

# **KLAMATH COUNTY STANDARD PARENTING TIME PLAN**

## **1. IMPORTANT DEFINITIONS**

Joint or Sole Legal Custody - The terms sole and joint custody define how parents will make major decisions about the child. Major decisions include, but are not limited to, decisions about the child's education, residence, non-emergency health care and religious and cultural training. The terms sole and joint custody have nothing to do with the amount of time that the child spends 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 usually attends 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.

School Calendar – If the child is not attending school, the calendar of the public school district in which Parent A resides applies.

## **2. INTRODUCTION**

For children age 36 months or older, 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.

First Alternative – Works best when 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 – Works best when Parent B is able to have greater contact.

Third and Fourth Alternatives - Works best when Parent B has been involved to a great 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 samples that parents can use as is or change as needed to create their own plan. Parents can always agree to change parenting time. However, if both parents do not agree to a change, then parents will follow the plan as written.

## **4. PROGRESSION OF PARENTING TIME**

This plan is based on age-appropriate parenting times. It may also be used as a progression of parenting time for those parents who have not been highly involved in caring for the child previously. In that situation, parents may choose, or the court may order, that Parent B begin

with the Child-Age-Birth-to-Six-Months Plan, which provides short and frequent visits over a six-month time period to develop a mutually-secure relationship and master the tasks and sensitivity to care for the child. If Parent B is regularly exercising parenting time and is continuing to develop a mutually secure relationship, Parent B may increase parenting time by progressing to the Child-Age-Six-Months-to-Twelve-Months Plan and so forth, if both parents agree or the court so orders.

## 5. CHILD AGE BIRTH TO 6 MONTHS

This plan may also be used if Parent B has not been highly involved in caring for the child previously. These short and frequent visits over a six-month time period will help to develop a mutually-secure relationship and master the tasks and sensitivity to care for the child.

- (A) Routine Schedule – In the first week, Parent B will have the child on three days for two hours each time. Parenting time with Parent B should be arranged to avoid nap times and feeding pattern. If the infant is breastfeeding, having Parent B bottle feed is suggested.

Week	M	T	W	Th	F	Sa	Su
#1		5 p.m. to 7 p.m.				1 p.m. to 3 p.m.	9 a.m. to 11 a.m.
#2	5 p.m. to 7 p.m.		5 p.m. to 7 p.m.	5 p.m. to 7 p.m.			

- (B) Holidays
- Christmas: Parent B will have the child on Christmas Day from 9:00 a.m. to noon.
- Thanksgiving: Parent B will have the child on Thanksgiving Day from 3:00 p.m. to 6:00 p.m.
- Easter: Parent B will have the child on Easter Day from 9:00 a.m. to noon.
- Birthdays: Parent B will have the child on the child’s birthday and on Parent B’s birthday from 5:00 p.m. to 7:00 p.m.
- Mother’s Day/Father’s Day: Parent B will have the child on either Mother’s Day or Father’s Day from 9:00 a.m. to 3:00 p.m.
- (C) Summers – No change; continue with routine schedule.

## 6. CHILD AGE 6 MONTHS TO 12 MONTHS

- (A) Routine Schedule – In the first week, Parent B will have the child on Monday and Friday from 5:00 p.m. to 7:00 p.m. and on Saturday and Sunday from 10:00 a.m. to 2:00 p.m. In the second week, Parent B will have the child on Monday, Wednesday and Thursday from 5:00 p.m. to 7:00 p.m. Parenting time with Parent B should be arranged to avoid nap times. If the infant is breastfeeding, having Parent B bottle feed is suggested. If Parent B has been highly involved in caring for the infant previously, or if Parent B has been regularly exercising parenting time as set forth in the Child-Age-Birth-To-Six-Months Plan, then one overnight from Friday at 6:00 p.m. to Saturday at 6:00 p.m. may replace Parent B’s Friday and Saturday parenting time within the routine schedule, if both parents agree or the court orders.

Week	M	T	W	Th	F	Sa	Su
#1	5 p.m. to 7 p.m.				5 p.m. to 7 p.m.	10 a.m. to 2 p.m.	10 a.m. to 2 p.m.
#2	5 p.m. to 7 p.m.		5 p.m. to 7 p.m.	5 p.m. to 7 p.m.			

- (B) Holidays
- Christmas: Parent B will have the child on Christmas Day from 9:00 a.m. to noon.
- Thanksgiving: Parent B will have the child on Thanksgiving Day from 3:00 p.m. to 6:00 p.m.
- Easter: Parent B will have the child on Easter Day from 9:00 a.m. to noon.
- Birthdays: Parent B will have the child on the child’s birthday and on Parent B’s birthday from 5:00 p.m. to 7:00 p.m.
- Mother’s Day/Father’s Day: Parent B will have the child on either Mother’s Day or Father’s Day from 9:00 a.m. to 3:00 p.m.

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

## 7. CHILD AGE 12 MONTHS TO AGE 18 MONTHS

- (A) Routine Schedule – In the first week, Parent B will have the child on Monday from 5:00 p.m. to 7:00 p.m. and on Sunday from 10:00 a.m. to 2:00 p.m. and for one overnight on Friday from 6:00 p.m. to Saturday at 6:00 p.m. In the second week, Parent B will have the child on Monday, Wednesday and Thursday from

5:00 p.m. to 7:00 p.m. Parenting time with Parent B should be arranged to avoid nap times. If the infant is breastfeeding, having Parent B bottle feed is suggested.

Week	M	T	W	Th	F	Sa	Su
#1	5 p.m. to 7 p.m.						10 a.m. to 2 p.m.
#2	5 p.m. to 7 p.m.		5 p.m. to 7 p.m.	5 p.m. to 7 p.m.			

(B) Holidays

Christmas: Parent B will have the child on Christmas Day from 9:00 a.m. to noon.

Thanksgiving: Parent B will have the child on Thanksgiving Day from 3:00 p.m. to 6:00 p.m.

Easter: Parent B will have the child on Easter Day from 9:00 a.m. to noon.

Birthdays: Parent B will have the child on the child’s birthday and on Parent B’s birthday from 5:00 p.m. to 7:00 p.m.

Mother’s Day/Father’s Day: Parent B will have the child on either Mother’s Day or Father’s Day from 9:00 a.m. to 3:00 p.m.

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

**8. CHILD AGE 18 MONTHS TO 36 MONTHS**

This plan may also be used if, for the last six months, Parent B has been regularly exercising parenting time for a child less than 18 months old and is continuing to develop a mutually secure relationship while mastering the tasks and sensitivity to care for the child.

If Parent B exercises this schedule consistently for six months, then Parent B may increase parenting time to one of the alternatives set forth in Section 9 below, either by agreement of both parents or by order of the court.

(A) Routine Schedule - In the first week, Parent B will have the child on Monday from 5:00 p.m. to 7:00 p.m. and for two overnights from Friday at 6:00 p.m. to Sunday at 6:00 p.m. In the second week, Parent B will have the child for one overnight from Wednesday at 6 p.m. to Thursday at 6 p.m.

Week	M	T	W	Th	F	Sa	Su
#1	5 p.m. to 7 p.m.				6 p.m.		6 p.m.
#2			6:00 p.m.	6:00 p.m.			

(B) Holidays – See Holiday and Vacation Schedule in Section 10.

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

## 9. CHILD AGE 36 MONTHS AND OLDER

### FIRST ALTERNATIVE

(A) Routine Schedule – In the first week, Parent B will have the child for two overnights from Friday at 6:00 p.m. to Sunday at 6:00 p.m. In the second week, Parent B will have the child for one overnight from Wednesday at 6:00 p.m. to Thursday at 8:00 a.m., or until the start of the school day if the child is attending school.

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

(B) Holidays – See Holiday and Vacation Schedule in Section 10 below.

(C) Summers – The routine schedule is stopped during the school summer vacation. Whether or not the child is in school, Parent B will have the child for a total of thirty-five days (5 weeks) during the school summer vacation. However, if a parent has the child for more than nineteen (19) consecutive days, the other parent has the right to parenting time from Friday at 6:00 p.m. to Sunday at 6:00 p.m. on the third weekend after the beginning of the extended parenting time.

Before April 1<sup>st</sup> of each year, Parent B must give written notice to Parent A of the dates of the summer parenting time periods. If Parent B fails to give written notice before April 1<sup>st</sup>, Parent B is still entitled to exercise summer parenting time, but Parent A may choose the dates and Parent A must give written notice of the dates for summer parenting time to Parent B by May 1<sup>st</sup>.

**SECOND ALTERNATIVE**

(A) Routine Schedule – In the first week, Parent B will have the child for four overnights from Thursday at 6:00 p.m. to Monday at 8:00 a.m., or until the start of the school day if the child is attending school. In the second week, Parent B will have the child for one overnight from Thursday at 6:00 p.m. until Friday at 8:00 a.m., or until the start of the school day if the child is attending school.

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

(B) Holidays – See Holiday and Vacation Schedule in Section 10.

(C) Summers – The routine schedule is stopped during the school summer vacation. Whether or not the child is in school, Parent B will have the child for a total of thirty-five days (5 weeks) during the school summer vacation. However, if a parent has the child for more than nineteen (19) consecutive days, the other parent has the right to parenting time from Friday at 6:00 p.m. to Sunday at 6:00 p.m. on the third weekend after the beginning of the extended parenting time.

Before April 1<sup>st</sup> of each year, Parent B must give written notice to Parent A of the dates of the summer parenting time periods. If Parent B fails to give written notice before April 1<sup>st</sup>, Parent B is still entitled to exercise summer parenting time, but Parent A can then choose the dates and Parent A must then give written notice of the dates for summer parenting time to Parent B by May 1<sup>st</sup>.

**THIRD ALTERNATIVE**

NOTE: This is a 50-50 plan recommended for child under 8 years old. Each parent will have the child one half of the time. Parents will have the same two consecutive weekdays each week and will alternate weekends.

(A) Routine Schedule – Each week Parent A will have the child from Monday at 8:00 a.m. to Wednesday at 8:00 a.m. and Parent B will have the child from Wednesday at 8:00 a.m. to Friday at 8:00 a.m. Parents will alternate weekends so that in the first week, Parent B will have the child from Friday at 8:00 a.m. to Monday at 8:00 a.m. and Parent A will have this same time in the second week.

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

(B) Holidays - See Holiday and Vacation Schedule in Section 10.

(C) Summers – The routine schedule is stopped during the school summer vacation. Whether or not the child is in school, from the time school is out for summer vacation until the new school year begins, each parent will have the child 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.

**FOURTH ALTERNATIVE**

NOTE: This is a one-week-on/one-week-off 50-50 plan. Each parent will have the child one half of the time. This plan is recommended for children 8 years old or older.

(A) Routine Schedule – Each parent will have the child in a one week rotation. Parents will exchange the child every Sunday at 6:00 p.m.

Week	M	T	W	Th	F	Sa	Su
							6:00 p.m.
							6:00 p.m.

(B) Holidays - See Holiday and Vacation Schedule in Section 10.

(C) Summers - The routine schedule is stopped during the school summer vacation. Whether or not the child is in school, from the time school is out for summer vacation until the new school year begins, each parent will have the child 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.

**10. HOLIDAY AND VACATION SCHEDULE**

Holiday and vacation parenting time will not work to change or restart the routine schedule. Holidays take precedence over the routine schedule. If holiday parenting time conflicts with vacation parenting time, then the parent entitled to holiday time will have the child unless the parties 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.

Holiday and Vacation Schedule - Whether or not the child is enrolled in school, parenting time for holidays and vacations will be according to the following plan:

	<u>Parent A</u>	<u>Parent B</u>
Martin Luther King, Jr. Day	Even years	Odd years
Presidents' Day	Odd years	Even years
Spring Vacation	Even years	Odd 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	Odd years	Even years
Thanksgiving	Even years	Odd years
Winter Vacation	<i>(Split between parents; see following rules)</i>	
Christmas Eve	Odd years	Even years
Christmas Day	Even years	Odd years
Child's Birthday	Odd years	Even years
Mother's Day and Mother's Birthday	Mother - every year	
Father's Day and Father's Birthday	Father - every year	

(a) Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, and Labor Day  
Parenting time with the child will be from the Friday before 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.

(b) Spring Vacation  
CHILD AGE 18 MONTHS TO 36 MONTHS. No change from the routine schedule.

CHILD AGE 36 MONTHS AND OLDER. According to the odd/even designation, parenting time with the child will be from 3:00 p.m., or from the time school is released if the child is attending school, on the last day of school before spring vacation until the last Sunday of spring vacation at 6:00 p.m.

(c) Easter  
Parenting time with the child will be from the Saturday before Easter at 6:00 p.m. until Easter Sunday at 6:00 p.m. according to the odd/even designation.

(d) Fourth of July  
CHILD AGE 18 MONTHS TO 36 MONTHS. Parenting time with the child will be on July 4<sup>th</sup> from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

CHILD AGE 36 MONTHS AND OLDER. Parents A and B will have the child according to the odd/even designation as described in this paragraph.



- If this holiday falls on a Monday, parenting time will be from Saturday, July 2 at 9:00 a.m. until Tuesday, July 5 at 9:00 a.m.
- If this holiday falls on a Tuesday, Wednesday or Thursday, parenting time will be from July 4 at 9:00 a.m. until July 5 at 9:00 a.m.
- If this holiday falls on a Friday, parenting time will be from Thursday, July 3 at 6:00 p.m. until Sunday, July 6 at 6:00 p.m.
- If this holiday falls on a Saturday, parenting time will be from Friday, July 3 at 6:00 p.m. until Sunday, July 5 at 6:00 p.m.
- If this holiday falls on a Sunday, parenting time will be from Friday, July 2 at 6:00 p.m. until Monday, July 5 at 9:00 a.m.

(e) Halloween

CHILD 18 MONTHS TO 36 MONTHS. Parenting time with the child will be on Halloween from 4:00 p.m. to 7:00 p.m. according to the odd/even designation.

CHILD AGE 36 MONTHS AND OLDER. Parenting time with the child will be on Halloween from 4:00 p.m. to 9:00 p.m. according to the odd/even designation.

(f) Thanksgiving

CHILD 18 MONTHS TO 36 MONTHS. Parenting time with the child will be on Thanksgiving Day from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

CHILD AGE 36 MONTHS AND OLDER. Parenting time with the child will be from the Wednesday before Thanksgiving at 6:00 p.m. until the Sunday after Thanksgiving at 6:00 p.m. according to the odd/even designation.

(g) Winter vacation

CHILD 18 MONTHS TO 36 MONTHS. No change from the routine schedule.

CHILD AGE 36 MONTHS AND OLDER. Whether or not the child is attending school, each parent will have one half of the school winter vacation period with the child. In every odd-numbered year, Parent A will have the child from 9 a.m. the day after school ends in December until 9 a.m. on the day that begins the second half of winter vacation. Parent B will have this time with the child in every even-numbered year. In every even-numbered year, Parent A will have the child from 9:00 a.m. on the day that begins the second half of the school winter vacation period until 6:00 p.m. on the last day of the school winter vacation period or, if the child is attending school, until the start of school on the day that school starts again after winter vacation. Parent B will have this time with the child in every odd-numbered year.

(h) Christmas Eve and Christmas Day

CHILD AGE 18 MONTHS TO 36 MONTHS. On Christmas Eve (December 24<sup>th</sup>), parenting time with the child will be from 9:00 a.m. until 6:00 p.m. according to the odd/even designation. On Christmas Day (December 25<sup>th</sup>), parenting time with the child will be from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

CHILD AGE 36 MONTHS AND OLDER. In addition to the winter vacation period, parents will alternate Christmas Eve and Christmas Day. On Christmas Eve, parenting time with the child will be from December 24<sup>th</sup> at 9:00 a.m. until December 25<sup>th</sup> at 9:00 a.m. according to the odd/even designation. On Christmas Day, parenting time with the child will be from December 25<sup>th</sup> at 9:00 a.m. until December 26<sup>th</sup> at 9:00 a.m. according to the odd/even designation.

(i) Child's Birthday

Parenting time with the child will be on the child's birthday from 9:00 a.m. until 6:00 p.m. according to the odd/even designation.

(j) Mother's and Father's Days and Parents' Birthdays

The mother will have the child on Mother's Day weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. and on her birthday from 9:00 a.m. until 6:00 p.m. The father will have the child on Father's Day weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. and on his birthday from 9:00 a.m. until 6:00 p.m.

## **11. PARENTING TIME ARRANGEMENTS**

### Transportation

Parent B must pick up the child from Parent A's residence no earlier than 15 minutes before and no later than 30 minutes after the parenting time period begins. Parent A will pick up the child from Parent B's residence no earlier than 15 minutes before and no later than 30 minutes after the parenting time period ends.

### Meals and Clothes

Parent A must have the child fed and ready on time with sufficient clothing packed for Parent B's parenting time. Parent B must return all the clothing that came with the child and feed the child before the return to Parent A.

### When There Are Children In Different Age Groups

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

### Making Up Missed Parenting Time

Only substantial medical reasons will postpone parenting time. Makeup parenting time will happen on the following weekend. If Parent B fails to exercise makeup parenting time, there will be no makeup time.

### Parenting Time Is Not The Child's Decision

The child will not be allowed to decide whether to visit either parent. Personal plans, school and community activities, and other considerations do not change this parenting time plan.

### Apply Plan with Flexibility

This parenting time plan should be utilized in a way that fosters the child's best interests by providing liberal, predictable, and wholesome time between the parents and the child.

To promote stability for the child, each parent should understand that reasonable adjustments will be needed from time to time. Each parent should be flexible in arranging dates and times with the child so that important family events and the child's activities are maintained with minimal disruption or hard feelings.

Parents should make parenting time arrangements among themselves or through other adults. The child should not be used as a messenger.

### Medications

If the child has been prescribed medication, each parent must provide the medication to the other parent along with any instructions regarding the medication.

### Activities

Each parent should act reasonably in registering the child for activities. Neither parent may schedule activities for the child that take place during the other parent's parenting time, unless both parents agree.

(1) However, each parent is encouraged to keep the child involved in school and community functions, athletic events, lessons, birthday parties, etc., even though those activities may fall during parenting time. To do otherwise would deprive the child 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.

## **12. COMMUNICATION**

Both parents have the right to have written, telephone, digital and electronic contact with the child without interference or monitoring during reasonable hours. Reasonable hours are

between 9:00 a.m. and one hour before regularly scheduled bedtime, unless other arrangements are made.

### **13. CONTACT AT SCHOOL**

Unless otherwise ordered by the court, both parents are encouraged to participate in the child's school activities including visiting the classroom, attending parent-teacher conferences, and sports activities. Each parent may have contact with the child 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.

### **14. AFFECTION AND RESPECT**

Each parent shall not make negative comments to the child about the other parent or in any way diminish the love, respect and affection that the child has for the other parent.

### **15. PARENTAL AUTHORITY (ORS 107.154)**

Unless otherwise ordered by a court, Parent B always has the right to:

- (a) Inspect and receive school records and to consult with school staff concerning the child's welfare and education, to the same extent as Parent A may inspect and receive such records and consult with such staff;
- (b) Inspect and receive governmental agency and law enforcement records concerning the child to the same extent as Parent A may inspect and receive such records;
- (c) Consult with any person who may provide care or treatment for the child and to inspect and receive the child'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) Authorize emergency medical, dental, psychological, psychiatric or other health care for the child if Parent A is, for practical purposes, unavailable; or,
- (e) Apply to be the child's conservator, guardian ad litem or both.

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

Unless otherwise ordered by a court, each parent has a continuing responsibility to provide 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's school/teacher, physician, dentist and therapist.

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

Unless otherwise ordered by a court, parents must provide reasonable notice to each other and the court of any change of residence that is more than 60 miles further away from the other parent.

## 18. FAILURE TO COMPLY WITH THIS PLAN

If one parent fails to follow the terms of this plan, the other parent must continue to follow the terms of this plan, unless otherwise ordered by a court. The Klamath County court clerk has information about the expedited parenting time enforcement procedure.

## 19. AVERAGE NUMBER OF OVERNIGHTS FOR CHILD SUPPORT CALCULATION USING TWO CONSECUTIVE YEARS

Child Age Birth to 6 Months                      **0**

Child Age 6 Months to 12 Months                      **0**

Child Age 12 Months to 18 Months                      **52**

Child Age 18 Months to 36 Months                      **93**

Child Age 36 Months and Older

First Alternative                      **109 average number of overnights using two consecutive years**

Second Alternative                      **127 average number of overnights using two consecutive years**

Third Alternative                      **182.5 average number of overnights using two consecutive years**

Fourth Alternative                      **182.5 average number of overnights using two consecutive years**