Sixth Family Law Conference  

Oregon Family Law: Change, Challenge, Opportunity

“What’s the Problem Here?”: How to Serve the Best Interest of the Child in “High Conflict” Custody Cases

Presenters:

Judith A. Swinney, J.D., Parenting Consultant & Family Mediator

Judith Swinney is a parenting consultant and family mediator in Portland. She earned her Doctor of Jurisprudence from the South Texas College of Law (1987), and a B.A. in Journalism from the University of Houston (1983). Her experience includes: Cooperative Adoption Mediation Services, DHS, facilitating agreements between birth and adoptive resources on behalf of children; Parent Educator, Multnomah, Clackamas Counties, facilitating mandatory parent education classes for separated/divorcing parents, to a diverse population; Facilitator, Parenting Beyond Conflict class, a six-week skill-building seminar for divorced, separated parents; Supervised Parenting Time Reunification Services, facilitating parenting time where safety concerns exist, or reunification of parents and children; Parenting Consultant, providing individual parent training/coaching related to children’s safety and supervision, child development, positive discipline, etc.; ESL Instructor, Houston Community College Refugee Program. Judith is a member of the Oregon State Bar, State Bar of Texas, Oregon Mediation Association, Oregon AFCC. In her spare time, Judith enjoys gardening and baseball.

Dr. Vicky Curry, Licensed Psychologist

Dr. Vicky Curry earned her Ph.D. in clinical psychology and Masters of Science in Psychology from the University of Oregon, a Masters in Student/Educational Psychology and her BS with Distinction in Psychology from the University of Washington. In her private practice, Vicky provides family therapy (issues with blended/foster/adopted/divorce), adolescents and children (problems with legal system, depression, anxiety, trauma, school difficulties, parent-child relations), adults (depression, anxiety, trauma, adjustments, parent-child relations), and evaluations/assessments for a variety of school districts, county and state agencies.

Lorena Reynolds, Attorney at Law, The Reynolds Law Firm, P.C.

Lorena is the managing attorney of The Reynolds Law Firm, PC, in Corvallis, Oregon, where she focuses her practice on family law. For almost 20 years, she has been litigating high conflict cases with an emphasis on representing survivors of domestic and sexual violence. She also teaches classes about intimate violence at Oregon State University and is a frequent public speak on a variety of topics. Under the past 12 years, Lorena and her firm have provided over $750,000.00 worth of pro bono legal services to survivors of domestic and sexual violence, stalking, and child abuse and to help children who are being negatively impacted by the drug or alcohol abuse of a parent.

The Honorable Karrie K. McIntyre, Lane County Circuit Court Judge

Judge Karrie McIntyre was appointed to the bench in May 2015. Prior to her appointment, she practiced for 15 years in both criminal and domestic relations law. Judge McIntyre attended Oregon State University earning a Bachelor of Science in Forestry and graduated from University of Oregon Law School in 1998. She has been actively involved in the community through service with a variety of organizations. She currently serves the Lane County Bar as President, chairs the Family Law Advisory Committee to the Court, and also serves on the State Family Law Advisory Committee work group on Unbundled Legal Services and the Mediation Subcommittee. Judge McIntyre hears all matters assigned to her out of the general trial call and also handles her current assignment which is the Civil Ex Parte team.
2017 Family Law Conference

Oregon Judicial Department, Family Law Program
Salem, Oregon

“What’s the Problem Here?”
How to Serve the Best Interests of the Child in High Conflict Custody Cases

Judith Swinney, J.D.

Panel Presentation Points:

• Impact of Domestic Violence on Children

• The Impact of Exposure to Parental Conflict on Children

• How I Get Through to Parents in High Conflict
Exposure to Domestic Violence

Impacts on children in different ways and to different extents.

**Behavioral, social and emotional problems**
Higher levels of aggression, anger, hostility, fear, anxiety

**Cognitive and attitudinal problems**
poor school performance, lower cognitive functioning, limited problem-solving skills, pro-violence attitudes

Long-Term Effects of Exposure to DV

As teenagers: Behavior problems, substance abuse

As adults: Physical health problems
  Higher levels of adult depression and trauma symptoms; anxiety, PTSD
Increased tolerance for and use of violence in adult relationships

Does this sound like any of your clients?
Young Children and Intimate Partner Violence (IPV)

- Children under the age of 6 are at a higher risk than older children for exposure to IPV
- IPV often occurs during pregnancy
- Perception exists that younger children are not as affected by witnessing IPV. However, developmental models suggest that there may be devastating effects on neurological, emotional and other realms of development as well as threats to an infant’s and a young child’s sense of security and wellbeing.

Young Children and IPV

Children who live in an environment of IPV are at increased risk for:
- becoming direct victims of child abuse
- poor school performance
- structural and physiological changes in the brain
- higher rates of mental health problems than children who are directly abused
- long-term effects including physical health problems, behavioral problems in adolescence and emotional difficulties in adulthood
Young Children and IPV

Reactions to DV for children birth to 5:

- Sleep and/or eating disruptions
- Withdrawal/lack of responsiveness
- Intense/pronounced separation anxiety
- Inconsolable crying
- Developmental regression, loss of acquired skills
- Intense anxiety, worries and/or new fears
- Increased aggression and/or impulsive behavior.
- Disruptions in attachment and bonding occur as children focus on survival

Young Children and IPV

Children can be exposed and impacted on many levels:

- visually or audibly witnessing violence
- seeing the physical aftermath (bruises, wounds, holes in walls, etc.)
- interaction with social and medical services
- impact to a parent’s mental health may negatively affect their ability to parent the child in a warm and sensitive way

"Children may learn that it is acceptable to exert control or relieve stress by using violence, or that violence is linked to expressions of intimacy and affection."

*National Child Traumatic Stress Network
Young Children and IPV

• References


Impact of Children’s Exposure to Parental Conflict

“High conflict between parents not only causes children immense suffering, it causes serious problems in their development.”

Judith S. Wallerstein and Sandra Blakeslee, *What About the Kids?* 2003
Children Blame themselves, as the conflicts they see, hear, and hear about, are about them.


What Kids Say

“If I weren’t here, this wouldn’t be happening.”
“This is MY mom and dad. I must have the faults they see in each other.”
“I need to tell people what they want to hear.”
“I can’t do anything right; I deserve what happens to me.”
“I’m scared to death. I don’t know what will happen next.”
“I will make one parent angry (or hurt) if I need or love my other parent.”
What to Do?
Skills
Images/Stories
Resources

Communication
• What’s your 30-year plan for a relationship with your child?
• Make sure one’s social media is not *anti-social!*
• What is said, and how it’s said, matters.
• Will what you send (parent OR professional) further this parenting relationship, or destroy it? Is it brief? Business-like? Kid-focused?
• Are you OK with a judge reading this six months (or six years) from now?
• Electronic evidence prevalent court- Nothing Is Private!
Images

• Using both words and pictures to remember information engages both halves of our brains, promoting better learning.

• Einstein said, “My elements of thought are...images.”

Two Images

• Simple
• Easy to remember
Stories

Two examples

In the form of Poetry

Resources

• Mediation (now mandatory in Clackamas County as of 2/1/2017!)
• Parenting Time Coordinators-keep things on track
• Parenting Time Supervisors-keeps things safe
• Classes- skills, practice, support
• Some cases set for court review in three months-holds parents accountable.
• Coaches
• OurFamilyWizard.com- helps parents communicate, and professionals can look in for free. Also in Spanish, and now there's an app.
Judith Swinney, J.D.

portlandmediator@aol.com
Parentingbeyondconflict.com
P.O. Box 18239
Portland, Oregon 97218

503-972-5683
SFLAC – 3/2017
Vicky Curry, PhD; Psychologist

DV, ABUSE, HIGH CONFLICT
COMPLEX AND ILL-DEFINED
PARALLEL PARENTING
A PARENTING PLAN TEMPLATE

Informed by:

• AFCC Research, findings, trainings
• Family Court Enhancement Project
• 2014 Battered Women’s Justice Project, 2014
• 10+ years working with ‘High Conflict’ families
• Collaborative Family Therapy - intervention
• 100+ CE, Expert Testimony – Court experience
Domestic Violence
Abuse
High Conflict
ALL NEGATIVE BEHAVIORS WITH NEGATIVE IMPACTS

Ill Defined?
ANALOGOUS
OVERLAP
CONSENSUS
WEIGHTING

Direct Impacts
Children are the victims or understand or perceive the behaviors as threatening to themselves or those they love

Indirect Impacts
Children impacted because their caregiver is compromised in some way

Short Term
confusion, distraction, loss of focus, disrupted sleep and mood, blame, anger, resentfulness, withdrawal, hopeless, helpless, lost opportunity to focus on normal developmental tasks (social, emotional, cognitive)

Long Term
triangulation with parents, becoming split, chronic depression/anxiety, loss of sense of self, loss of emotional security, increased psychopathology, less empathy, decrease in cognitive, social, academic, and psychological functioning
MY GOALS TODAY:
1) Highlight the complexity of these issues
2) Convey the likelihood that these abuses may occur covertly and be uncorroborated.
3) Professionals (attorneys, Judges, MH professionals) need to look for the innocuous ‘faces’ of ABUSE, DV, HIGH CONFLICT even if they ARE ill-defined because there ARE negative impacts for the families and especially the children.

Physical Abuse
Sexual Abuse
Emotional/Psychological Abuse
Coercion and/or Control
COERCION / CONTROL
1) Economic Abuse
2) Using Child as a Tool
3) Denying Impact of Abuse on Child
4) Ignoring Child’s Separate Needs
5) Undermining the Other’s Parenting or Relationship with the child
6) Relentless Harassment

Coercive / Controlling Behaviors are:
1) Difficult to corroborate (he said/she said)
2) Even more difficult to quantify
3) The victims (sometimes) ultimately respond aggressively and the abuser will capitalize on their outburst
4) 95% of these abusers are male (per reports by the Battered Women’s Justice Project, funded by US Department of Justice)
What To Do?

ONE way is to utilize a Parallel Parenting Plan

Reduce conflict between parents by reducing ambiguous language, reduce transitions, reduce need to communicate, and keep children out of the middle of dysfunctional behaviors of parent(s)

Key Components
1) Sole custody
2) NEITHER parent can make unilateral decisions about household rules at other house
3) EACH parent makes routine decisions at own house
4) No Flexibility
5) No First Right
6) DAP adjustments anticipated
7) Schedule changes minimized and formalized
8) Minimize number of transitions (DAP)
9) Clearly defined transitions (school when able or at NEUTRAL public location)
10) Family Wizard: Calendar, finances, emails
11) Sick Children, childcare spelled out
12) Transportation clearly articulated: Drivers, etc.
13) Transitions described in detail: clothing, good byes, assisting toddlers, remain in the vehicle, no communication, not using children to deliver adult documents/messages, tardiness consequences, auto insurance and licensure documentation
14) Clear definitions of all “academic breaks” and details of when “routine schedule” resumes after summer break

15) Who can sign children up for extra-curricular activities, who is mandated – or not – to take the children to said activities, who will pay for fees/uniforms, who will attend and when, who has veto power, how will children be involved – or not – in the decision making, etc. Same with summer camps.
16) School activities: Field trips, class events, volunteering - Who attends and when, who is responsible – or not - for sharing the information (including ‘Tuesday’ folders)
17) Information sharing and parental rights
18) Medical appointments: Who can take child to non-emergency appointments (urgent vs routine), who can attend, scheduling of routine appointments
19) Medical and uncovered expenses: How will they be shared, how notified, how documented, timing for all of it including payment
20) Travel: What information must be shared (itinerary?), timing of supplying this info, security to ensure return?, planning and timing
21) Designation for legal purposes: taxes, deductions, government assistance

22) Name identifiers: How shall S.O. be identified, will they be emergency contacts on school/activity forms
23) Communication between parents
24) Communication between parent and child, frequency/method, (allow children to settle in!)
25) Communication between child and steps/SO
26) How to respond when children make allegations about the other parent, what to consider-demand characteristics, have a plan
27) Phones, internet, media exposure (costs, rules, autonomy at each home – or not)
28) Medications-compliance, decision making
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<td>29)</td>
<td>Punishment (physical? NO), consequences from house to house (NO)</td>
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<td>30)</td>
<td>Disputes or conflict resolution: Spell it out.</td>
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<td>31)</td>
<td>Order ‘high conflict’ therapeutic intervention and/or parent coordination-oversight, involvement, monitoring, and potential neutral reporter to the Courts</td>
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<td>32)</td>
<td>ANYTHING this family cannot agree to during the process should be spelled out in the parenting plan-at least consciously considered.</td>
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<td>33)</td>
<td>Put the parenting plan ON A CALENDAR for two years; review/fix ambiguities, problems!!!</td>
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PARENTING PLAN XXXXX-TEMPLATE

This TEMPLATE is intended to be a relatively comprehensive parallel parenting plan. While it will not resolve all potential conflict it will decrease the degree of conflict significantly; especially if the Family Wizard is utilized and the calendars are input for two years in advance. It should be reviewed line by line and edited to fit the specific family. It is suggested that this be the starting point for mediations and/or negotiations between the parties; that is, each party be encouraged to give input about the particulars of the plan, add things that are of specific concern to them, and that third parties assist them to come up with a workable plan for the future. Wherever there are “XXX” it implies that an obvious decision or option or detail needs to be determined; the “XXX” are not at all comprehensive of all variables in this plan.

This parenting plan is:
____ A Parenting Plan submitted to the court with the agreement of the parties.
_____A Parenting Plan established by the court.

The parent’s names are:
XXXXX XXXXX and XXXXX XXXXX

This Parenting Plan applies to the following children:
XXXXX, aged X; XXXXX and XXXXX, aged X

This Parenting Plan contemplates the parties’ residences in the XXX area.

The provisions of this Parenting Plan shall override any earlier existing temporary parenting plan.

Joint Custody: XXX
It is in the best interests of the child(ren) that the parents confer and jointly make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, religion and other responsibilities unique to this family.

OR

Sole Custody: XXX
It is in the best interests of the child(ren) that the XXX shall have sole authority to make major decisions regarding Education, Medical, and Religious decisions for the child(ren.) It is detrimental to the child(ren) to have the expectation that parents share decision making responsibility.

Parallel Parenting Time Plan:
Due to the antagonism, prior aggression, allegations of coercion and control, total lack of trust or respect between the parents and the sometimes intrusive and likewise problematic relations between the parents and the extended family members (including significant others, in-laws, and others) it is clearly in the children’s best interests to create a plan that is clear, inflexible, and decreases need for contact between the parties during transitions or during each parents own designated parenting time with the children.

Family Wizard:
This on-line program provides email, calendar, bill paying, and other conflict reducing services specifically designed for families who have difficulty co-parenting. The parents can elect to have a third party neutral
monitor their communications and Family Wizard can also teach neutral communication strategies. XXX This is a necessity for this family. XXX In 2016 the cost was $99/year per parent but is subject to change.

PARENTING TIME SCHEDULES

*Routine Parenting Time Schedule:
-The following schedule shall apply beginning on ______; the day this document is signed by the Court.
-The 2/2/5/5 Parenting Plan is recommended until the youngest child enters the 1st grade at which time a change to a week on/week off schedule will be instituted. XXX

*50/50 PARENTING TIME IN A XXX 2/2/5/5 XXX PARENTING PLAN (More suitable for younger children)
-The children will transition between homes after school on Monday, Wednesday, Friday one week and then after school on Wednesday the next week.
-During a 14 day rotation the XXX Mother’s XXX parenting time will be from Monday after school until Wednesday after school that week, XXX Father’s XXX parenting time will then be from Wednesday after school until Friday after school that week, then XXX Mother XXX will resume parenting time from Friday after school until the following Wednesday after school, then XXX Father XXX shall resume his parenting time Wednesday after school until the following Monday after school. Repeat.
-Specifically:
-This parenting time allows maximal time for all the siblings to be together while allowing for the developmental stages of the younger children.
-This parenting time has the benefit of nearly all transitions taking place after school (no contact between parents necessary during routine parenting times.)
-Alternating weekends that include Friday, Saturday, and Sunday nights (to allow for weekend get a ways).
-XXX Mother XXX will have all Monday and Tuesday nights and XXX Father XXX will have all Wednesday and Thursday nights.
-This schedule will ONLY be set aside when specific holidays or breaks detailed in this plan contradicts it.
-This plan will be calendared for the year and no other deviations will take place unless agreed to by both parties, in writing.
-No snow days, furlough days, grading days, sick days, or other unspecified deviations in the school or parenting work schedules, etc. will supersede this plan.
-If it is a school day, the transition time is considered to be at the time school is out; hence, during school hours the child has NOT transitioned to the other parent yet.
-On no school days the transition occurs at the time school typically lets out, in the specified neutral setting.

-When the youngest children begin 1st grade then the schedule to change to a week on and week off schedule. This change will occur during the first full week of school at the school in which the youngest child attends. So, the change will occur to coincide with the transition of the youngest child, XXX, such that the children will spend the maximum amount of time together.

*50/50 PARENTING TIME in an ALTERNATING WEEK PARENTING TIME PLAN:
-Mother and Father shall have equal parenting time for Child/children on a rotating weekly schedule (7 days).
-During the school year the transitions will be on XXX Thursday XXX when school is typically let out.
-Hence, during school hours the child has NOT transitioned to the other parent yet.
-On non-school days the transitions will also occur at the time that school would routinely be out.
*Holiday Schedule Vacations, Holidays (These Plans Supersede Routine Parenting Time)*

Holiday time-sharing shall be in accordance with the following schedule. The Holiday schedule will take priority over the regular weekday, weekend, and summer schedules.

- **In-service days, Furlough days:** The parenting time plan will continue without interruption. That is, the routine parenting plan applies.

- **Mother’s Day and Father’s Day:** Mother and Father shall have parenting time with Child/children on Mother’s Day and Father’s Day respectively from the Sunday of Mother’s or Father’s Day beginning at 9:00 a.m. until the following Monday morning when Child/children will be dropped off at school. The child(ren) will be picked up at the designated public transition point.

- **President’s Day:** No provisions for this holiday, routine parenting time plan applies.

- **M.L. King Day:**
  - During the 2/2/5/5 schedule this means that if father has his parenting time the previous weekend, then he will be expected/allowed to fully utilize the Monday Holiday until the time that school is normally let out. The transition will be at the designated public transition point. (Mother does not lose her routine Monday afternoon/evening with the children)
  - During the week on/off parenting time, then who ever has parenting time during the previous weekend will extend their parenting time until child(ren) resume school the following Tuesday at which time they will take the children to school, if in session. The alternative parent will begin their parenting time at the time that school is routinely let out.

- **Valentine’s Day:** No provisions for this holiday, routine parenting time plan applies.

- **Easter:** Parents will alternate with mother having odd years and father having even years beginning at 9:00 a.m. until the following Monday morning when Child/Children will be dropped off at school. The child(ren) will be picked up at the designated public transition point.
  - During the 2/2/5/5 schedule this means that if father has his parenting time for Easter, then he will be expected/allowed to fully utilize his Monday parenting time until the time that school is normally let out. The transition will be at the designated public transition point. (Mother does not lose her routine Monday afternoon/evening with the children). If mother has her parenting time for Easter, then there will be no deviation from the routine schedule.
  - During the week on/off parenting time, then who ever has parenting time during Easter will be expected to take the children to school Monday morning and whoever is having parenting time with the children resumes their parenting time at the time that school is scheduled to begin.

- **Memorial Day weekend:**
  - During the 2/2/5/5 schedule this means that if father has his parenting time the previous weekend, then he will be expected/allowed to fully utilize the Monday Holiday until the time that school is normally let out. The transition will be at the designated public transition point. (Mother does not lose her routine Monday afternoon/evening with the children)
• During the week on/off parenting time, then who ever has parenting time during the previous weekend will extend their parenting time until child(ren) resume school the following Tuesday at which time they will take the children to school, if in session. The alternative parent will begin their parenting time at the time that school is routinely let out.

-4th of July: Parents will alternate with father having odd years and mother having even years beginning at 9:00 a.m. on July 4th and ending at 9:00 a.m. the following morning when Child/Children will be transitioned to the parent exercising “routine parenting” at that time. The child(ren) will be picked up/dropped off at the designated public transition point.

-Labor Day Weekend:
• During the 2/2/5/5 schedule this means that if father has his parenting time the previous weekend, then he will be expected/allowed to fully utilize the Monday Holiday until the time that school is normally let out. The transition will be at the designated public transition point. (Mother does not lose her routine Monday afternoon/evening with the children)
• During the week on/off parenting time, then who ever has parenting time during the previous weekend will extend their parenting time until child(ren) resume school the following Tuesday at which time they will take the children to school, if in session. The alternative parent will begin their parenting time at the time that school is routinely let out.

-Columbus Day Weekend: No provisions for this holiday, routine parenting time plan applies.

-Halloween: Parents will alternate with XXX mother XXX having odd years and XXX father XXX having even years beginning at the time school is out until school resumes the next day. If Halloween is a non-school day then the transition will occur at 9:00 a.m. on October 31st and end at either 9:00 a.m. the following day or the children will be taken to school and the transition in parenting time will be when school is out that day. If the day after Halloween is a non-school day then the transition will occur at the time that school would routinely let out that day. The child(ren) will be transitioned at the designated public transition point if school is not in session.

-Thanksgiving. Mother and Father shall alternate the Thanksgiving holiday with child/children with Mother having child/children from the Wednesday before Thanksgiving in XXX 2017 XXX and each odd-numbered year thereafter beginning after school and continuing until the following Monday, when child/children will be dropped off at school. Father shall have parenting time on Thanksgiving of XXX 2018 XXX and each even-numbered year thereafter.

-Veteran’s Day: No provisions for this holiday, routine parenting time plan applies.

-Christmas Eve, Christmas Day, and New Years Day. The parties shall alternate having parenting time for Christmas Eve, Christmas Day, and New Year’s Day. Father shall have parenting time on Christmas Eve from 9:00 a.m. until 9:00 p.m. on December 25, XXX 2017 XXX and each odd-numbered year thereafter. Mother shall have parenting time from 9:00 a.m. on December 31, XXX 2017 XXX until 6:00 p.m. on January 1, and on each December 31 on each odd-numbered year thereafter. Mother shall have parenting time on Christmas Eve from 9:00 a.m. until 9:00 p.m. on December 25 and each even-numbered year thereafter. Father shall have parenting time from 9:00 a.m. on December 31 until 6:00 p.m. on January 1 and on each December 31 on each even-numbered year thereafter. The child(ren) will be transitioned at the designated public transition point.

-Veteran’s Day
-Hanukkah

-Yom Kippur

-Rosh Hashanah

-Other

-Child(ren)’s Birthday(s). Mother and Father shall alternate having Child/children on his/her birthday with Father having all children on their birthdays beginning in XXX 2017 XXX and each odd numbered year thereafter beginning when school is routinely let out or at 9:00 a.m. until the following morning when Child/children will be dropped off at school, or otherwise 9:00 a.m. Mother shall have the same schedule with Child/children having all children on their birthdays beginning in XXX 2016 XXX and each even-numbered year thereafter. Specifically, all three children will celebrate each other’s birthdays together, with the parent designated above. The child(ren) will be transitioned at the designated public transition point if school is not in session.

-Parent’s Birthday: No provisions for this event, routine parenting time plan applies. Parents are encouraged to celebrate their birthdays with their children during their routine parenting time. This is to reduce the likelihood of unnecessary contact with potential antagonists on their birthdays.

*Winter Break:
-The XXX Father XXX shall have the child(ren) from the day and time school is dismissed until December 25th at 9:00p. m in odd-numbered years and the XXX Mother XXX will have this first part of the winter break as their parenting time in even-numbered years. The parent who does not have the first part of the winter break will have their parenting time from December 25th at 9:00 p.m. until they take the children to school the first school day of the year. The transition of parenting time actually occurs at the time that school lets out on that first day of school. The parties shall alternate the arrangement each year.

*Spring Break: Spring Break is defined as the time school lets out the Friday before the break until school resumes the Monday after the break. If the school calendar has any other days of ‘no school’ on either side of this time; then the parent that is exercising their time on that/those days, under the routine schedule, will still have that parenting time.

-The Spring Break will be evenly divided. XXX The first half of the Spring Break will go to the parent whose routine regularly scheduled weekend falls on the first half and the second half going to the other parent (whose weekend falls during the second half). The half way mark will be considered to be XXX Wednesday at 9:00 a.m. XXX

OR

-The Spring Break will alternate. XXX The parents shall alternate he entire Spring Break with the XXX Mother/Father XXX having the child(ren) during the odd numbered years and the XXX Mother/Father XXX having the children during the even numbered years.

OR

-The XXX Mother/Father XXX shall have the children for he entire Spring Break every year.
OR

- **The Parents shall follow the regular schedule.**

  - It is known that this sometimes this will result in a very long stretch of time with one parent or the other. Attempting to alleviate this long span of time by anticipating any flexibility or making changes routine parenting is discouraged due to the inevitability of conflict around attempts to coordinate with extended family members and their preferred plans. It is recommended that this plan be maintained even if there is a long stretch away from one parent or the other. However, provisions for mediating schedule changes for just this sort of difficulty is described below.

  **Summer Break**
  - The parents shall follow the routine regular schedule, without break, through the summer.

  - For a 2/2/5/5 schedule the parents shall alternate on all transition days at XXX 9:00 a.m. XXX at the alternative transition location.

  - During a week on/week schedule parenting plan the parents shall alternate week on/week off during the Summer break with the transitions taking place on XXX Friday XXX, at XXX 9:00 a.m. XXX at the alternative transition location.

OR

- The XXX Mother/Father XXX shall have the entire Summer Break from XXX the day XXX after school is out until XXX the day XXX before school starts.

OR

- The parents shall equally divide the Summer Break as follows: During odd-numbered years XXX Mother shall have the children from XXX day XXX after school is out until XXX day XXX. The other parent shall have the child(ren) for the second one-half of the Summer Break. The parents shall alternate the first and second one-halves each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren) XXX______________________________________XXX.

OR

- The parents shall alternate week on/week off during the Summer break with the transitions taking place on XXX day XXX, at XXX _____ a.m./p.m. XXX at the alternative transition location.

OR

- The parents shall alternate two week on/two week off during the Summer break with the transitions taking place on XXX day XXX, at XXX_______ a.m./p.m. XXX at the alternative transition location.

- Summer Break commences on the first regularly scheduled exchange XXX day XXX following the conclusion of the academic year, such that the parent that would ordinarily commence parenting time on the XXX day XXX following the conclusion of the academic year, would then commence Summer Break parenting time. Parenting
time would then continue in XXX one/two/other? As per above XXX blocks rather than the Routine Parenting Time.

-Summer Break ends on the XXX day XXX prior to the commencement of the academic year, such that the parent that would ordinarily commence parenting time on the XXX day XXX following the conclusion of the Summer schedule would commence parenting time on XXX day XXX, and the Routine Parenting Time would resume.

OR

-Other: ____________________________________________________

*Extended time away from parent due to Holiday schedule: The holiday schedule may affect the regular routine parenting time. Parents may wish to specify either or both of the following options:
-When the holiday schedule results in one parent having the child(ren) for extended periods of time, different arrangements may be mediated only XXX during the 30 days XXX from when the school calendar, and the parenting time calendar, are input into the shared parenting plan calendar. There is no presumption that any arrangements will be accommodated if the long parenting time stretch is only noticed after that XXX 30 day XXX period has passed. Changes will only be enacted if both parents agree.

PARALLEL PARENTING TIME PROVISIONS

The following parenting time provisions shall apply to both parents

*Each parent shall work independently for child/children’s best interests.

*This is a parallel parenting situation; neither parent has the authority to mandate what occurs at the other house.
-The custodial XXX mother/father XXX is able to unilaterally make decisions about religion, medical care, and education; this does not translate into having the authority to determine household rules at the other house.
-Therefore, neither parent is in a position to have expectations about how life is lived at the other house; it is expected that each household will have different rules and expectations.

*Maintaining Household Rules. Neither party is required to follow the rules established for Child/children in the other party’s household, other than the requirement that doctor-prescribed medications shall be administered according to the physician’s directions. However, in order to allow the parties to understand the other party’s household rules, on January 1 of each year, each party shall provide a written overview to the other party of that party’s household rules, so the other parent shall have the best information possible about the household rules, including discipline rules of the other party.

*Routine Parenting Decisions. Each parent is responsible for making decisions about the child during the time that the child is in that parent’s household. Neither parent is entitled to tell the other parent how to parent on his/her or her parenting time.

*Significant changes to child(ren)’s appearance. Neither parent is allowed to significantly change a child’s appearance, or give permission for a child to significantly change their own appearance without the other parent’s notification and opportunity for the other parent to discuss the requested change with the child (at
minimum) and/or permission after consultation with the child (preferred). This includes such things as major changes in haircuts, hair coloring, piercings, tattoos, or other significant and relatively permanent or enduring changes. This rule does not apply to temporary changes in appearance (examples include: styles of dress and/or makeup).

*Parenting Time Flexibility.* In order to minimize conflict, there is no assumption of flexibility in scheduling. Unless otherwise specified in this plan, each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible. Emergency decisions include emergency medical care such as broken bones, bleeding, catastrophic accidents. Such things as fevers, stomach aches, headaches, earaches, vomiting, are not considered emergency unless the other parent is not available within XXX 4 XXX hours of onset.

*Education: School designation*
- For purposes of school boundary determination and registration, the XXX Mother’s XXX address shall be designated; unless they mutually agree to using XXX Father’s XXX address, via communication in the Family Wizard.
- The Custodial Parent is able to make unilateral decisions regarding education; with the following provisions. The following provisions are made regarding educational choices, public/private/or home schooling: XXX ____ XXX

*School Calendar:*
- On or before XXX June 1st XXX of each year, both parents should obtain a copy of the school calendar for the next school year and XXX Father/Mother XXX shall input the school calendar onto a shared calendaring system (ex. Family Wizard).
- The parents shall follow the school calendar of the oldest child; in this case, XXX.

*Joint Scheduling Calendar:*
- Both parents will input all school events or critical deadlines, appointments, non-routine parenting time events (ex. best friend’s birthday party), etc. on a joint calendar within XXX 48 hours XXX of making such appointments, arrangements, or becoming aware of such events.
- Any disagreements or ambiguity regarding the annual calendar will be addressed within XXX 30 days XXX after it is input. If no disagreements are brought forward in this XXX 30 day window XXX (from the time the school calendar is input into the annual parenting plan calendar) then the calendar will be considered rigid and static unless both parties agree to make a change.
  - If the parents cannot reach an agreement regarding this calendar at the time it is being input then a third party mediator or other professional will be enlisted to assist.
  - Neither parent has unilateral decision making regarding the calendar.
- Appointments will be calendared within XXX 48 XXX hours of making the appointment.
- School events will be calendared within XXX 48 XXX hours of becoming aware of said event (ex. If a child brings home a Tuesday folder that specifies pictures are to be taken the following Monday then this event must be calendared within XXX 48 XXX hours.)

*Schedule changes to the parenting time plan:*
- The parties may decide by mutual agreement to change the Parenting Time Schedule, however, one parent cannot decide to change the schedule without the other parent’s approval.
- The request may be made ONCE, and if refused then the existing Court Order is adhered to without further consideration-no arguing.
- A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than 7 days before the change is to occur.
- A parent requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.
- Any agreed upon changes to the parenting plan must be made in writing, signed or electronically affirmed by both parties.
- Any changes to the parenting time will be agreed to in writing via the Family Wizard prior to the children being informed of the change. That is, if one parent requests the change and the other parent says “yes” then the children are informed. If one parent requests the change and the other parent says “no” then the children are not even told. There will be no “your father/mother won’t let you go”. The parents will simply refer to the parenting time plan and state that it is “not on my time with you” so I cannot make that decision.
- Temporary changes to this Parenting Plan may be made informally without a written document; however, if the parties dispute the change, the Parenting Plan shall remain in effect until further order of the court. Any substantial changes to the Parenting Plan must be sought through mediation prior to the filing of a supplemental petition for modification.

**First Right of Refusal**: There is no first right of refusal in this plan unless specifically noted in any specific section of this parenting time plan.

**When not all of the children are available:**
If either parent exercises parenting time for just one or two of multiple children due to other child(ren) being otherwise engaged (e.g. slumber party, sports travel, etc.) there will be no make-up time for that parent.

**Sick Children:**
- If a child(ren) is too sick to participate in transition for one parent’s parenting time that parenting time will not be made-up; however, a doctor’s recommendation that the child not be transported must be provided.
- Otherwise, BOTH parents are assumed to be capable and willing to care for a sick child.
- If children are kept out of school they will be cared for by, or have care arranged by, the parent exercising their parenting time that day.

**Child Care**
- Each parent may select appropriate child care providers

 OR

- All child care providers must be agreed upon by both parents.

- There will be NO ‘first right of refusal’ unless otherwise, specifically, noted in this document.

- Childcare will be paid as follows: Each parent is responsible for their own childcare costs. If a childcare provider is shared then an equitable amount will be determined to be each party’s responsibility and those costs will be kept current.

**Transportation**
The parent beginning their time-sharing shall provide transportation from the school(s) for the child(ren) but both parents provide transportation when they meet at the alternative designated public transition location.

OR

-Other

*Driving
-Neither party will drive without a valid driver’s license and insurance; and parents will supply each other with copies of their current and valid proof of insurance and license.
-Neither party will drive ANY vehicle under the influence of intoxicants (anything that impairs driving).
-The above conditions regarding “under the influence” apply to this section.

*Transportation Costs
-Each parent shall pay their own transportation costs.

OR

-Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and are not included here.

OR

-The Mother shall pay XXX % of transportation costs and the Father shall pay XXX % of transportation costs.

OR

-Other

*Exchange/Transition
-Transitions will be at the school whenever school is in session
-Transitions will be at the time school is out, unless specified in a specific section above, even when school is not in session.
-The transitions that do not occur at the school will be at the XXX alternative designated public location

OR

-The transitions that do not occur at the school will be at curbside XXX.
-The adults will remain in their XXX home or in their vehicle XXX unless it is necessary to assist with a baby or toddler. In this case, the parent ending their parenting time will walk out with the child(ren), hand them off quickly and return to XXX the house or to their vehicle XXX.
-The parent ending their parenting time will have had their good bye hugs, etc. prior to XXX the arrival of the other parent OR in the house prior to sending the children out XXX.
-The adults will remain in their XXX home/vehicle XXX unless it is necessary to assist with a baby or toddler. In this case, the parent ending their parenting time will walk to the other vehicle with the child(ren), hand them off quickly and return to their XXX vehicle/home XXX.
-The parent ending their parenting time will have had their good bye hugs, etc. prior to the arrival of the other parent.
-Absolutely no verbal or non-verbal communication is expected during this transition and any negative or confrontational communication is absolutely forbidden.
-Businesslike conduct is most appropriate. Friendly greetings (ex. hand wave, grin) are acceptable.
-Exchanges shall occur at the locations designated above unless both parties agree in advance, via Family Wizard so as to document, to a different meeting place. Without documented (text or email) agreement prior to the transition it is assumed that the transition time will be as stated in this plan.
-Parents XXX may/may not XXX assign another designated caregiver to complete the transition. XXX If so, then the parent who designates another driver or caregiver is responsible for informing that person of ALL expectations of the transition process and is further responsible for their designee’s behaviors during said transitions. No excuses. XXX
-If there is another caregiver who will be transitioning the children the other parent XXX is/is not XXX entitled to see their driver’s license and proof of insurance.
-Both parents shall have the child(ren) ready on time at the designated transition time. If a parent is more than 15 minutes late then the parent with the children may proceed with other plans or activities. XXX The parenting time will be considered to have been forfeited. XXX There will be no makeup parenting time.
-The children will not be allowed to make these arrangements themselves. Unless the children will be allowed to make these arrangements themselves then the children will not be involved in the potential change at all. No commitment or promise will be made about the other parent accommodating or not accommodating the change is to be shared with the child(ren) until after the agreement is made between parents; in particular, no one says anything like, “your father/mother refused to do that”. Specifically, transitions are to take place at the designated location, at the designated time, per Court Order, without exception. Messages through the children, regarding small adjustments to the transition times and places, will not occur. Children may seem to be the ‘least conflict’ approach but this is a burden for the children and this rule is being implemented in order to keep them out of the middle.
-Sufficient clothing will not be expected to be sent with the children. It will be assumed that each parent has sufficient clothing for each child.
-When transitioning children without excess baggage the transitions taking place at school will include the following routines for the child(ren)’s belongings (ex. clothing, sports/music/activity items, coats, boots, school projects, pets): The children will wear “transition” outfits to school that day. When the child(ren) is picked up after school those “transition” outfits are to be washed-if appropriate-and placed in a ziplock bag and placed in their school backpack on the day they transition back to the other parent.
-Coats and shoes/boots are not included in the “transition” outfits and these typically more expensive ‘on off’ items SHALL be returned with the child(ren) EACH AND EVERY WEEK. Failure to do so will require a special trip to the school, or a special meeting arranged the following day, to deliver said articles of clothing. It will be viewed as an act of passive aggression towards the other parent or, minimally, as failure to prioritize the procedures outlined here to reduce conflict between parents-for the children’s benefits.
-Seat Belts. Both parents shall ensure that if Child/children is riding in a vehicle with him or her, that Child/children wears his/her seatbelt.
-Auto Insurance and Properly Licensed Drivers. Each parent shall ensure that any driver of a motor vehicle in which Child/children is a passenger is properly licensed and insured.

*Academic Break Definition:
When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the morning of the first day of regularly scheduled classes after the holiday or break.
*Extra-curricular Activities:
- This section applies to team sports or other activities that typically require participation on a daily or weekly basis.
- This section does not apply to extra-curricular activities that could be chosen and implemented during only one parent’s time. (ex. music lessons, some athletics, art classes, etc. – these activities could sometimes reasonably be provided for by one parent without participation of the other.)

Choose one or the other; Option A or Option B
- Option A XXX (most restrictive-has consequences for children): Neither parent shall be required to have Child/children participate in any extra-curricular activities on that party’s parenting time.
- Neither party may schedule any activity on the other party’s parenting time except by specific written agreement, or electronic affirmation of a consent to schedule said activity on that parent’s parenting time. Neither parent shall discuss the other parent’s willingness or unwillingness to schedule extra-curricular activities with Child/children.

- Option B XXX (Custodial parent has final say and both parents must facilitate): The parents will communicate regarding the choice of extra-curricular activities that take place on the other parent’s time but the custodial parent will make the final decision. The Custodial parent, may register the child(ren) and allow them to participate in the activity of the child(ren)’s choice.
  - Once an activity is chosen, the child(ren) are enrolled, and the season or sequence has begun, both parents are required to facilitate the child(ren)’s participation.
    - If a child is significantly ill and cannot attend then the absence will be documented by doctor’s note (if questioned by the other parent).
  - The parent who has physical custody of the child during said activity will have the option to attend said activity (ex. practice, game, concert, performance) during their parenting time.
  - If the parent who has physical custody of the child during the activity is unable to attend the other parent will be welcome to attend.
    - If the parent without physical custody will be allowed to attend - these arrangements must be made by communication on Family Wizard 7 days prior to said event.
  - The non-physical custodial parent will not be routinely welcomed to these events.
    - If the parent who has physical custody at the time agrees in writing prior to the event then the other parent may attend and these arrangements will be made by communication on Family Wizard 7 days prior to said event.

- The parent with physical custody of the minor child(ren) shall transport the minor child(ren) to and/or from the extra-curricular activities, providing all necessary uniforms and equipment within the parent’s possession.
- The costs (fees for participation) of the extra-curricular activities shall be paid by:
  XXX Mother 50% / Father 50% XXX
- The uniforms and equipment required for the extra-curricular activities shall be paid by:
  XXX Mother 50% / Father 50% XXX
- These fees and costs shall be reconciled the same way that uninsured medical bills are reconciled. Refer to that section for details.

*School Field Trips/Events/Activities/Extracurricular.
- The parties will ONLY attend field trips/school activities during the time when they are exercising parenting time.
- Each parent is responsible to secure all information and permission slips necessary to allow such attendance.
- If one parent is unable to attend, that parent shall give notice to the other parent 7 days prior so that the other parent (the one who is not exercising their parenting time at that time) is able, potentially, to make arrangements to attend. No make-up time is warranted.

- **XXX “Tuesday” XXX folders:**
The parent who receives the weekly packet has 24 hours to send the other parent notice of any time sensitive information (Ex. Field trips, parent participation days, picture day, etc.)

- **Volunteering/visiting at school**
Each parent will volunteer/visit ONLY during their parenting time. The exception to this would be a scheduled parent/teacher conference but parents are highly encouraged to attempt to schedule even these school visits during their OWN parenting time when able. Under no circumstances will both parents be expected to be present at the same place and the same time to talk to any school personnel.

- **Summer camps:** Mother will choose camps on her time and anticipate paying for them and father will choose camps on his time and anticipate paying for them. Both mother and father are allowed to place children in the camps of their choosing, as long as the camps do not interfere with the other parent’s time.

- **Contact with schools/coaches/providers:** Each parent is responsible for contacting child/children’s schools, doctors, health care providers or other such service providers for information and shall not rely on the other parent, except as specifically set forth herein.

- **Information sharing:**
- In general, unless otherwise prohibited by law, each parent shall have access to medical and school records and information pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren).
- The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.
- However, each parent shall be responsible for obtaining the records and reports directly from the school and health care providers.
- Both parents shall be listed as “emergency contacts” for the child(ren).
  - It is Custodial Parent’s responsibility to put the Non-Custodial Parent’s name on all forms they complete for the child(ren)’s medical and school records as well as any forms that request an emergency contact number.
  - The parents shall always be correctly identified as “mother” or “father” even if there is a “stepmother” or “stepfather” or “significant other” or “grandparent” etc. that will also be listed.
  - The order of who is called in an emergency will be 1) Custodial Parent, 2) non-custodial parent, 3) other parties depending on the situation. If a significant other or other caregiver is to be notified instead of the other parent - then the details of these arrangements will be made known to all parties.

- **Parental Rights**: Each parent shall continue to have the following authority, to the same extent as the other parent has, equal and independent:
  - To inspect and receive school records/day care, and to consult with school staff concerning Child/children's welfare and education.
  - To inspect and receive governmental agency and law enforcement records concerning Child/children.
- To consult with any person who may provide care or treatment for Child/children and to inspect and receive Child/children's medical, dental and psychological records.
- To authorize emergency medical, dental, psychological, psychiatric or other health care for Child/children if the custodial parent is, for practical purposes, unavailable.
- To apply to be Child/children's guardian ad litem, conservator, or both.

*Notice Requirements. Each parent shall have a continuing responsibility to:
- Each parent has a continuing responsibility to provide a residential, mailing, and contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.
- Emergencies. Notify the other parent of any emergency circumstances or substantial changes in Child/children’s health immediately.
- Notice Before Moving. Neither parent shall move to a residence that is more than 60 miles further distant from his/her current address without first providing the other parent 90 days written notice of the change of residence and providing a copy of such notice to the Court. Any relocation of the child(ren) is subject to and must be sought in compliance with the ORS. In brief, the 60 day notice to the other parent is to allow them time to consider and approve or contest such a move. In order for a relocation to occur, without the other parent’s permission, it is generally necessary to show why it would be “in the best interest of the child” to make the move.

*Medical, Therapy, Dental, or Other Health Care Providers (“Health Care Appointments”).
- All appointments will be logged onto the common calendar within XXX 24 XXX hours of being scheduled.
- The parties shall cooperate in the scheduling of all health care appointments using a common calendar where the appointments are scheduled.
- ONLY the custodial parent shall schedule non-emergency appointments and the other parent must be given a 7 day notice, if they are to be given special permission to attend said appointments (ex. dental evaluation for braces, etc.).
- ONLY the custodial parent shall schedule urgent care appointments (ex. temperatures that are rising over a period of hours, earaches that seem to be getting worse, headaches)
- Either parent may take child(ren) in for emergency care (ex. broken bones or blood, but not fevers that have risen over a period of hours.)
- XXX ONLY the custodial parent may attend the urgent or non-emergency medical appointments, unless special permission is granted to the non-custodial parent, in writing XXX
  OR
  - XXX The custodial parent will attend urgent or non-emergency appointments if the child is in their physical custody at the time. The non-custodial parent will attend the urgent or non-emergency medical appointments; IF the non-emergency appointment is on the non-custodial parent’s parenting time.
- The Custodial parent will make routine medical appointments ONLY on their OWN parenting time.
- Each parent shall have full access to the health care provider and records of the provider free and clear of any interference from the other parent. Neither parent shall discuss the other parent with the provider and shall make no derogatory comments about the other parent to the provider.

*Health Insurance.
- XXX Father/Mother XXX shall continue to insure Child(ren) for health, dental and optical coverage provided such coverage is available through his employment at a reasonable rate.
*Uninsured Health/Dental Expenses. (Also to be utilized for extra-curricular fees and expenses)
-The parties each shall pay XXX half XXX of Child/children’s reasonably incurred, ordinary uninsured medical expenses, including, but not limited to, medical, optical, hospital, dental, prescriptions, counseling/psychiatric and orthodontic expenses, and co-payments made to providers, that are not covered by insurance.
-Time Period to Request Payment. It is the responsibility of the parent who incurs an uninsured expense to promptly request payment (in writing and providing proof of the expense) from the other parent of any such expense. A delay of more than sixty (60) days in making a request for reimbursement shall not be considered timely, and the other parent shall not be required to pay any portion of the claimed expense.
-The parents will utilize the Family Wizard (or other joint electronic communication tool) to request payments.
-Reimbursement. The obligated parent shall make reimbursement to the other parent within 60 days of receipt of the payment request, or explanation of benefits, and proof that the claim has been submitted to insurance, and the insurance company has paid or rejected the claim.

*Travel: Local, Foreign and Out-Of-State:
-Either parent may travel within the United States with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least 30 days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary (destination and accommodation details), including locations and telephone numbers where the child(ren) and parent can be reached at least 10 days before traveling.
-Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least 60 days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip at least 15 days prior to traveling. Both parents shall cooperate in allowing Child/children to travel internationally on that parent’s parenting time, and shall comply with the provisions of this paragraph. XXX Mother XXX shall provide Child/children’s passport to XXX Father XXX on a timely basis to secure visas as necessary, or otherwise within two weeks of travel. XXX Father XXX shall return the passport to XXX Mother XXX within seven days of returning from said travel. Each parent agrees to provide whatever documentation is necessary for the other parent to take the child(ren) out of the country.
-If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child(ren): XXX ______________________________ XXX

*Designation for other legal purposes
The tax credit for the children will be as follows:
-Mother shall claim XXXXX each year and Father shall claim XXXXX and XXXXX each year. When XXXXX is independent or no longer eligible to be claimed for this tax credit then the younger child(ren) XXX ___ XX, or XXXXX and XXXXX, shall be split.

OR

-XXX ______ XXX shall be entitled to claim “Head of Household” for tax filing purposes. XXX ______ XXX shall be entitled to claim child(ren) as a dependent for tax purposes in XXX and each even-numbered year thereafter and XXX ______ XXX shall be entitled to claim child(ren) as a dependent for tax purposes in XXX and each odd-numbered year thereafter.

OR

-Whoever pays for the child care shall be eligible to claim that on their taxes.
OR

- Whoever pays for the medical insurance shall be eligible to claim that on their taxes.

OR

- Whoever pays for college and related expenses shall be eligible to claim that on their taxes.

OR

XXX Mother/Father XXX will be allowed to claim the child(ren) for the purposes of food stamp or other aid, if they qualify.

- Both parties shall execute any documents required by any taxing agency to acknowledge this entitlement.

*Communication Between Parents*
- All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.
- Strategy to keep communications neutral (without side bar judgments or criticisms):
  - The subject Line to contain the TOPIC of the email
  - Write neutral email, re-read email to be certain it ONLY addresses the TOPIC
  - If in doubt, have a neutral party proof read it

- The parents shall communicate with each other only via Family Wizard emails unless there is an emergency or a last minute unavoidable transition problem.
- The parents will discourage extended family members from communicating with the other party as well.
- No one in the family is to post anything on social media about the other parent. No exception.

*Inter-Parent respect/Facilitating affection and respect between children and BOTH parents*
- The parties shall make best efforts to foster love and harmony in the other party’s relationship with Child/children and shall not attempt to undermine the authority of the other with Child/children.
- Specifically, each parent is prohibited, under any circumstances, from making or willfully allowing others to make derogatory comments in the presence of Child/children about the other parent, or his/her/her new partner or family, or in any way diminishing the love, respect and affection that Child/children has for the other parent.
- This also includes the requirement that the parties use best efforts to ensure that the same conduct and efforts take place with either party’s future partners, family and friends.
- Additionally, the parties shall not use Child/children as a messenger to pass messages to or communicate with the other parent.
- Insidious or subtle attempts to diminish Child/children’s love and respect for the other parent is equally damaging to Child/children, and is prohibited by this/her parenting plan.

*Name Identifiers*
- Neither parent shall at any time for any reason cause Child(ren) to be known, identified, or designated by any surname other than XXXXX.
- Neither parent shall initiate or cause the designation of "Mother " or "Father" or their equivalents to be used by Child(ren) with reference to any person other than his/her natural parents.
*Communication Between Parent and Child(ren)*

- Both parents shall keep contact information current.
- “Electronic communication” includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.
- Telephone or other electronic communication between the child(ren) and the other parent shall **not be** monitored by or interrupted by the other parent.
- The child(ren) may have telephone, e-mail, other electronic communication in the form of text, video, facetime, skype, with the other parent **ONLY**:  
  - **on the third day of the five day sequence, between 5:00 and 7:00 p.m. of that day**  
  - **During the two day stretches there is no need to contact the children; they need to settle into their context with the other parent.**  
  OR  
  - **During any longer periods of absence, week on/week off schedules, the parent away from the children may contact the children every three days; between 5:00 and 7:00 p.m.**  
- If the children are not available at the designated time then the parent with physical custody of the children will make sure they return the communication within 24 hours.
- If the parent does not place the call during the designated time then they forfeit that particular communication and need to wait until the next regularly scheduled communication; **no exceptions.**

*Allegations regarding parental behaviors and/or extended family members and/or significant others at the other house:*

- If the children report concerning behaviors/incidents in the other parents household do **NOT** assume the child(ren) is an accurate reporter (longer explanation follows in next section):
  - ASK the other parent
  - Do not act to ‘correct’ the other parent’s behaviors
  - If concerned bring it to 3rd party professional (therapist) versus DHS, police, etc.
  - Refuse to keep secrets, even if the child(ren) request.

*Parents will not take the children’s statements for fact, just because they said it.*

- Children are little thinking machines and will likely notice the differences between houses and will report the differences... for many different reasons (and even the kids probably don’t know for sure why they say what they say).
  - To get one parent or the other to change the rules to their benefit.
  - To get a rise out of one parent or the other.
  - Because they honestly don’t understand the WHY of the differences and are curious.
  - Because there are ‘demand characteristics' to say or do certain things—that is, telling mom that dad doesn’t do xyz for them because they know that their mom will sympathize and give them extra attention for that.... Or tell dad that mom lets them do xyz because they are confused about the different reasons for things and want an explanation. Clearly, kids are not always great reporters, for many reasons.
  - Therefore, each parent is to respond to reports of differences between homes with this comment: “Mom has her rules and does things at her house her way. Dad has his rules and does the things at
his house his way. They are different—just like rules at school are different than rules at home or rules at school change depending on the teacher. It is just the way it is. Now that you are at THIS house, you know the rules. End of story.”

o Don’t allow them to get in the habit of ‘playing the parents’.

*Communication between child(ren) and step-parents and/or significant others:
- The same provisions shall apply as have been stated above for the parents.
- Parent(s) are XXX not XXX allowed to delete said communications from the child(ren)’s devices.
- Parent(s) are XXX not XXX allowed to monitor said communications with the significant others.

* Children’s ownership of electronic devices/Costs of Electronic Communication:
- The child(ren) will not be allowed to have their own smart phone/tablets with internet capacity/etc. prior to XXX age 12 XXX unless both parents agree that it is appropriate.
- Rules regarding electronic use will be set independently at each home.
- If one parent provides/pays for a phone/device the other parent still has the authority to prohibit or make their own guidelines over the use of said phone/device—regardless who paid for it.
- Each parent is responsible for the costs of their own devices; not necessarily the costs of their children’s devices.
- When the children receive their own equipment then it is up to the parent who purchased that equipment to determine the appropriate use of that equipment during their own parenting time. That is, there is no expectation that the other parent will comply with THEIR rules, that the equipment will be made available at any specific time, for any specific purpose, nor that it will or will not be used as a consequence or reward at any particular location or time.

*Non-Age Appropriate Content/Media
- The parties agree that non-age appropriate adult-content material is harmful for Child/children.
- Television, movies, video games, music, performances, Internet usage, or contact that either party may have with a current or future partner in the presence of Child/children must be scrutinized to ensure age appropriateness.
- Child(ren)’s specific viewing shall be allowed at the discretion of the parent who is exercising their parenting time.
- However, child(ren) shall not be exposed to any inappropriate images or content as set forth in this paragraph. Both parties shall comply with all parental movie and television advisories as set forth by CARA (G, PG, PG-13) and all ESRB Video Game ratings (C, E, E10+, T).

*Medications
Both parents are required to provide the other with all medications that are required for Child(ren) to take as per his/her physician’s instructions. Should Mother/Father fail to provide said medications with Child(ren), Mother/Father is not required to administer the medications, but she/he shall use best efforts to communicate with Mother/Father to secure Child/children’s necessary medications.

*Physical Punishment of Child(ren)
The parties agree that neither parent will use, and shall not allow other persons to use, physical or corporal punishment to discipline Child/children. XXX There have been too many allegations of abuse to allow any discretionary corporal punishment in this family. XXX

*Not “under the influence”
The existing Court Order states “not under the influence” of intoxicants... and that is interpreted to mean XXX not “over the legal limit” for this purpose at this time, XXX

-IF either party feels the other is “over the legal limit” they have the right to request that the other parent submit to a urine analysis within 12 hours or otherwise submit to a test for intoxicants.
  
  o If the test is positive, the person being tested accepts financial responsibility for the test.
  
  o If the test is negative, the person reporting the concern accepts financial responsibility for the test as well as having to pay the other party XXX $50 XXX for the inconvenience.
  
  o If the other party refuses the test then future parenting time will be considered to be XXX cancelled XXX XXX supervised XXX XXX limited to... XXX pending a drug and alcohol assessment and completion of whatever that assessment recommends.

*Situations of Parental Conflict.

Should conflict or disagreements arise between the parents, neither parent shall involve Child/children in such conflict. If in-person conflicts occur, the parties shall immediately disengage and refuse additional interaction until the problem has been resolved. In other situations of conflict, such as email or text messages, the parties shall not communicate in offensive or disrespectful language but shall deal with the issue and the problems directly, and not as personal attacks.

*Disputes or conflict resolution

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parents may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

*High Conflict Collaborative Therapy-specialized Family Therapy

- The parties shall immediately jointly enroll in a program of collaborative therapy specifically designed for high conflict families. The parties shall equally share the cost of such therapy in advance. The stated goal of such therapy is to ensure the parties embrace parallel parenting, allow for future collaboration, and teach appropriate communication skills to the parties.

- Specifically, this therapist meets the mother separately, meets the father separately, meets all the children, reads the custody evaluation(s) XXX if one exists XXX to provide background for this family and then the therapist works with the adults (not jointly, though) to decrease conflict.

- When the parties and the therapist agree that the parties can move beyond parallel parenting, the parties agree to revisit the issues of the existing parenting plan and work with the therapist to revise the parenting plan.

- Each party is XXX required to attend TEN sessions XXX with the therapist following entry of judgment, or as otherwise agreed by the parties.

Other: __________________________________________________________________________
________________________________________________________________________
_________________________________________________________________________

SIGNATURES OF PARENTS

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it.

Dated: ________________________________  Dated: _____________________________
Signature of Mother: ____________________ Signature of Father: ____________________
Disclaimer: This document is merely a GENERIC PARALLEL PARENTING PLAN TEMPLATE created by Dr. Vicky Curry, PhD intended to be used by families who have difficulty co-parenting. The hope is that the level of detail in this plan, that encourages the thoughtful consideration of each of these categories and appropriate decisions made by parties at the time of dissolution or modification will decrease potential conflicts for the future.
REPRESENTING LITIGANTS IN HIGH CONFLICT FAMILY LAW CASES

LORENA REYNOLDS, AAL
THE REYNOLDS LAW FIRM, PC

WORKING WITH CLIENTS IN CRISIS
BUILDING TRUST

TRUST ME I'M A LAWYER

BOOK LIST
WIN-WIN SCENARIOS FOR CHILDREN

B.A.S.E.R. MODEL

BELIEVE
AFFIRM
SUPPORT
EMPOWER
REFER

• Adapted from T.A. Henderson (1992)
BELIEVE

• "I believe what you are telling me."
• "I am here for you."

TECHNOLOGY
VICTIMS OF REVENGE PORN

90%  
90 percent of revenge porn victims in CCRI's sample were women.

93%  
93 percent said they have suffered significant emotional distress due to being a victim.

49%  
49 percent said they have been harassed or stalked online by users who saw their material.

If you are a victim in need of support, visit www.EndRevengePorn.org

Sources:
1. McAfee's Love, Relationships, and Technology Report  
2. Cyber Civil Rights Initiative's "Effects of Revenge Porn Survey"

*CCRI survey results were achieved from a survey that was hosted on endrevengeporn.org from Aug 2012-Dec 2013. Participants self-selected into the study by visiting our website and filling out the survey on their own accord. Results depicted are reflective of a female-heavy sample, due to most of our site visitors being women.
B.A.S.E.R. MODEL
BELIEVE
AFFIRM

• Adapted from T.A. Henderson (1992)

YOU ARE NOT ALONE

AFFIRM

• “I am glad you told me about this.”
• “It is not your fault.”
• “No one deserves to be hurt.”
**B.A.S.E.R. MODEL**
**BELIEVE**
**AFFIRM**
**SUPPORT**

- Adapted from T.A. Henderson (1992)

**SUPPORT**

- “You are not alone.”
- “I am here for you.”
- “How can I support you best?”
- “What can I do?”
- “Do you want me to go with you?”
- “I can help by...”
- “Would it be helpful if I...”
B.A.S.E.R. MODEL
BELIEVE
AFFIRM
SUPPORT
EMPOWER

- Adapted from T.A. Henderson (1992)

EMPOWER

- “It took a lot of strength to speak up about this.”
- “You are strong enough to get through this.”
- “You did what you had to do to survive.”
- “It took courage to tell me.”
B.A.S.E.R. MODEL
BELIEVE
AFFIRM
SUPPORT
EMPOWER
REFER

• Adapted from T.A. Henderson (1992)
B.A.S.E.R. MODEL
BELIEVE
AFFIRM
SUPPORT
EMPOWER
REFER

• Adapted from T.A. Henderson (1992)

TIPS FOR INTAKE
MAKING PREDICTIONS, NOT PROMISES

TIPS FOR COURTIROOMS

Sometimes You just have to PICK yourself up and Carry On...

Survive now, Cry later.
I am a delicate feminine flower.

We must all make the choice between what is right and what is easy.
-Professor Dumbledore

If you tell the truth, you don't have to remember anything.
-Mark Twain
PARENTING PLANS

• Drafting
• Implementing
• Changing

CALENDARING LANGUAGE
UNPLANNED NO SCHOOL DAY

WE LOVE SNOW!!!
WHAT ARE WE GOING TO DO WITH THE KIDS?

SPECIAL FAMILY EVENTS
HELMETS, CAR SEATS, LIFE JACKETS

Bad parent! Good parent!

PETTY OR NOT PETTY?
THROUGH KIDS’ EYES

YOUR EXPERIENCE COLORS YOUR JUDGMENT OF CASES
SHIFTING CLIENT BEHAVIOR AND ATTITUDE

When I look back on my life, I see pain, mistakes and heart ache.

When I look in the mirror, I see strength, learned lessons and pride in myself.

WWW.LIVELIFEHAPPY.COM
Tomorrow is always fresh, with no mistakes in it.

Do the best you can until you know better.
Then when you know better, do better.

-Maya Angelou
CLIENT RESISTENCE

I don't want you to save me. I want you to stand by my side as I save myself.
Patience is also a form of action.
~Auguste Rodin
If you are neutral in situations of injustice, you have chosen the side of the oppressor.

Desmond Tutu
YOU HAVE NEVER REALLY LIVED UNTIL YOU HAVE DONE SOMETHING FOR SOMEONE WHO CAN NEVER REPAY YOU

helping one person might not change the whole world,

but it could change the world for one person.
IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _______

In the Matter of: 

________________, 

Petitioner, 

and 

________________, 

Respondent.

Case No.: __________

STIPULATED SUPPLEMENTAL JUDGMENT APPOINTING PARENTING COORDINATOR

This matter came before the Court based on the agreement of the parties, as shown by the signatures below.

The Court has entered a judgment regarding custody and parenting time, dated __________, for the parties’ minor child, __________, born __________. This Court has jurisdiction over child custody and parenting time issues pursuant to ORS 109.744 because the Court’s initial child custody determination was consistent with the provisions of the UCCJEA. Appointment of a Parenting Time Coordinator (hereinafter "Coordinator") is necessary to assist the parents in implementing the terms of their parenting plan. This Court will have continuing jurisdiction for purposes of reviewing and implementing the Coordinator’s recommendations pursuant to ORS 107.425(3) until the term of the Coordinator has expired or the Coordinator's appointment has otherwise been terminated, and all objections are resolved.

The Court’s retention of jurisdiction does not affect the finality of the underlying
judgment, which is intended by the Court to be an appealable judgment under ORS 19.205.

The Court finds the following conditions justify the appointment of a Coordinator in this case: The custody evaluator in this case has recommended that a parenting coordinator be enlisted to facilitate communication between the parents with sufficient authority to arbitrate impasses and preempt unnecessary litigation. The Court concludes that it is in the best interest of the child that the parents use a Coordinator with the power to coordinate parenting time, parenting exchanges, communication, exchange of information and records, arbitrate impasses and preempt unnecessary litigation.

1. Parenting Time Coordinator.

The Court, having reviewed the case file and documents presented and being fully advised, hereby orders that __________ is appointed as a Coordinator pursuant to the provisions of ORS 107.425(3). It is further ordered that the parties cooperate with the Coordinator and follow the terms specified in this Order.

The Coordinator may contact the parents and attorneys at the following telephone numbers.

Mother: __________
Telephone number: __________
Attorney: __________
Telephone number: __________

Father: __________
Telephone number: __________
Attorney: __________
Telephone number: __________

2. Term.

The term of the Coordinator’s service shall be for a period of _______ years beginning __________. The Coordinator’s appointment may be terminated prior to the
end of the term if both parents agree to the termination and receive permission from
the Court, if the Coordinator requests to withdraw, on the Court’s own motion, or
pursuant to paragraph (10) of this supplemental judgment.

3. Authority of the Parenting Time Coordinator.

3.1 Issues Subject to Parenting Time Coordination.

The Coordinator shall have authority to resolve disagreements relating to
implementation of the parenting plan, including, but not limited to, the following issues:
parenting time schedule and time share, including vacation and holiday scheduling;
methods of safely exchanging the child including transportation; methods of
communication (telephone, letters, e-mail, etc.); education, child care/babysitting and
extra-curricular activities for the child; religious observances and training for the child;
medical/psychological care decisions about the child; discipline of the child; daily
routine; relocation of one or both parents; and other matters submitted by the
agreement of both parents. The Coordinator’s authority includes the ability to
recommend new or modify parenting time provisions, to arbitrate impasses, and
preempt unnecessary litigation.

In addition, the Coordinator shall have authority to make recommendations for
financial or parenting time sanctions for initiating spurious court action or promoting
unsubstantiated allegations of maltreatment.

3.2 Role of Parenting Time Coordinator.

The primary role of the Coordinator is to assist the parties in working out
disagreements about the child in a way that minimizes conflict. S/he may resolve any
issue within the scope of his/her authority by any appropriate dispute-resolution
method. During this process, the Coordinator may coach and educate the parents about ways to better communicate about the child and about child development issues.

The Coordinator may request instructions from the Court, either in court or in writing directed to the Court, with notice to all parties and attorneys.

3.3 Appointments.

Appointments with the Coordinator shall be scheduled at the request of either parent by telephone or in person with no written notice required. Each parent shall make a good faith effort to be available for appointments when requested by the other parent or the Coordinator.

Whenever the Coordinator sets a time and place for a brief informational meeting both parents shall attend, or shall notify the Coordinator upon receipt of the meeting notice of any scheduling difficulties. Either parent may contact the Coordinator if meeting in the same room with the other parent would be uncomfortable, and alternative arrangements shall be made.

3.4 Process for Making Recommendations.

The Coordinator shall have discretion to set rules and procedures for the conduct of meetings which both parents shall abide by. The Coordinator shall decide matters submitted to him/her by meeting with the parents, reviewing written materials submitted to him/her, and considering any other information relevant to the matter at issue. Meetings may be held with both parents present or by meeting with one parent at a time. The Coordinator has discretion to allow either parent to appear by telephone.

The Coordinator may require the parties to obtain reports from professionals, family members and others who have information about the parents or child, such as
therapists, custody evaluators, school teachers, etc., and may consider that information in making a recommendation. Any such information considered by the Coordinator shall be available to the parties for their review unless the person submitting the information requests that it not be disclosed and the Coordinator is satisfied that it is necessary in the best interests of the child to consider the information despite the limitation on disclosure. The Coordinator is authorized to interview the child privately in order to ascertain the child’s needs as to the issues being decided. The Coordinator shall avoid forcing the child to choose between the parents.

The Coordinator shall decide any matter submitted to him/her within twenty-one (21) days, and shall send his recommendation to both parents and their attorneys, if they are represented. The Coordinator may issue an oral recommendation, as long as it is committed to writing as soon as possible.

The Parenting Coordinator will have the authority to recommend a psychological or psychiatric evaluation of one or both parents, or the child.

The Parenting Coordinator will have the authority to recommend parenting classes, parent training (including individual or group sessions), and such other interventions as are deemed appropriate by the Coordinator to enhance the parents’ capacity to parent.

The Parenting Coordinator will have the authority to recommend a custody evaluation with a clinical psychologist.

The parties may request judicial review of the Coordinator’s recommendation by filing a motion with the court within twenty-one (21) days of the date they received notice of the recommendation. If an appropriate motion is filed, the Court shall have
jurisdiction to determine whether the Coordinator’s recommendation shall be followed by the parents or shall be suspended pending the hearing. Prior to the scheduled hearing, the parents and counsel, if requested by the parents, shall meet and confer with the Coordinator to attempt to resolve the objections. In the event that the issues are resolved, a written stipulation shall be prepared by the Coordinator or counsel and submitted to the Court prior to the hearing.

The parties are required to follow any recommendations of the Coordinator until a timely request for judicial review is filed. If no request for judicial review is filed within the 21 day period, the Court shall review and approve the recommendation which will become binding unless modified or set aside. If the Coordinator’s recommendation amounts to a substantial change of circumstance modification of the parenting plan, as determined by the Coordinator or either parent, the recommendation must be accompanied by a stipulated motion to modify.

4  Communication.

The parents and their attorneys, if they are represented, may communicate with the Coordinator ex parte (without the other parent present). This applies to oral communications and any written documentation or communication submitted to the Coordinator.

The Coordinator may communicate ex parte (alone) with the parents and their attorneys. This applies to both written and oral communications. The Coordinator may talk with each parent without the presence of either counsel. The Coordinator shall not communicate ex parte with the judge assigned to the case.

5  Confidentiality.
There is no confidentiality concerning communications with the Coordinator. However, neither the Coordinator (nor the parties) will disclose any information that he/she (they) has (have) received in connection with a proceeding before the Coordinator to any parties not involved in the proceeding without advance written authorization from both the parties.

6 Cooperation with the Parenting Time Coordinator

The parents shall abide by the rules and procedures specified by the Coordinator. The parents shall attend all appointments scheduled by the Coordinator, or give at least 48 hours advance notice that the parent cannot attend. If one parent fails to appear for an appointment without 48 hours notice, the Coordinator may proceed at that time and make recommendations without the participation of that parent, or at the Coordinator's discretion, may continue the meeting to a future day with notice to the absent parent.

Within 15 calendar days of the date of this supplemental judgment, the parents shall provide all records, documentation and information requested by the Coordinator that is relevant to the matters being decided, with the exception of materials subject to attorney-client privilege.

7 Involvement of Parenting Time Coordinator in Litigation.

If either parent wishes the Coordinator to testify at a hearing other than to give a report on findings, the parent will be required to deposit with the Coordinator in advance a reasonable fee to cover the hourly rate of the Coordinator.

8 Quasi-Judicial Immunity.

The Coordinator acts as a quasi-judicial officer in his capacity pursuant to this
Order, and, as such, has limited immunity consistent with Oregon law as to all actions undertaken pursuant to the Court appointment and this supplemental judgment.

9 Fees.

The Coordinator’s hourly fee shall be set pursuant to an agreement between the parents and the Coordinator. If no agreement is reached, the Court shall set the Coordinator’s fee. Father shall pay 50% and Mother shall pay 50% of the Coordinator’s bill. The Coordinator may recommend to the Court that the allocation be modified if the Coordinator finds that one parent is using his/her services unnecessarily and, as a result, is causing the other parent greater expense, or if one parent is acting in bad faith. Ultimately, the Court shall determine the proper allocation of fees between the parents and may require reimbursement by one parent to the other parent for any payment made to the Coordinator. Either parent may request the fees be reallocated at any time during the Coordinator’s term of appointment.

The Coordinator’s fee includes time spent reviewing documents and correspondence, meetings and telephone calls with parents, attorneys, and other professionals involved in the case, and deliberation and issuance of recommendations. Costs shall include long-distance telephone calls, copies, fax charges, and all other similar costs incurred while working with the parents. The Coordinator shall also be compensated for time spent in any hearing, settlement conference or other court appearance that the Coordinator’s presence is requested or required. Nonpayment of fees shall subject the nonpaying parent to prosecution for contempt of court. Prior to the first appointment, the parents shall pay any retainer required by the Coordinator. The parents must give at least 48 hours advance notice to cancel an appointment. If
one parent does not appear at an appointment without giving 48 hours advance notice and the other parent is prepared to appear, the non appearing parent shall be responsible for both parents’ fees for that appointment.

10. **Grievances.**

The Coordinator may be disqualified on any of the grounds applicable to a Judge or Arbitrator. Any grievance from either parent regarding the performance or actions of the Coordinator shall be dealt with in the following manner.

10.1 A person with a grievance shall discuss the matter with the Coordinator in person before pursuing it in any other manner.

10.2 If, after discussion, the parent decides to pursue a complaint, s/he must then submit a written letter detailing the complaint to the Coordinator, the other parent, and any attorneys representing the parents and/or children. The Coordinator shall provide a written response to the parents and attorneys within 30 days.

10.3 The Coordinator will then meet with the complaining parent and his/her attorney (if any), to discuss the matter.

10.4 If the complaint is not resolved after this meeting, the complaining party may file a motion with the Court for removal of the Coordinator. The motion shall proceed on the written documents submitted by both parents and the Coordinator unless the Court orders an evidentiary hearing.

10.5 The Court shall reserve jurisdiction to determine if either or both parents’ and/or the Coordinator shall ultimately be responsible for any portions or all of the Coordinator’s time and costs spent in responding to the
10.6 The Court further reserves the right to impose sanctions for any conduct related to parenting time, not limited to those areas recommended by the evaluator or the Coordinator.

STIPULATION

I sign this stipulated supplemental judgment on my own volition, with full knowledge of the facts, and with full information as to my legal rights and liabilities. In some instances, the terms of this stipulated supplemental judgment represent a compromise of disputed issues. However, I believe the terms and conditions to be fair and reasonable under the circumstances. I have read the stipulated supplemental judgment and agree it accurately reflects our agreement.

______________  ____________________________
, Petitioner     Date

______________  ____________________________
, Respondent     Date

Prepared and Submitted by:
Lorena Reynolds, OSB # 981319
Attorney for ________
Domestic and Sexual Violence Resources:

Memoirs:
When Katie Wakes, by Connie May Fowler
A Piece of Cake, by Cupcake Brown
Intimate Politics, by Bettina Aptheker
Color Me Butterfly, by L.Y. Marlow
Becoming Maria, by Sonia Manzano
Between Two Worlds, by Zainab Salbi
Point Last Seen, by Hannah Nyalau
Crazy Brave, by Joy Harjo
Lucky, by Alice Sebold
Out of Bondage, by Linda Lovelace
Crazy Love, by Leslie Morgan Steiner
I, Tina, by Tina Turner

Non-Fiction:
Splitting, by Bill Eddy and Randi Kreger
It Didn’t Start with You, by Mark Wolynn
Trauma Stewardship, by Laura van Dernoot Lipsky
The Spirit Catches You and You Fall Down, by Anne Fadiman
Trauma and Recovery, by Judith Herman
The Body Keeps the Score, by Bessel van der Kolk
Everything Is Awful and I’m Not Okay:
Questions to ask before giving up

Are you hydrated? If not, have a glass of water (or herbal tea).

Have you eaten in the past three hours? If not, get some food — something with protein, not just simple carbs. Perhaps some nuts or hummus?

Have you showered in the past day? If not, take a shower right now.

If daytime: are you dressed? If not, put on clean clothes that aren’t pajamas. Give yourself permission to wear something special, whether it’s a funny t-shirt or a pretty dress.

If nighttime: are you sleepy and fatigued but resisting going to sleep? Put on pajamas, make yourself cozy in bed with a teddy bear and the sound of falling rain, and close your eyes for fifteen minutes — no electronic screens allowed. If you’re still awake after that, you can get up again; no pressure.

Have you stretched your body in the past day? If not, do so right now. A run or trip to the gym, a walk or roll around the block. Keep going as long as you please. If the weather’s crap, drive to a big box store and go on a brisk walk through the aisles you normally skip.

Have you said something nice to someone in the past day? Do so, whether online or in person. Make it genuine; wait until you see something really wonderful about someone, and tell them about it.

Have you moved your body to music in the past day? If not, go dancing with friends or just dance around the room for the length of your favorite upbeat song.

Have you cuddled a living being in the past two days? If not, do so. Don’t be afraid to ask for hugs from friends or friends’ pets. Most of them will enjoy the cuddles too; you’re not imposing on them.

Do you feel ineffective? Pause right now and get something small completed, whether it’s responding to an e-mail, loading up the dishwasher, or packing your gym bag for your next trip. Good job!

Do you feel unattractive? Take a goddamn selfie. Your friends will remind you how great you look, and you’ll fight society’s restrictions on what beauty can look like.

Do you feel paralyzed by indecision? Give yourself ten minutes to sit back and figure out a game plan for the day. If a particular decision or problem is still being a roadblock, simply set it aside for now, and pick something else that seems doable. Right now, the important part is to break through that stasis, even if it means doing something trivial.

Have you seen a therapist in the past few days? If not, hang on until your next therapy visit and talk through things then.

Have you been over-exerting yourself lately — physically, emotionally, socially, or intellectually? That can take a toll that lingers for days. Give yourself a break in that area, whether it’s physical rest, taking time alone, or relaxing with some silly entertainment.

Have you changed any of your medications in the past couple of weeks, including skipped doses or a change in generic prescription brand? That may be screwing with your head. Give things a few days, then talk to your doctor if it doesn’t settle down.

Have you waited a week? Sometimes our perception of life is skewed, and we can’t even tell that we’re not thinking clearly, and there’s no obvious external cause. It happens. Keep yourself going for a full week, whatever it takes, and see if you still feel the same way then.

You’ve made it this far and you will make it through.

You are stronger than you think.

Adapted by Lorena Reynolds of The Reynolds Law Firm, PC, from the original posted on http://eponis.tumblr.com where there are other posts you might enjoy.
Parenting Plan Sample Language

Calendaring Provisions:

1. **School Year.** Each school year, Parent A will obtain the school year calendar and provide to Parent B a detailed parenting schedule for the following school year. Parent A is required to provide this schedule by July 15 each year.
   - 1.1. If Parent B disagrees with the schedule, he/she is required to inform Parent A by July 25.
   - 1.2. If the parents cannot resolve the dispute between them, [consider mandatory mediation language here] either may petition the Court for assistance in setting the schedule and the Court specifically retains jurisdiction to resolve any dispute relating to the calendar.
   - 1.3. During the time the matter is in dispute, the parenting schedule provided pursuant to this section by Parent A will remain in effect. The Court is specifically authorized to order compensatory parenting time if it finds that the calendar did not comply with the provisions of this parenting plan.
   - 1.4. A copy of the calendar will be easily accessible for the child at both homes so that the child knows what the schedule is.

2. **Summer.** Parent A will provide to Parent B a detailed parenting schedule for summer by March 15 each year. If Parent B disagrees with the schedule, Parent B is required to inform Parent A by March 15.
   - 2.1. If Parent B disagrees with the schedule, he/she is required to inform Parent A by July 25.
   - 2.2. If the parents cannot resolve the dispute between them, [consider mandatory mediation language here] either may petition the Court for assistance in setting the schedule and the Court specifically retains jurisdiction to resolve any dispute relating to the calendar.
   - 2.3. During the time the matter is in dispute, the parenting schedule provided pursuant to this section by Parent A will remain in effect. The Court is specifically authorized to order compensatory parenting time if it finds that the calendar did not comply with the provisions of this parenting plan.
   - 2.4. A copy of the calendar will be easily accessible for the child at both homes so that the child knows what the schedule is.

Unexpected No-School Days:

**Sample #1:** When a child is too sick to attend school or there is inclement weather that closes the school on a day when an exchange would normally occur, the parent who had parenting time with the child the night before is responsible for providing care during the no-school day. The parents will arrange an exchange of the child consistent with the normal schedule as soon as possible.

**Sample #2:** If school is cancelled for the day on a transition day, then the parents will cooperate in a non-school transition as soon as it is safe to do so.
Sample #3: Whenever there is an unexpected no-school day, Parent A will provide care for the children. Parent B will drop the children off at Parent A’s home and will pick the children up by 5:30 p.m. if the child is scheduled to be with Parent B that evening. As soon as Parent B knows the child will not be attending school, Parent B will inform Parent A so that Parent A can make arrangements to be home with the child.

Sample #4: When a child is too sick to attend school, the child will remain with the parent who had the child the night before the illness. The child will transition to the other parent at the end of the school day if it is a transition day or at the next regular transition if it is not a school day. If there is an unexpected school closure, the child will stay with the parent who had the child the night before. If it is a regular transition day, then the exchange will occur as soon after 12:00 noon that it is safe to exchange the child.

Halloween:

Sample #1: Graduated Schedule.

Until the child is age 3, Parent B will have parenting time with the child on October 31 from noon until 7:00 p.m. in even-numbered years and Parent A will have parenting time with the child on October 31 from noon until 7:00 p.m. in odd-numbered years.

When the child is age 3 or older, if Halloween does not fall on a Saturday or Sunday then Parent B will have parenting time with the child on October 31 from 5:00 p.m. until 7:00 p.m. in even-numbered years and Parent A will have parenting time with the child on October 31 from 5:00 p.m. until 7:00 p.m. in odd-numbered years.

When the child is age 3 or older, if Halloween falls on a Saturday or Sunday, Parent B will have parenting time with the child on October 31 from 9:00 a.m. until 7:00 p.m. in even-numbered years and Parent A will have parenting time with the child on October 31 from 9:00 a.m. until 7:00 p.m. in odd-numbered years.

[make sure times match up with regular parenting schedule]

[consider an overnight so parent who does not have the child doesn’t have to deal with a too-much-candy-right-before-bed child]

Sample #2: Same Parent Every Year.

Parent B will have parenting time with the child each year. If Halloween falls during Parent A’s regular parenting time then Parent B’s Halloween parenting time will begin at 9 a.m. and end at 7:00 p.m. if Halloween falls on a Saturday or Sunday, or from 5 p.m. to 7 p.m. if Halloween falls on a weekday.

Sample #3: Alternating Years.
In even-numbered years, Parent B will have parenting time with the child on Halloween from 12:00 noon until 7:00 p.m. on Saturday or Sunday and from 5 p.m. to 8 p.m. on weekdays. In odd-numbered years, Parent A will have parenting time with the child on Halloween from 12:00 noon until 7:00 p.m. on Saturday or Sunday and from 5 p.m. to 8 p.m. on weekdays.

**Sample #4: Costume**

The parent who has the child for the times set forth in this section is responsible for providing a costume for the child unless otherwise agreed to by the parties and both parents will encourage the child to wear that costume, will not provide an alternative costume, or in any way disparage the costume provided by the other parent.
Things you can say when someone discloses abuse to you:

- I'm sorry this happened to you.
- I believe you.
- It wasn't your fault.
- You survived; obviously you did the right things.
- Thank you for telling me.
- I'm always here if you want to talk.
- You are strong enough to survive this.
- It took courage for you to talk to me.
- Take your time.
- What resources do you have that you can rally to help you? Are there friends, family, or service providers in your life already? If not, I will help you identify some.
- Can I do anything for you?
- Are you safe?

Things you should NEVER say:

- It was their fault
- That you don't believe them.
- That they did something to cause it.
- That they should have done something to stop it.
- That they should get over it.
- That it is no big deal.
- That they need to forgive the perpetrator and move on.

Don’t assume:

- That because you think they are safe that they are safe.
- If or how they want to be touched
- That they do or do not want to talk about it
- They are or should be “over it” just because it happened a long time ago
- They want to pretend like it never happened
- That they hate the perpetrator
- That you understand the dynamics that are going on

"What's the Problem Here?" How to Serve the Best Interest of the Child in "High Conflict" Custody Cases
Judge Karrie McIntyre, Lane County Circuit Court

Tips for Court

You’ve tried “Everything Else”:
1) Status Quo and/or Temporary parenting time hearing
2) Mediation and Settlement Conferences

Hearings/Trial:
Think about your case from beginning to end:
1) Create clear client understanding of the process:
   a. Formal or informal trial presentation?
   b. Prepare not only for direct exam but cross examination as well.
      i. Find the subtle ways to allow a judge insight into the family dynamics at
         play, i.e. power, control, undermining.
2) Prepare your client that the judge may have questions:
   a. What positive things does the adverse party bring to the parenting role?
   b. What things can this parent do to improve the circumstances for their child?
3) Come prepared with options for a range of outcomes:
   a. Courts can be unpredictable as the Court’s focus is on the child not the individual
      parent.
4) Talk about appropriate behavior in and around the courthouse:
   a. Professional, courteous
   b. Safety plans
   c. What type of contact between parties and witnesses are appropriate?
5) Handling the children in litigation:
   a. Are they missing school?
   b. Do they have someone to sit with them through the hearing?
   c. Chambers or open court?
   d. Sealed or not?
   e. It’s challenging to convey useful information through a child.
6) Understanding the Court may not designate parenting decisions to counselors or other
third parties:
   a. Not Permitted: “based on the opinion of the counselor in determining if the child
      is emotionally prepared for increased parenting then parenting time increases.”
   b. So, how can you and your client craft language to address this?
7) Parenting plans:
   a. Benefits of detailed parenting plans
   b. Staggered or built in stages
      i. Addiction issues
      ii. Mental Health issues
      iii. Education issues (domestic violence, parenting classes)
      iv. Absentee parent
      v. Child counseling progress