

# STANDARD ORDER OF PARENTING TIME MONTGOMERY COUNTY JUVENILE COURT

Parents are encouraged to create an agreed equitable written parenting time schedule that fits their circumstances and their children's lives, with the following serving as a schedule when the parents cannot agree. Nothing herein prohibits the parents from changing the schedule upon mutual agreement. In the event of conflicting dates and times, the following is the order of priority: Holidays; Birthdays; Summer/Breaks; Weekends; then Weekdays. This schedule presumes that if the parents have more than one child, the parenting time will be exercised with all children together. If a child indicates a strong opposition to being with the other parent, it shall be the responsibility of both parents to positively encourage the non-residential parenting time, appropriately deal with the situation by calmly discussing with the child his or her reasons and to work together to alleviate these misgivings without confrontation or argument. If they cannot resolve the problem, the parents shall seek the immediate assistance of a counselor or other professional, or may file a motion requesting court ordered counseling. It is the absolute duty of the residential parent to foster an environment, which avoids such problems, and to make certain that the children have an on-going relationship through non-residential parenting time.

1. **WEEKENDS:** The non-residential parent shall have parenting time on alternate weekends from Friday at 6:00 p.m. to Sunday at 6:00 p.m.
2. **WEEKDAY:** The non-residential parent shall have parenting time from 6:00 p.m. to 9:00 p.m. each Wednesday evening.
3. **HOLIDAYS:** The father shall have the children on the holidays in Column 1 in odd-numbered years and the holidays in Column 2 in the even-numbered years. The mother shall have the children on the holidays in Column 1 in even-numbered years and the holidays in Column 2 in odd-numbered years:

### *COLUMN 1*

Martin Luther King, Jr.  
Easter  
Fourth of July  
Beggar's Night (6:00 to 9:00 p.m.)

### *COLUMN 2*

Presidents Day  
Memorial Day  
Labor Day  
Thanksgiving Day

Non-residential holiday parenting time shall be from 9:00 a.m. the day of the holiday until 6:00 p.m., except for Beggar's Night as observed in that parent's community. When the holiday falls on a Monday immediately following a non-residential parenting time weekend, the non-residential parent shall be entitled to keep the children continuously from 6:00 p.m. Friday to 6:00 p.m. Monday.

4. **MOTHER'S/FATHER'S DAY:** On Mother's Day and Father's Day, no matter the parenting time schedule, the children shall be with the appropriate parent on those days from 9:00 a.m. to 6:00 p.m.
5. **CHRISTMAS BREAK:** In all even-numbered years, the mother shall have the children from 9:00 a.m. the day after school recesses (or 9:00 a.m. on December 20 if the children are not in school), until 9:00 p.m. December 24 and the father shall have the children from 9:00 p.m. December 24 through 6:00 p.m. January 1. In all odd-numbered years the reverse shall apply.
6. **BIRTHDAYS:** In odd-numbered years the father shall have all the children on each child's birthday from 6:00 p.m. until 9:00 p.m. In even-numbered years the mother shall have the birthdays.
7. **SPRING BREAKS:** In odd-numbered years the father shall have all the children for the spring break from school, starting at 9:00 a.m. the day after school recesses to 6:00 p.m. the day before school resumes. The mother shall have the children for spring break in the even-numbered years. If all the children are not of school age, the Saturday before Easter through the Friday after Easter shall be substituted.
8. **SUMMER VACATION:** The non-residential parent shall have parenting time for five weeks (35 days) each summer. Summer parenting time shall be taken in increments of no greater than two weeks (14 days) or less than one week (7 days), unless otherwise agreed, and shall not be extended because other non-residential parenting time falls within the chosen summer parenting time weeks. The non-residential parent shall give the residential parent written notice of summer parenting time plans between March 1 and April 1 of each year. The non-residential parent has priority of choice of summer parenting time dates if notice is given as required and unless the residential parent's vacation is an annual mandatory shut-down of the place of employment. If no notice is given by April 1, the residential parent has priority in the scheduling of any summer vacation plans and the non-residential parent may choose only those weeks in which the residential parent is not scheduled to be out of town on vacation with the children. The residential parent shall be entitled to up to two weeks for an actual vacation, which shall not be interrupted by any conflicting non-residential parenting times. Each parent shall provide the other parent with destination, times of departure and arrival, and method of travel when taking the children outside the parent's community. Child support will not be reduced during summer parenting time. In the event of a deviation from this or any other established time, the prior alternating weekend schedule shall recommence the second full weekend after a non-residential parenting time of six (6) days or more. The "prior alternating weekend schedule" is defined as the original pattern of alternating weekends established at the start of the parenting time order. To allow for consistency and predictability for both parents, the schedule of alternating

weekends does not change or reverse because of other special periods of parenting time have been exercised. If the second full weekend following return of the children from a non-residential parenting time in excess of six (6) days would have been the mother's weekend under the prior alternating pattern, it shall remain the mother's weekend. If the second full weekend after a non-residential parenting time of six (6) days or more would have been the father's weekend under the prior alternating pattern, then it shall be the father's weekend. The court realizes that this policy will from time to time result in one parent having two consecutive weekends following extended non-residential parenting time pattern but it will more than likely affect both parents equally from time to time. The court further realizes that if the non-residential parent exercises his or her full five (5) weeks of parenting time each summer in the manner described in Paragraph 8 and the residential parent exercises his or her full two (2) week vacation period, that the alternate weekend may, in practical effect, be eliminated during the summer months. This provision in no way prohibits the parties from exchanging weekends from time to time by mutual agreement.

9. **LATE PICK-UP:** The residential parent shall have the children ready for pick-up at the start of all parenting time. The children and the residential parent have no duty to wait for the non-residential parent to arrive for parenting time more than thirty (30) minutes, unless notified. The non-residential parent who arrives more than thirty minutes late without prior notification for a particular parenting time forfeits that parenting time, unless the residential parent agrees otherwise.

10. **DROP-OFF:** The non-residential parent will not return the children early from parenting time unless the parents agree to a different drop-off time in advance. The residential parent or other adult well known to the children must be present when the children are returned from parenting time.

11. **CANCELING NON-RESIDENTIAL PARENTING TIME:** Except in emergency situations, the non-residential parent must give at least 24 hours advance notice when canceling any parenting time.

12. **MAKE-UP NON-RESIDENTIAL PARENTING TIME:** Make-up days shall be given if an emergency prevents scheduled parenting time. All make-up parenting time shall be rescheduled and exercised within sixty (60) days.

13. **MEDICAL TREATMENT AND EMERGENCIES:** If the children become seriously ill or injured, each parent shall notify the other parent as soon as practicable. If the children become ill or injured during their time with the non-residential parent, said parent, shall contact the residential parent to secure treatment unless the situation is a medical emergency.

14. **TELEPHONE/MAIL OR E-MAIL:** Neither parent shall interfere with telephone, mail or e-mail contact between the children and the other parent. Long-distance calls from an out of town parent shall be at that parent's expense.

15. **TRANSPORTATION:** The non-residential parent has responsibility for transportation of the children to and from their home for parenting time with them and may use another adult well-known to the children for picking up or dropping off the children when necessary. Any person transporting the children may not be under the influence of alcohol or drugs, and must be a licensed, insured driver. The driver must observe all child restraint and seat belt laws. Car seats should be exchanged when required.

16. **SCHOOL WORK:** Parents shall provide time for children to study and complete homework assignments, even if the completion of work interferes with the parent's plans for the children. The residential parent is responsible for providing the non-residential parent all of the school assignments and books. Summer school, which is necessary for a child, must be attended; regardless of which parent has the child during the summer school period.

17. **EXTRACURRICULAR ACTIVITIES:** Regardless of where the children are living, their continued participation in extracurricular activities, school related or otherwise, should not be interrupted. It shall be the responsibility of the parent with whom the children are residing at the time to discuss the scheduling of such activities with the children and to provide transportation to the activities. Each parent shall provide the other parent with notice of all extracurricular activities, complete with schedules and the name, address and telephone number of the activity leader, if available.

18. **OUT-OF-STATE RELOCATION:** Neither parent shall relocate the children out of state without first obtaining a modified non-residential parenting time order. The parties may submit an agreed order modifying parenting time, with a provision for allocation of transportation expenses, to the court for adoption by the court as an order. If the parents are unable to agree, the moving parent shall, prior to relocation, 1) file a motion asking the court to modify the parenting time schedule, 2) set a hearing, and 3) obtain a modified parenting time order. No continuances of the hearing will be granted without written permission of the assigned judge.

19. **ACCESS TO RECORDS:** The non-residential parent shall have access to the same records, same school activities and to any day-care center which the children attend on the same basis that said records or access is legally permitted to the residential parent, unless a restrictive order has been obtained from the court. It is the responsibility of the parent obtaining a restrictive order to serve it on the appropriate organization.

20. **NOTICE OF CHANGE OF ADDRESS:** Both parents shall give written notice to the other parent immediately upon any change of address and/or phone number, unless a restrictive order has been obtained from the court. A copy of the notice, including the parties' name and case number, shall also be provided to the Montgomery County Juvenile Court Clerk, P.O. Box 972, 303 W. Second Street, Dayton, Ohio 45422-4240 Attention Clerk.