

## Parenting Time/Visitation

The following provisions shall control visitation with minor child(ren) in all proceedings and will not be modified except upon the showing of good cause.

1. Non-residential visitation shall be as follows:
  - (a) Visitation by the non-residential parent on alternate weekends from Friday at 7:00 p.m. to Sunday at 7:00 p.m. (the beginning and ending times may be varied accommodate the work schedule of the parties).
  - (b) On weeks when there is no weekend visitation. Monday from 5:00 p.m. to 8:00 p.m.
  - (c) On Mother's Day, the child(ren) shall be with the Mother, and on Father's Day, the child(ren) shall be with the Father. In the event this provision requires the child(ren) to be with the residential parent when it is the non-residential parent's normal weekend visitation, the non-residential parent shall return the child(ren) by 9:00 a.m. on Mother's Day or Father's Day. In the event that this provision requires the child(ren) to be with the non-residential parent when it is the residential parent's normal weekend visitation, said non-residential parent shall receive the child(ren) at 9:00 a.m. on that day and shall return them at 7:00 p.m. on said day.
  - (d) The parents shall have the child(ren) on holidays as follows:

## EVEN YEARS

### Residential Parent

Martin Luther King, Jr. Day  
Friday night to Monday night

President's Day  
Friday night to Monday night

Memorial Day  
Friday night to Monday night

Labor Day  
Friday night to Monday night

Brown County Fair

### Non-Residential Parent

Easter  
Thursday night to Sunday night

Fourth of July  
Night before until the morning after  
except when the 4<sup>th</sup> falls on Friday,  
Saturday, Sunday or Monday, when  
the visitation shall commence on  
Friday night and continue to end of  
weekend or end of holiday, whichever is  
later

Brown County Fair  
6:00 p.m. Wednesday to noon Sunday

Halloween (trick or treat night)

Noon on Sunday to 6:00 p.m. Wed.

5:00 p.m. to 9:00 p.m. \*

\* If trick or treat night occurs on different nights in each parent's neighborhood, the child(ren) may participate in trick or treat night in each parent's neighborhood. The costume will be provided by the parent who has trick or treat night as his or her holiday pursuant to this Rule and will be sent with the child(ren) to the other parent's neighborhood as required.

Thanksgiving Day  
Wednesday night to Sunday night

Christmas Day  
Christmas Eve and Christmas Day  
Until 2:00 p.m.

Christmas vacation and New Year's Day  
Christmas Day at 2:00 p.m. until night  
at the end of New Year's holiday

Child(ren)'s birthday (on a school night)  
5:00 p.m. to 9:00 p.m.  
No school 9:00 a.m. to 9:00 p.m.\*\*

\*\* The parenting time for birthdays shall include all of the siblings not just the child(ren) celebrating his or her birthday.

## **ODD YEARS**

The above schedule shall be reversed as to residential parent and non-residential parent:

1. Unless otherwise indicated, said holiday visitation shall commence at the regular hour as set for the commencement of weekend visitations and shall end at the regular hour set for ending of weekend visitation. Said holiday visitations shall have precedence over the regular visitation schedule but shall not otherwise modify it (for example, if the holiday granted in any particular year to a non-residential parent falls between the regular weekend visitation, the non-residential parent will have visitation three (3) weekends in a row at that particular time).
2. With regard to the Brown County Fair, if the child(ren) is involved with any project, special presentation, or other event during the Brown County Fair, the parent who has the child(ren) with him or her during the fair shall see to it that the child(ren) is not absent from any of the special events or presentations. Whichever parent is with the child(ren) for the special events and presentation shall notify the other parent of times for said events and presentations so that both parents may participate as fully as possible with the child(ren).
3. Each parent shall have extended visitation with the child(ren) every summer, however, the same shall not exceed four (4) weeks in duration, which shall be taken no more than two (2) weeks at a time. Each parent shall notify the other parent by May 15<sup>th</sup> of each year with regard to when he or she wishes to have the child(ren) for their particular two (2) week period. Where there is a conflict between the parents, the parent who first gives

written notice to the other parent shall prevail. Both parents shall notify the other parent of the dates thereof as soon as he or she makes the decision with regard to the scheduling. Either parent may include the Fourth of July holiday visitation as part of their own extended summer visitation if it is that particular parent's year to have the Fourth of July holiday visitation.

4. Transportation will be shared equally between the parties. The child(ren) shall be picked up and dropped off only by a licensed driver who shall be an adult known to the child(ren) and at all times seat belts and child(ren) restraints will be used according to law. The person who is picking the child(ren) up shall be insured and will under no circumstances be under the influence of alcohol or drugs. Both parties shall be diligent in having the child(ren) ready and available at the appointed times and transporting party shall be prompt in picking up and delivering the child(ren) provided, however, that the transporting parent for visitations shall have a grace period of thirty (30) minutes for pick-up and delivery if both parties live within a distance of thirty (30) miles from each other. If the one way distance to be traveled is in excess of thirty (30) miles, the grace period shall be (30) minutes. In the event the visiting parent exceeds the grace period, the visitation for the weekend is forfeited unless prior notification and arrangements have been made and except in cases where the visiting parent lives in excess of thirty (30) miles away and suffers an unavoidable breakdown or delay en-route and the visiting parent promptly notifies the residential parent by phone of the delay. Repeated violations by either parent shall be cause for granting a modification of the allocating parental rights order either by changing the allocation for parental rights or curtailing visitation as the case may be.

The residential parent shall send a note to the school or present a Court Order to the school if the non-residential parent is to pick-up at the school, otherwise the school will not release the child(ren) to the non-residential parent.

5. The residential parent shall send with the child(ren) on visitation sufficient clothing and outer wear appropriate to the season and predicted weather to last the period of visitation. All clothing sent with the child(ren) shall be returned with the child(ren). The clothing shall include appropriate footwear and shall all be of an appropriate size to fit the child(ren). For a weekend visitation, this shall consist of two changes of clothing and sleepwear in addition to any outerwear called for by the weather. In the case of infants, the residential parent shall notify the non-residential parent of what brand of formula, bottles, and diapers the child(ren) uses and shall so notify the non-residential parent at least 48 hours before the visitation so that the non-residential parent will have the opportunity to obtain the necessary supplies. A child(ren) of any age who is attached to a toy, blanket, etc. shall have it with him or her for the visitation and it shall be sent home with the child(ren). In the case of infants or young child(ren) who routinely use pacifiers, the pacifier brand will be sent along with any information about bottles, formula, etc. In the event that an infant has prescription formula, that must be sent with the child(ren).

6. Visitation does not include picking the child(ren) up and leaving them with a non-family member while the visiting parent pursues their own pleasures, nor does it include taking the child(ren) to a bar. Violations shall be deemed to be cause for curtailment of visitation.
7. The residential parent shall encourage free communications between the child(ren) and the non-residential parent and shall not do anything to impede or restrict communications by phone, mail or email between the child(ren) and the non-residential parent, whether initiated by the child(ren) or by the non-residential parent. The mail between the child(ren) and the parent shall not be opened or read by the other parent. This rule applies equally to the non-residential parent when the child(ren) are on extended visitation with the non-residential parent. Each parent unless ordered by the Court not to do so, is to keep the other parent informed of his or her current telephone number and address and upon any telephone or address change, shall notify the other party immediately of the change.
8. Both parents shall refrain from criticizing the other parent in the presence of the child(ren). Both parents shall try to prevent undue interference by grandparents in implementing visitation.
9. Neither of the parties shall attempt to modify the religious practice of the child(ren) without first having consulted with each other.
10. The residential parent shall promptly after receipt of same furnish the non-residential parent a photocopy of the child(ren)'s grade or report card and copies of any other reports concerning the child(ren)'s status or progress. The residential parent shall notify the non-residential parent of all school events in which the child(ren) is expected to participate including plays, pageants, honors or sports evenings, etc. promptly upon receiving notice of same.
11. If the child(ren) has a medical condition for which the residential parent is providing treatment, whether prescription or over the counter, the non-residential parent shall be notified with regard to the condition so that evaluation may be made by the non-residential parent with regard to whether the visitation will be exercised on the non-residential parent's weekend. If the child(ren) has a prescription, the medication shall be sent with adequate instructions and it will be administered by the non-residential parent as directed. If the child(ren) is receiving over-the-counter treatment for any medical condition, the residential parent shall notify the non-residential parent so that the non-residential parent may obtain the items needed for treatment. The same applies if the child(ren) becomes ill while visiting, namely that the non-residential parent shall promptly seek any necessary medical treatment and shall send any prescriptions or notification of required over-the-counter treatment to the residential parent.
12. Whenever the Journal Entry or Divorce Decree shall recite reasonable visitation rights, this rule shall be considered incorporated in the Entry and shall become a part of the Order of the Court and so enforceable by the Court.

13. Attorneys shall provide copies hereof to clients involved in litigation about visitation.

### **STATUTORY NOTICES**

**RELOCATION NOTICE:** Pursuant to ORC Section 3109.051(G), the parties are notified as follows:

If the residential parent intends to move to a residence other than the last residence of court record, s/he shall file a Notice of Intent to Relocate with this Court. Except as provided in ORC Section 3109.051(G)(2),(3) and (4), a copy of such notice shall be mailed by the Court to the non-residential parent. On receipt of the notice, the Court, on its own motion or on the motion of the non-residential parent, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child(ren) to revise the parenting schedule for the child(ren).

**RECORDS ACCESS NOTICE:** Pursuant to ORC Sections 3109.051(H) and 3319.321(B)(5)(a), the parties are notified as follows:

Except as specifically modified or otherwise limited by Court Order and subject to ORC Sections 2301.35(G)(2) and 3319.321(F), the non-residential parent is entitled to access under the same terms and conditions as the residential parent to any record that is related to the child(ren) and to which the residential parent is legally provided access, including school and medical records. Any keeper of the record, public or private, who knowingly fails to comply with this order is in Contempt of Court.

**DAY CARE CENTER ACCESS NOTICE:** Pursuant to ORC Section 3109.051(I), the parties hereto are hereby notified as follows:

Except as specifically modified or otherwise limited by Court Order, and in accordance with ORC Section 5104.011, the non-residential parent is entitled to access to any day care center that is or will be attended by the child(ren) with whom parenting time is granted, to the same extent that the residential parent is granted access to the center.

**SCHOOL ACTIVITIES NOTICE:** Pursuant to ORC Section 3109.051(J), the parties are notified as follows:

Except as specifically modified or otherwise limited by the Court Order, and subject to ORC Section 3119.321, the non-residential parent is entitled to access, under the same terms and conditions as the residential parent, to any student activity that is related to the child(ren) to which the residential parent legally is provided access.