

**COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
CUYAHOGA COUNTY, OHIO**

PLAINTIFF/PETITIONER-01

vs.

DEFENDANT/PETITIONER-02

: CASE NO. DR: _____
:
: JUDGE: _____
:
: **SHARED PARENTING PLAN**
:

We, the parents, _____, Plaintiff/Petitioner-01 and _____, Defendant/Petitioner-02, have _____ (number) children from the marriage as follows:

<u>Names of Children</u>	<u>Date(s) of Birth</u>
_____	_____
_____	_____
_____	_____

The parents agree to the care, parenting, and control of their children as provided in this Shared Parenting Plan.

I. PARENT’S RIGHTS AND RESPONSIBILITIES

Each parent shall:

- A. Have the right to participate in major decisions concerning the children's health, social situations and interactions, morals, welfare, education, and economic environment.
- B. Have the right to reasonable telephone contact with the children when they are with the other parent.
- C. Have the right to participate in the selection of doctors, psychologists, psychiatrists, hospitals, and other health care providers for the children.
- D. Have the right to authorize medical, surgical, hospital, dental, institutional, psychological and psychiatric care for the children and obtain a second opinion regarding medical conditions or treatment.
- E. Have the right to be notified in case of an injury to or illness of the children.
- F. The right to be present with the children at medical, dental and other health-related examinations and treatments, including, but not limited to psychological and psychiatric care.
- G. Have the right to inspect and receive the children’s medical and dental records and the right to consult with any treating physician, dentist and/or other health care provider, including but not limited to psychologists and psychiatrists.

- H. Have the right to consult with school officials concerning the children's welfare and educational status, and the right to inspect and receive the children's student records to the extent permitted by law.
- I. Have the right to receive copies of all school reports, calendars of school events, notices of parent-teacher conferences, and school programs.
- J. Have the right to attend and participate in parent-teacher conferences, school trips, school programs, and other school activities regardless of when any such event occurs.
- K. The right to attend and participate with the children in athletic programs and other extracurricular activities.
- L. Take all measures necessary to foster respect and affection between the children and the other parent.
- M. Neither parent shall do anything that may estrange the children from the other parent, or impair the children's high regard for the other parent.
- N. Have the right to monitor the use of the children's social media use and discuss use with the other parent.

II. ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

Residential Addresses of Parents

The residence address of each parent is:

Plaintiff/Petitioner-01: _____

Defendant/Petitioner-02: _____

Notice of Intent to Relocate

Each parent shall file a notice of intent to relocate if he/she intends to move to a residence other than the one specified in this order. The Notice of Intent to Relocate shall be filed on or before 60 days from the date of the intended move, or within 10 days after the relocating parent knew or should have known of the move if the relocating parent cannot satisfy the 60 day requirement. A copy of any such notice filed with the Court shall be sent to the non-relocating parent unless the box below is checked.

Pursuant to a determination made under Ohio Revised Code §3109.051(G)(2) and subject to further order of the Court Plaintiff/Petitioner-01 Defendant/Petitioner-02 shall not be sent a copy of any relocation filed with the Court.

Residential Placement of the Children

Both parents have shared parenting of the children as specified in this Plan. Each parent, regardless of where an individual child is residing at a particular point in time, as specified in this Plan, is the "residential parent", "the residential parent and legal custodian", or the "custodial parent" of that child.

Both parents agree to not move outside of _____ County or its contiguous counties.

-or-

Both parties agree to not move more than _____ miles from their current residence.

-or-

Both parties agree that there is no restriction as to where each parent may reside.

School Designation

The following parent shall be designated the residential parent for PUBLIC school enrollment purposes for the subject minor children as follows:

<u>Name of Children</u>	<u>Date(s) of Birth</u>	<u>Residential Parent for School Purposes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The following parent shall be designated the residential parent for PRIVATE school enrollment purposes for the subject minor children as follows:

<u>Name of Children</u>	<u>Date(s) of Birth</u>	<u>Residential Parent for School Purposes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The parents shall divide the costs for private school tuition and fees as follows unless they otherwise agree:

_____ % shall be paid by Plaintiff/Petitioner-01.

_____ % shall be paid by Defendant/Petitioner-02.

Neither parent shall transfer the children to another child care provider, public school system or a private school without first obtaining the other parent's express written consent or prior Court approval.

Schoolwork

Parents shall provide time for the children to study, complete homework assignments, papers, or other school assigned projects, even if the completion of this work interferes with the parent's plans with the children. Parents shall inform each other of the school work which must be completed during the other parent's parenting time.

Contact Information and Parental Access

Current Contact Information. Except as otherwise ordered by the Court, each parent shall keep the other informed of his or her current address and telephone number at all times. Any change of address or phone number shall be reported to the other parent within 48 hours.

Communication. Both parents have the right to contact the children at reasonable times with reasonable frequency when the children are with the other parent. Contact includes phone calls and all other electronic communication, including email, texting, Skype, Facetime, videoconferencing and social networking. The children may contact, whether by phone or by other electronic device, either parent at any and all reasonable times as the children wish.

Communication between the parents shall be as follows: *(check all that apply)*

- In person
- By telephone
- By text
- By email
- Other: _____

Reasonable frequency of telephone contact between the non-possessory parent and child during the possessory parent's parenting time shall be reasonable, defined as once per day, or as the parents agree. Phone calls shall be reasonable in duration and not disruptive to the parent with the children. The other parent shall not participate in these calls. If the children are not available when the parent calls, the parent with the children shall have them return the other parent's call as soon as possible.

Records Access Notice. Pursuant to sections 3109.051(H) and 3319.321(B)(5)(a) of the Revised Code, subject to sections 3125.16 and 3319.321(F) of the Revised Code, each parent is entitled to access to any record that is related to the children, under the same terms and conditions as the other parent unless otherwise restricted.

Each parent shall be responsible for getting records and reports directly from the child care facility, school or medical care provider. The parents shall cooperate with each other in sharing information related to the education, health and welfare of the children and they shall sign any necessary documentation to ensure that each parent has access to said records.

Child Care Access Notice. Pursuant to section 3109.051(I) of the Revised Code in accordance with section 5104.11 of the Revised Code, each parent is entitled to access to any child care center that is or will be attended by the children unless otherwise restricted.

School Activities Access Notice. Subject to section 3319.321(F), each parent is entitled to access to any student activity that is related to the children and to which the residential parent is legally provided access, under the same terms and conditions as the residential parent. Any school employee or official who

knowingly fails to comply with this school activities access order is subject to an action for contempt of court.

Medical Records Access Notice. Each parent shall have access to all medical records of the children as provided by Ohio Revised Code 3109.051(H)(1) and (2).

Any keeper of a record who knowingly fails to comply with any record order is subject to an action for contempt of court.

Medical Responsibilities

The parents shall provide each other with the names and telephone numbers of all health care providers for the child(ren).

The parents shall communicate and consult with each other concerning non-emergency medical, psychological, counseling, optical, dental or orthodontic care of the children. Each parent may secure an independent evaluation at that parent's expense to determine the options for treatment and care of the child as described above. If the parties cannot agree regarding a course of treatment or care, then Plaintiff/Petitioner-01's Defendant/Petitioner-02's (select one) decision shall control.

A parent arranging a routine medical examination for the children shall give the other parent notice of the appointment within twenty-four (24) hours of making the appointment, when possible, so that the other parent may attend the examination if desired.

A parent shall notify the other parent promptly if a child experiences a serious injury, has a serious or chronic illness, or receives treatment in an emergency room or hospital. A parent shall notify the other parent of the emergency, the child's status, location, and any other pertinent information as soon as practical, but in any event within 24 hours.

When it is necessary for a child to take prescribed medications, the parent with the medications shall provide the other parent with an adequate supply of medications, the description of the medications and instructions for use of the medications to care for the child's needs during parenting time at the beginning of the parenting time.

All medications shall be administered to the child by both parents as prescribed. If a parent is not physically present to administer medications at the prescribed times, it is that parent's responsibility to ensure that a suitable adult administers the medications as prescribed.

Public Benefits

Plaintiff/Petitioner-01 shall be designated as the residential parent for receipt of public benefits purposes of the following children:

Defendant/Petitioner-02 shall be designated as the residential parent for receipt of public benefits purposes of the following children:

Extracurricular Activities

Each parent shall be responsible for keeping himself or herself advised of all extracurricular activities in which the child participates. Each parent shall have the child in attendance at the extracurricular activities while the child is with that parent. Before registering the child for a new activity, the parents shall discuss the future activities at least thirty (30) days in advance of the registration or start date for that activity, whichever comes first and is possible. The parents must mutually agree upon all future extracurricular activities. Neither parent shall enroll the minor child in an activity that occurs during the other parent's time without a mutual agreement. If the parents cannot decide together or resolve a dispute over the activity decision, Plaintiff/Petitioner-01 Defendant/Petitioner-02 shall make the final decision.

Extracurricular activities costs and fees shall be paid as follows, unless the parents otherwise agree:

_____ % shall be paid by Plaintiff/Petitioner-01.

_____ % shall be paid by Defendant/Petitioner-02.

Body Alterations

Neither parent shall permit the alteration of or alter the physical appearance of the children, including cutting or coloring hair, piercing the body and permanent tattooing, without the prior written consent of the other parent.

III. GENERAL PARENTING TIME RULES

Children's Response to Parenting Time. For healthy development, children of divorce need both parents to continue regular contact with them. Both parents should strive to communicate well and avoid angry interactions in the presence of their children.

It is normal when parents first separate that a child may have a strong emotional reaction when saying good-bye to one parent during transfer times. Parents need to know that the emotional response is typical, and that both parents need to act calmly and reassure the child that he or she will enjoy spending time with the other parent. This response by the child does not mean that the child does not love the other parent, or does not wish to spend time with the other parent. The length of a child's adjustment will vary and can depend on how well the parents handle the situation.

If a child indicates strong opposition to being with the other parent, it is the responsibility of both parents to deal with the situation appropriately. Depending on the child's developmental level, this may involve talking calmly and reassuringly to the child, exploring the child's concerns, and working with the other parent to help with the transition. When possible, it may be appropriate to arrange indirect transfers, such as drop-offs and pickups around school or child care, so that only one parent is present at the transition.

Keeping Children Together. This schedule presumes that if the parents have more than one child, the parenting time will be exercised with all children together.

Promptness. Both parents have the right to rely on the other parent to arrive on time to pick up the children. The children and/or parent need not wait more than 30 minutes for the parent receiving the child to arrive. A parent who is more than 30 minutes late to pick up the children without prior notification to the other parent forfeits that time unless the parent agrees otherwise.

Illness of Child. Parenting time shall take place even if the child is ill unless the child is hospitalized or a physician has recommended that the child not be removed from the residential parent's home, in which case immediate notice shall be given to the non-possessory parent. All parenting time that is missed under this provision shall be made up as soon as the child recovers.

If a child becomes ill or injured during parenting time warranting emergency medical or dental care, the parent with the child shall secure appropriate treatment and notify the other parent as soon as possible.

Cancellation. The parent exercising his or her parenting time shall give at least 24 hours advance notice of his or her intent not to exercise parenting time, unless a last minute emergency occurs. A parent who does not exercise parenting time forfeits the time.

Clothing. If the planned parenting time activities require special or unusual clothing needs, the parent needing the clothing shall notify and request such clothing from the other parent at least two days in advance of the parenting time. The parent with the clothing is under no obligation to comply with the request if the children do not have the type of clothing requested. All clothing sent by either parent shall be returned immediately after the parenting time. The clothing shall be washed and cleaned if the parenting time exceeds four days.

Travel Notifications. If either parent intends to travel with the children, he or she shall give the non-traveling parent at least 21 days advance written notice of the travel dates; written detailed information as to the destination, accommodations, method of travel (including name of airline and flight number or other such detailed information depending on the mode of travel); and a telephone number where the traveling parent or the children may be reached while away from home.

IV. PARENTING TIME

Parenting Time.

The parents agree to the Parenting Time Schedule attached as Exhibit ____ .

-or-

The parents agree to the Parenting Time Schedule below.

A. Local (parents live within 45 miles of each other)

1. Birth until age 3

The non-possessory parent shall have parenting time three times a week throughout the year, twice for 3 to 6 hours, and once overnight. If the parents cannot agree, parenting time shall take place every Monday and Wednesday, from 5:00 p.m. until 8:00 p.m. and overnight according to the following rotating schedule:

Week 1 – Friday from 5:00 p.m. until Saturday 8:00 p.m.

Week 2 – Saturday from 5:00 p.m. until Sunday 8:00 p.m.

2. Age 3 Years until age 6 years

The non-possessory parent shall have parenting time one midweek overnight and alternating weekends. If the parents cannot agree, the midweek overnight parenting time shall take place every Wednesday from 5:00 p.m. until Thursday morning. The non-possessory parent shall drop the children off at preschool, daycare, or school at the designated time. If there is no preschool, daycare or school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m.

The weekend parenting time will take place on alternating weekends, Friday from 5:00 p.m. until Monday morning. The non-possessory parent shall drop the children off at preschool, daycare, or school at the designated time. If there is no preschool, daycare or school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m.

3. Age 6 Years until age 14 Years

The non-possessory parent shall have parenting time one midweek overnight and alternating weekends. If the parents cannot agree, the midweek overnight parenting time shall take place every Wednesday from 5:00 p.m. until Thursday morning. The non-possessory parent shall drop the children off at preschool, daycare, or school at the designated time. If there is no daycare or school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m.

The weekend parenting time shall take place on alternating weekends, Friday from 5:00 p.m. until Monday morning. The non-possessory parent shall drop the children off at preschool, daycare, or school at the designated time. If there is no daycare or school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m.

4. Age 14 Years until age 18 Years

At this stage of development, the teenager's world revolves around peers and activities. Parents should be flexible and liberal with parenting time to allow the teenager to spend time with each parent, while allowing the child to participate in academic and social activities important to the teenager.

The non-possessory parent shall have parenting time for one midweek overnight and alternating weekends. If the parents cannot agree, the midweek overnight parenting time shall take place every Wednesday from 5:00 p.m. until Thursday morning. The non-possessory parent shall drop the children off at school at the designated time. If there is no school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m. The weekend parenting time shall take place on alternating weekends, Friday from 5:00 p.m. until Monday morning. The non-possessory parent shall drop the children off at school at the designated time. If there is no school, the non-possessory parent shall drop the children off at the possessory parent's residence no later than 9:00 a.m.

B. Regional (parents live more than 45 miles apart but less than 200 miles)

Parents shall follow the local schedule based on the age of the child except that any midweek parenting time shall be exercised in the county of the children’s residence and the non-possessory parent shall be responsible for all midweek transportation. Midweek parenting time shall be Wednesday from 5:00 p.m. until 8:00 p.m. The weekend parenting time shall also end at 8:00 p.m. on Sunday instead of extending through Monday morning once the children begin attending school.

C. Summers/Vacations, Holidays, School Breaks and Days of Special Meaning

The order of priority for parenting time is as follows: 1) holidays; 2) days of special meaning; 3) summer/vacation time; and 4) regularly scheduled parenting time.

1. Summers/Vacations

Both parents shall have parenting time for four weeks each summer. If the parents cannot agree, these four weeks may not be scheduled in more than two-week blocks if the children are under age six.

If none of the children are school age (i.e. in kindergarten or beyond), the four weeks may be scheduled at any time during the year.

By May 1st of each year, each parent shall give the other parent written notice of the selected weeks. If the weeks chosen by the parents conflict, the non-possessory parent’s schedule shall control in even numbered years and the residential parent’s schedule shall control in odd numbered years.

If a parent is exercising parenting time for four consecutive weeks and the children are staying in the community in which the vacationing parent resides, the non-vacationing parent may exercise two midweek days during the four week period. If the parents cannot agree on the midweek, the non-vacationing parent shall exercise the first and third Wednesday from 5:00 p.m. until 9:00 p.m.

2. Holidays

Parents are encouraged to agree to a holiday schedule based upon legal and religious holidays they observe. If the parents cannot agree, holiday parenting time shall take place according to the following schedule.

Holiday	Even Numbered Years	Odd Numbered Years	Times
Easter	Defendant/Petitioner-02	Plaintiff/Petitioner-01	10:00 a.m. to 8:00 p.m.
Memorial Day	Plaintiff/Petitioner-01	Defendant/Petitioner-	Sun 7:00 p.m. to Mon 8:00
July 4	Defendant/Petitioner-02	Plaintiff/Petitioner-01	7/4 9:00 a.m. to 7/5 9:00 a.m.
Labor Day	Plaintiff/Petitioner-01	Defendant/Petitioner-	Sun 7:00 p.m. to Mon 8:00
Halloween	Defendant/Petitioner-02	Plaintiff/Petitioner-01	5:00 p.m. to 8:30 p.m.
Thanksgiving	Plaintiff/Petitioner-01	Defendant/Petitioner-	Thurs 9:00 a.m. to Fri 9:00
Christmas Eve	Defendant/Petitioner-02	Plaintiff/Petitioner-01	12/24 noon- 12/25 noon
Christmas Day	Plaintiff/Petitioner-01	Defendant/Petitioner-	12/25 noon 12/26 noon
New Years Eve/Day	Defendant/Petitioner-02	Plaintiff/Petitioner-01	12/31 5:00 p.m. to 1/1 8:00

This holiday schedule may not include all holidays, including religious holidays that families may observe. Parents are encouraged to add holidays that they observe below:

Holiday	Even Numbered Years	Odd Numbered Years	Times

Holidays and days of special meaning shall be spent with the parent who is designated to have the children for those holidays or days of special meaning. If the holiday or day of special meaning falls on a weekend, the other parent shall have the children for the rest of the weekend if regularly scheduled to do so.

3. School Breaks

Unless the parents agree otherwise, all breaks from school (summer, winter, spring,) commence on the last day of school, and end the day before school resumes.

a. Winter Break

The parents will equally divide the children's winter break. This paragraph should be read in conjunction with the holiday schedule above. The parents will discuss and agree upon the allocation of the break at least thirty (30) days prior to the commencement of the break. If the parents cannot agree on the schedule for the break, the break will be divided equally.

If there is no agreement, the parent who is scheduled to celebrate Christmas Eve shall have the children from the day school is adjourned for the winter break through the scheduled Christmas Eve holiday, and the parent who is scheduled to have Christmas day will have the children for an equal number of days. The remaining days of the break shall also be equally divided with the parent scheduled to have the children for the New Year's holiday including that time in their half of the remaining days.

b. Spring Break

The parents shall annually alternate Spring break with Plaintiff/Petitioner-01 having the break in odd numbered years and Defendant/Petitioner-02 having the break in even numbered years.

4. Days of Special Meaning

For the purpose of this section:

Plaintiff/Petitioner-01 shall be designated as: Mother Father

Defendant/Petitioner-02 shall be designated as: Mother Father

The children shall spend Mother's Day with the parent regarded as mother and Father's Day with the parent regarded as father as indicated above. If the parents cannot agree, parenting time shall take place from 10:00 a.m. until 8:00 p.m. on Sunday and the children shall spend the rest of the weekend with the parent who normally has that weekend.

The children shall spend the birthday of each parent on the day of that parent's birthday. If the parents cannot agree, parenting time shall take place from 10:00 a.m. until 8:00 p.m. for a child not in school on the birthday, and 5:00 p.m. until 8:00 p.m. for a child in school on the birthday.

The child shall spend his or her birthday with the Plaintiff/Petitioner-01 in even-numbered years and the Defendant/Petitioner-02 in odd-numbered years. If the parents cannot agree, parenting time shall take place from 10:00 a.m. until 8:00 p.m. for a child not in school on the birthday, and 5:00 p.m. until 8:00 p.m. for a child in school on the birthday. The child's birthday is to be spent with the designated parent, even if the other parent is entitled to weekend, midweek, holiday or vacation with the child. Siblings of the parties shall attend the birthday event.

D. Long Distance (parents live more than 200 miles apart)

1. Birth until Kindergarten

The non-possessory parent shall have parenting time eight weeks per year in four separate blocks of time lasting two weeks. If the parents cannot agree, these two-week blocks shall take place from February 1 until February 14, May 1 until May 14, and August 1 until August 14. The final block of parenting time shall take place in odd-numbered years from December 1 until December 14 and in even-numbered years from December 14 until December 28. The non-possessory parent shall give the possessory parent 30 days advance notice of his or her intention to exercise these weeks.

The non-possessory parent may exercise additional parenting time in the community where the children reside according to the local schedule if the non-possessory parent provides written notice to the possessory parent 30 days in advance.

2. Kindergarten to Age 18

The non-possessory parent shall have parenting time eight weeks during the summer break. If the parents cannot agree, parenting time shall commence no sooner than one week after the last day of school and end no later than one week before school resumes.

The non-possessory parent may exercise parenting time every spring break from 5:00 p.m. on the last day of school before the break until 8:00 p.m. the day before school resumes.

The non-possessory parent may exercise parenting time one-half of every winter break. If the parents cannot agree on the one-half portion of winter break, the non-possessory parent shall exercise parenting time the first half of winter break in even numbered years and the second half of winter break in odd numbered years.

E. Visitation with Relatives

The children shall have access to relatives of both parents. The children shall have visitation with relatives of possessory parent during that parent’s parenting time.

V. TRANSPORTATION

Transportation. The Parties shall share in transporting the children for parenting time as follows unless otherwise agreed:

The parent receiving the child for parenting time shall be responsible for providing transportation for the children at the beginning of that parent’s parenting time. Each parent shall be responsible for providing transportation for the children to and from school and activities during that parent’s own parenting time.

The following will be the arrangements for providing transportation for our children at the beginning, during or end of a parenting period:

If a parent is unavailable to transport the children, an adult well known to the children shall do so. Only licensed and insured drivers may transport the children. The driver shall comply with all child restraint laws. No person transporting the children may be under the influence of drugs or alcohol.

Car/Booster Seat. Each parent should have a car/booster seat for any child required by law to ride in one. If the parents are unable to provide separate car/booster seats, the parents shall transfer the car/booster seat when parenting time exchanges occur.

VI. MODIFICATION/DISPUTE RESOLUTION BY MEDIATION

Prior to the initiation of formal legal proceedings to resolve any dispute arising under this Shared Parenting Plan, the Parties shall attempt to mediate their differences by submitting any controversy to a qualified, impartial mediator.

The parents shall agree on a mediator within fourteen (14) days after the dispute arises. The parents shall request the mediator to provide them with the fee schedule in advance of the mediation proceedings.

Both parents agree to cooperate and operate in good faith to resolve the matter(s) in dispute with the assistance of the mediator.

The parents agree to divide the expenses of the mediation as follows:

_____ % shall be paid by Plaintiff/Petitioner-01

_____ % shall be paid by Defendant/Petitioner-02

The mediator shall never participate in an inquiry before the Court involving either parent or the subject children as a witness, collateral contract or otherwise.

The report of the mediator shall be admitted into evidence only by stipulation of the parents and then may be referred to by the Court to determine the resolution of the dispute.

Should mediation prove unsuccessful, then either parent may seek resolution of the dispute from a Court of competent jurisdiction.

VII. DEATH OF EITHER PARENT

Upon the death of either parent, the surviving parent shall be awarded the parental rights and responsibilities of the subject minor children and be designated the residential parent for school purposes unless otherwise ordered by a Court of competent jurisdiction.

VIII. OTHER

The parents agree to the following provisions in addition to those stated above:

Upon approval by the Court, this Shared Parenting Plan shall be incorporated in the Judgment Entry.

APPROVED:

Plaintiff/Petitioner-01 Signature

Defendant/Petitioner-02 Signature

Date

Date