Alternate weekends” are discontinued for the school summer vacation. However, in the event that a parent has the child(ren) for more than nineteen (19) consecutive days, the other parent will have the right to have the child(ren) on the third weekend after the commencement of the extended parenting time.

Before April 1<sup>st</sup> of each year, Parent B must notify Parent A in writing the dates of the summer parenting time periods. If Parent B fails to give that written notice before April 1<sup>st</sup>, she or he is still entitled to exercise their summer parenting time but Parent A can then choose the dates. In that situation Parent A must notify Parent B which dates he/she chooses by May 1<sup>st</sup>.

Third Alternative

NOTE: This is a 50-50 plan and each parent will have the child(ren) one-half of the time.

(a) Routine Schedule – Parents have the same two consecutive weekdays every week and alternate weekends. Provides each parent with whole weekends with and without the child(ren).

Weekends: Alternating from Friday at 3:00 p.m. to Monday at 8:00 a.m.

Parent A: (Weekdays) every week, from Monday at 8:00 a.m. to Wednesday at 8:00 a.m.

Parent B: (Weekdays) every week, from Wednesday at 8:00 a.m. to Friday at 3:00 p.m.

Week	M	T	W	Th	F	Sa	Su
#1	8:00 a.m.		8:00 a.m.		3:00 p.m.		
#2	8:00 a.m.		8:00 a.m.		3:00 p.m.		

(b) Holidays - See Holiday and Vacation Schedule on Page 6.

(c) Summers - From the time school is out until it begins, each parent will have the child(ren) for alternating two (2) week blocks of time with Parent A having the first two week block in odd years and Parent B having the first two week block in even years.

Before April 1<sup>st</sup> of each year, Parent B must notify Parent A in writing the dates of the summer parenting time periods. If Parent B fails to give that written notice before April 1<sup>st</sup>, she or he is still entitled to exercise their summer parenting time but Parent A can then choose the dates. In that situation Parent A must notify Parent B which dates he/she chooses by May 1<sup>st</sup>.

**6. HOLIDAY AND VACATION SCHEDULE**

If conflicts develop with holiday and vacation parenting time, then the parent entitled to holiday and vacation time will have the child(ren). Holiday and vacation parenting time will not work to change the routine schedule nor will it “restart” the routine parenting time schedule.

If holiday parenting time conflicts with vacation parenting time, then the parent entitled to holiday time shall have the children unless the parties otherwise agree in writing. If two scheduled holiday parenting times conflict, the conflict will be resolved in favor of Parent B in even years and Parent A in odd years.

(a) Holiday and vacation schedule. Whether or not the child(ren) are enrolled in school, the child(ren) will spend time with his/her/their parents on holidays according to the following plan:

	<u>Parent B</u>	<u>Parent A</u>
Martin Luther King Day	Odd years	Even years
President's Day	Even years	Odd years
Spring Break	Odd years	Even years
Easter	Even years	Odd years
Memorial Day	Odd years	Even years
4 <sup>th</sup> of July	Even years	Odd years
Labor Day	Odd years	Even years
Halloween	Even years	Odd years
Thanksgiving	Odd years	Even years
Winter Vacation	<i>(Split between parents; see following rules)</i>	
Child's Birthday	Even years	Odd years
Mother's Day and Mother's Birthday	Mother – every year	
Father's Day and Father's Birthday	Father- every year	

(b) Winter vacation.

CHILDREN AGED BIRTH TO 18 MONTHS. Parent B will have the child(ren) on December 25<sup>th</sup> from 9:00 a.m. until 6:00 p.m. in even numbered years and Parent A will have that time in odd numbered years. Parent B will have the child(ren) on December 24<sup>th</sup> from 9:00 a.m. until 6:00 p.m. in odd numbered years and Parent A will have that time in even numbered years.

CHILDREN OVER 18 MONTHS. Whether or not the child(ren) is/are in school during the period of school winter vacation in the district in which they reside, parenting time for Parent B will be for 9:00 a.m. the day after school adjourns through noon on December 26<sup>th</sup> in even numbered years and Parent A will have that time in odd numbered years. In odd numbered years Parent B will have the child(ren) from noon on December 26<sup>th</sup> until noon the day before school reconvenes and Parent A will have that time in even numbered years.

(c) Thanksgiving.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child(ren) from 9:00 a.m. until 6:00 p.m. on Thanksgiving Day according to the odd/even designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child(ren) from Wednesday evening prior to Thanksgiving at 6:00 p.m. until the following Sunday at 6:00 p.m. according to the odd/even designation.

(d) Easter.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child(ren) on Easter Sunday from 9:00 a.m. to 6:00 p.m. according to the odd/even designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child(ren) from the Saturday preceding Easter Sunday at 5:00 p.m. until Easter Sunday at 7:00 p.m. according to the odd/even designation.

(e) Memorial Day, Labor Day, Martin Luther King Day and President's Day.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child(ren) on the day of the holiday from 9:00 a.m. until 6:00 p.m. according to the odd/even year designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child(ren) from the Friday preceding the holiday at 6:00 p.m. until 6:00 p.m. the day of the holiday according to the odd/even numbered year designation.

(f) Fourth of July.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child(ren) on July 4<sup>th</sup> from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child(ren) according to the odd/even designation as described in this paragraph. If this holiday does not fall on Friday, Saturday, Sunday, or Monday, parenting time will be from 9:00 a.m. on July 4 until 9:00 a.m. on July 5. If this holiday falls on a Friday, parenting time will be from 7:00 p.m. on Thursday July 3 until 7:00 p.m. on the following Sunday. If this holiday falls on a Saturday, parenting time will be from 7:00 p.m. on Friday until 7:00 p.m. on Sunday. If this holiday falls on a Sunday, parenting time will be from 7:00 p.m. on Friday until 9:00 a.m. on Monday. If this holiday falls on a Monday, parenting time will be from 9:00 a.m. on Saturday until 9:00 a.m. on Tuesday.

(g) Halloween.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child(ren) from 4:00 p.m. to 8:00 p.m. Halloween Day according to the odd/even designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child(ren) from 4:00 p.m. to 10:00 p.m. Halloween Day according to the odd/even designation.

(h) Children's Birthday.

CHILDREN AGED BIRTH TO 18 MONTHS. Parents A and B will have the child on the child's birthday from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

CHILDREN OVER 18 MONTHS. Parents A and B will have the child on the child's birthday from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

(i) Spring Break.

CHILDREN AGED BIRTH TO 18 MONTHS. No change from ROUTINE SCHEDULE.

CHILDREN OVER 18 MONTHS. Parent B will have the child(ren) from 9:00 a.m. on the day after school adjourns until 6:00 p.m. on the last Saturday of spring vacation in odd years. Parent A will have the child(ren) after school adjourns prior to spring break until school commences after spring break in even years.

(j) Mother's and Father's Days and Parent's Birthdays.

CHILDREN AGED BIRTH TO 18 MONTHS. The mother will have the child(ren) with her on Mother's Day and on her birthday from 9:00 a.m. until 6:00 p.m. The father will have the child(ren) with him on Father's Day and on his birthday from 9:00 a.m. until 6:00 p.m.

CHILDREN OVER 18 MONTHS. The mother will have the child(ren) on Mother's Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Sunday and on her birthday from 9:00 a.m. until 6:00 p.m. The father will have the child(ren) on Father's Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Sunday and on his birthday from 9:00 a.m. until 6:00 p.m.

## **7. PARENTING TIME ARRANGEMENTS**

### Transportation

All parenting time periods must be exercised in a prompt manner so that both parties can make their plans accordingly. Parent B must pick up the child(ren) from the front steps of Parent A's residence no earlier than 15 minutes before and not later than 30 minutes after the parenting

time period commences. Parent A shall pick up the child(ren) from Parent B's residence no earlier than 15 minutes before and not later than 30 minutes after the parenting time period ends.

#### Meals and Clothes

Parent A must have the child(ren) fed and ready on time with sufficient clothing packed and ready for Parent B's parenting time. Parent B must return all the clothing that accompanied the child(ren) and must have them fed before they return to Parent A.

#### Medications

If the child(ren) have been prescribed medication that is to be administered during the parenting time, Parent A should provide the medication(s) to Parent B along with any instructions regarding the medication(s).

#### Making Up Missed Parenting Time

Only substantial medical reasons will be considered sufficient for postponement of parenting time. If a child is so ill that parenting time is canceled, makeup parenting time will occur on the following weekend. If, however, Parent B fails to exercise his/her parenting time, there will be no makeup time.

#### Parenting Time Is Not The Child(ren)'s Decision

The child(ren) will not be permitted to determine whether they wish to visit with Parent B. Parent A and the child(ren)'s personal plans, school activities, church activities and other considerations are not reasons for failing to adhere to this parenting time schedule.

#### Apply Plan with Flexibility

The time sharing schedule should be construed and implemented in a way which fosters the child(ren)'s best interests by providing liberal, predictable, and wholesome time between the parents and the child(ren).

While this schedule will promote stability for the child(ren), each parent shall acknowledge that reasonable adjustments will be needed from time to time and that an element of flexibility will be required in administering this parenting time schedule. Each parent shall be flexible in arranging dates and times with the child(ren) so important family events and the child(ren)'s activities are maintained with minimal disruption or hard feelings.

## Activities

Each parent shall act reasonably in registering the child(ren) for activities keeping in mind that neither parent should be entitled to schedule activities for the child(ren) which will take place during the other parent's time with the child(ren). On the other hand, there are natural activities which occur (such as school, athletic, and other programs) that, by their very nature, take place on the other parent's weekend.

(1) Although neither parent is required to take a child to any activity, each parent is encouraged to use his or her best effort to keep the child(ren) involved in athletic events, school functions, lessons, birthday parties of playmates, etc., even though those activities may fall during a visitation period. To do otherwise would deprive the child(ren) of valuable growing opportunities.

(2) Each parent should use a child's activity as an opportunity for that parent to participate with the child, meet the child's friends and other families, and have a quality experience with the child.

## When There Are Children In Different Age Groups

If there are children who would have different parenting time schedules under this parenting plan because they are different ages, Parent B will have parenting time with each child according to the schedule for that aged child even if that means parenting time will be different for different children.

## **8. TELEPHONE ACCESS**

Both parents have the right to have written and phone contact with the children without interference or monitoring during reasonable hours. Reasonable hours are at least 1 hour before regularly scheduled bedtimes and no earlier than 9:00 a.m., unless other arrangements are made.

## **9. CONTACT AT SCHOOL**

Unless otherwise ordered by the court, both parents are encouraged to participate in the child(ren)'s school activities including visiting the classroom, attending parent-teacher conferences, and sports activities. Each parent may have contact with the child(ren) at school provided that such contact does not interfere with the education of the child. Whether or not contact interferes is in the sole judgment of school authorities.

## **10. AFFECTION AND RESPECT**

Both parents are restrained and enjoined from making derogatory comments about the other parent or in any way diminishing the love, respect and affection that the child has for the other parent.

## **11. OTHER PARENTAL AUTHORITY (ORS 107.154)**

Parent B always has the right:

(a) To inspect and receive school records and to consult with school staff concerning the child(ren)'s welfare and education, to the same extent as Parent A may inspect and receive such records and consult with such staff;

(b) To inspect and receive governmental agency and law enforcement records concerning the child(ren) to the same extent as Parent A may inspect and receive such records;

(c) To consult with any person who may provide care or treatment for the child(ren) and to inspect and receive the child(ren)'s medical, dental and psychological records, to the same extent as Parent A may consult with such person and inspect and receive such records;

(d) To authorize emergency medical, dental, psychological, psychiatric or other health care for the child if Parent A is, for practical purposes, unavailable; or,

(e) To apply to be the child(ren)'s conservator, guardian ad litem or both.

## **12. PARENTAL NOTIFICATION (ORS 107.164)**

Both parents have a continuing responsibility to provide their addresses and contact telephone numbers to the other parent, and to immediately notify the other parent of any emergency circumstances or substantial changes in the health of the child. Parent A must provide to Parent B an address and contact number for the minor child(ren)'s school/teacher, physician, dentist and therapist.

## **13. PARENT'S RELOCATION (ORS 107.159)**

Parents must provide each other and the court with at least 30 days prior written notice of any planned relocation more than 60 miles.

## **14. FAILURE TO COMPLY WITH THIS PLAN**

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected. The Klamath County court clerk has information about the expedited parenting time enforcement procedure.

## **15. NUMBER OF OVERNIGHTS FOR CALCULATION OF CHILD SUPPORT**

### Children Aged Birth to 18 Months

First Alternative	<b>0</b>
Second Alternative	<b>21</b>
Third Alternative	<b>62</b>

### Children Aged Over 18 Months

First Alternative	<b>86</b>
Second Alternative	<b>127</b>
Third Alternative	<b>182.5</b>

## **16. CALENDARS ATTACHED**

Sample calendars for the calendar years 2010 and 2011 are attached for each of the six alternate parenting plans. These calendars are for illustrative purposes only; in every case, the written document controls.