

JOSEPHINE COUNTY ALTERNATIVE 60-40 PARENTING PLAN

It is the policy of this court to encourage the parties to work out their own Parenting Plan, either between themselves, with the help of legal professionals or through mediation. The court will generally approve any Parenting Plan agreed upon by the parties.

The intent of a Standard Parenting Plan is to provide a Parenting Plan to parties who have not been able to agree to an alternate, more flexible plan. Because each family's circumstances are different, the court may make provisions for more or less parenting time than provided for in this Parenting Plan. The best interest of the child is the only consideration.

_____)	
Petitioner,)	JOSEPHINE COUNTY
)	ALTERNATIVE 60-40
)	PARENTING PLAN
and,)	
)	Case No :
_____)	
Respondent.)	Date:

I. GENERAL INFORMATION

The parents' names are _____ and _____.

This Parenting Plan applies to the following child(ren):

Name	Month/ Year of Birth (e.g. June, 2008)
_____	_____
_____	_____
_____	_____

Mother Father shall be considered the "residential parent." (Check one.)

A. RESIDENTIAL PARENT. "Residential parent" means the parent who provides the primary residence for the child(ren). The "nonresidential parent" means the

parent who has parenting time with the child(ren) according to the schedule below.

B. DECISION MAKING

1. **Day-to-day decisions.** Each parent shall make decisions regarding the day-to-day care and control of the child(ren) while the parent is caring for the child(ren). Both parents are authorized to make emergency decisions affecting the health or safety of the child(ren).
2. **Sole legal custody.** If the residential parent has sole legal custody, then the residential parent shall make the decisions regarding the child(ren)'s education, non-emergency health care and religious training.
3. **Joint legal custody.** If the parties have joint legal custody, then both parents shall discuss and make major decisions for the child(ren) together. Otherwise, the residential parent shall have sole decision-making authority in major decisions concerning the child(ren).
4. **Changes to schedule.** Decisions about any changes in the residential schedule shall be made by mutual written agreement of both parents.

C. NO NEGATIVE COMMENTS ABOUT OTHER PARENT. Father and Mother are restrained and enjoined from making any negative comments about each other to, or in the presence of, the children, or in any way diminishing the love, respect, and affection that the children have for either parent.

D. NO DISRESPECT TO BE SHOWN TOWARDS OTHER FAMILY MEMBERS. Neither parent shall make disrespectful remarks about any other family member, including parents, stepparents, children and siblings. Neither parent shall allow any other person to make such remarks in the presence of the child.

E. INFORMATION SHARING. Unless otherwise ordered by the court, each parent shall have equal access to important information regarding the child(ren); including, but not limited to, the child(ren)'s current address and telephone number, education, medical, governmental agency, psychological, and law enforcement records. Each parent must immediately notify the other regarding any emergency circumstances or substantial changes in the health of the child(ren).

F. RELOCATION OF A PARENT

1. **Notice.** Parents shall provide each other with at least 30 days prior **written** notice of any planned relocation which results in a parent living more than 60 miles away from the other parent.
2. **Change to parenting schedule.** If, after one parent relocates, the parents live more than 60 miles away from each other the parties will follow the schedule as much as possible without the child(ren) missing school. The parties shall agree to an alternate schedule that provides frequent parenting time of approximately 40% of overnights with the nonresidential parent. In fixing an alternate schedule the parties shall consider the child's best interest. If the parties are unable to agree upon a new schedule they may seek to modify the plan as provided by law.
3. **Notice of new contact information.** Each parent shall notify the other parent of his or her contact phone number and address and shall notify the other parent of any change in that information within 72 hours of such a change. Further, if either parent takes the child(ren) from that parent's usual residence, he or she shall notify the other parent of any emergency contact phone number and where the child(ren) will be staying.

- G. COMMUNICATION WITH CHILD(REN).** The nonresidential parent shall have the unlimited right to correspond with the child(ren), which includes email and instant messaging, and to telephone the child(ren) during reasonable hours without interference or monitoring by the residential parent or anyone else in any way. The residential parent shall have the same communication rights when the child(ren) are with the nonresidential parent. The child(ren) shall have the unlimited right to telephone either parent. Long distance charges are to be paid by the parent receiving the call.

H. GENERAL PROVISIONS

1. **Meals and Clothes.** The residential parent shall have the child(ren) fed and ready on time and ready for the nonresidential parent's parenting time. The nonresidential parent shall have the child(ren) fed before the child(ren) return to the residential parent. The non-residential parent shall provide adequate clothing and supplies for the child(ren) during the non-residential parent's parenting time. The parties shall cooperate to see that any items that accompany the child(ren) from the other parent's house are returned back to said parent.

2. **Exchange of Children From One Parent to the Other.** When parents live no more than 60 miles apart, unless the nonresidential parent's parenting time begins or ends at the child(ren)'s beginning or dismissal from a school day, the nonresidential parent shall pick up the child(ren) from the residential parent's residence no earlier than nor later than 15 minutes from the scheduled beginning of the parenting time. The residential parent shall pick up the child(ren) from the nonresidential parent's residence no earlier than nor later than 15 minutes from the ending of the nonresidential parent's parenting time. On a school day, if the nonresidential parent's parenting time begins or ends at the beginning or dismissal from school, the nonresidential parent shall pick up or drop off the child from school as may be necessary, or shall arrange for the child to be transported to or from child care as needed.

Unless otherwise ordered by the court, parents who live more than 60 miles apart will equally participate in the cost and effort of exchanging the child(ren) from one parent to the other.

3. **Makeup Of Missed Parenting Time.** Only substantial medical reasons will be considered sufficient for postponement of parenting time. If a child is ill and unable to visit, makeup parenting time shall occur on the following weekend. If, however, the nonresidential parent fails to exercise his/her parenting time, there will be no makeup parenting time.
4. **Affection and Respect.** Neither parent shall say things or willfully allow others to say things in the presence of the child(ren) that would harm the natural development of the child(ren)'s love and respect for the other parent.
5. **School Involvement.** 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.
6. **Non-assigned Time.** Unless otherwise agreed in writing, the residential parent is responsible for the child(ren) during all times not awarded to the nonresidential parent.
7. **Failure To Comply.** If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.
8. **Parenting Time is NOT the Child(ren)'s Decision.** The child(ren) will not be permitted to decide whether to participate in parenting time

with the nonresidential parent. The residential parent and the child(ren)'s personal plans, elective school activities, church activities, and other such considerations are not sufficient reasons to fail to follow the parenting time schedule. However, the parents should both take the parenting time schedule into account when scheduling or planning activities for the child(ren). The nonresidential parent shall transport the child(ren) to and from events regularly scheduled during the parent's parenting time when to do so is reasonable and would not seriously interfere with the nonresidential parent's time spent with the child(ren).

- I. **STARTING THE SCHEDULE.** If parenting time has not already begun, the nonresidential parent shall have the child(ren) on the second Wednesday following the entry of the Judgment. The nonresidential parent shall continue to have parenting time/ contact with the children as set forth under any temporary order or restraining order in effect as of the date of judgment until the parenting plan set forth herein commences on the second Wednesday following entry of judgment.

- J. **DISPUTE RESOLUTION.** The parents will attempt to cooperatively resolve any disputes that arise over the terms of the Parenting Plan. If the parents are unable to resolve a dispute, they are required to use mediation as a first recourse. Any cost for mediation shall be shared equally by the parents or as determined in the dispute resolution process. A written record shall be prepared of any agreement reached in mediation and shall be provided to each parent. If the parents are unable to resolve a dispute through any other dispute resolution process, the dispute shall be resolved through court action.

II. **60/40 PARENTING PLAN**

- A. **RESIDENTIAL SCHEDULE.** The nonresidential parent shall have the child(ren) as follows:
 - 1. **Child(ren) not attending school.** For five nights every other week commencing Wednesday at 6 p.m. and ending Monday at 9 a.m..

 - 2. **Child(ren) attending school.** For five nights every other week commencing when the child(ren) is released from school on Wednesday and ending when school starts on Monday. If there is no school on Wednesday, then the nonresidential parent's parenting time shall commence at 6 p.m. If there is no school on Monday, then the parenting time shall end when school starts on Tuesday.

B. HOLIDAY AND VACATION PLANNING. Whether or not the child(ren) are enrolled in school, the child(ren) shall spend time with his/her/their parents on holidays according to the following plan:

For children not enrolled in school, where the parenting time schedule is based on the school calendar, the parties shall use the school calendar for the public school in which the child would be enrolled based on the residential parent's address.

The holiday and vacation schedule overrides the residential schedule.

	NON RESIDENTIAL PARENT	RESIDENTIAL PARENT	
1.	Winter Vacation	Even years	Odd years
2.	Thanksgiving	Odd years	Even years
3.	Easter	Even years	Odd years
4.	Memorial Day	Odd years	Even years
5.	Fourth of July	Even years	Odd years
6.	Labor Day	Odd years	Even years
7.	Child(ren)'s Birthday	Even years	Odd years
8.	Spring Break	Odd years	Even years

For the purposes of this Parenting Plan, a holiday shall begin and end as follows:

1. WINTER VACATION

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 the nonresidential parent shall begin at 9 a.m. the day after school adjourns through noon on December 26 in even numbered years. In odd numbered years the nonresidential parent shall have the child(ren) beginning at noon on December 26 and ending at noon the day before school reconvenes.

2. THANKSGIVING

The nonresidential parent shall have the child(ren) commencing on Wednesday evening prior to Thanksgiving at 6 p.m. and ending on the following Sunday at 6 p.m. in odd numbered years.

3. EASTER

The nonresidential parent shall have the child(ren) commencing on the Saturday preceding Easter Sunday at 5 p.m. and ending on Easter Sunday at 6 p.m. in even numbered years.

4. MEMORIAL DAY and LABOR DAY

The nonresidential parent shall have the child(ren) commencing on the Friday preceding the holiday at 6 p.m. until 6 p.m. the day of the holiday in odd numbered years.

5. FOURTH OF JULY

The nonresidential parent shall have the child(ren) in even numbered years as follows: if this holiday does not fall on Friday, Saturday, Sunday or Monday, parenting time shall commence at 9 a.m. on July 4 and shall end at 9 a.m. on July 5. If this holiday falls on a Friday, parenting time shall commence at 7 p.m. on Thursday July 3, and shall end at 7 p.m. on the following Sunday. If this holiday falls on a Saturday, parenting time shall commence at 7 p.m. on Friday and continue until 7 p.m. on Sunday. If this holiday falls on Sunday, parenting time shall commence at 7 p.m. on Friday and continue until 9 a.m. on Monday. If this holiday falls on a Monday, parenting time shall commence at 9 a.m. on Saturday and continue until 9 a.m. on Tuesday.

6. CHILDREN'S BIRTHDAY

The nonresidential parent shall have the child(ren) in even numbered years as follows: if on a school day, the nonresidential parent shall have the child on the child's birthday from 3 p.m. until 9 p.m. If on a non-school day, from 9 a.m. until 6 p.m.

7. SPRING BREAK

The nonresidential parent shall have the child(ren) for the non-weekend days of school spring break in odd numbered years. (The alternate weekends remain unchanged.)

8. MOTHER'S and FATHER'S DAY, PARENTS' BIRTHDAYS

- a. Mother shall have the child(ren) on Mother's Day weekend commencing 6 p.m. on Friday until 6 p.m. on Sunday and on Mother's birthday from 9 a.m. until 6 p.m.
- b. Father shall have the child(ren) on Father's Day weekend commencing 6 p.m. on Friday until 6 p.m. on Sunday and on Father's birthday from 9 a.m. until 6 p.m.

9. SUMMER VACATION

Whether or not the child(ren) is/are in school, the parties shall alternate two week blocks of time with the residential parent and nonresidential parent, beginning the Friday following the last day of school and continuing until the Friday before Labor Day weekend. The nonresidential parent shall have the child(ren) for the first two week block in even numbered years. The residential parent shall have the child(ren) for the first two week block in odd numbered years. The alternate weekends are discontinued during the summer.