

RULE 7 PARENTING/VISITATION TIME

The best visitation/companionship schedule is your own plan.

However, if you cannot agree, this Court Parenting/Visitation Plan is designed to insure that your child(ren) will have frequent and consistent contact with both parties.

PLEASE NOTE: Summer vacations shall take precedence over the holiday schedule and the holiday schedule shall take precedence over the normal weekly schedule.

(A) Weekend and Midweek Companionship

- (1) **For children from birth to 18 months.** Three weekly visits for 2-6 hours, on the days and times the parties can agree. If the parties cannot agree, then the days shall be every Saturday from 2:00 p.m. to 6:00 p.m. and every Tuesday and Thursday from 4:30 p.m. until 7:00 p.m., unless otherwise ordered by the Court.
- (2) **For a child 18 months to three years.** One or two weekly visits for 2-6 hours, plus one overnight, on the days and times the parties can agree. If the parties cannot agree, then the days shall be every Tuesday and Thursday from 4:30 p.m. until 7:00 p.m. and overnight from Friday at 5:30 p.m. until Saturday at 5:30 p.m., unless otherwise ordered by the Court.
- (3) **For children from age 3 through age 13.** Every other weekend from Friday after school (as soon as the non-custodian can pick up the child) until Sunday at 6:00 p.m. plus one evening a week, as the parties can agree. If the parties cannot agree, the midweek will be Wednesday from 4:30 p.m. until 7:00 p.m. and weekends from 6:00 p.m. Friday until Sunday at 6:00 p.m., unless otherwise ordered by the Court.
- (4) **For a child age 14 and older.** Visitation is expected to take place weekly, with the days and times to be agreed upon between the child and the non-custodian. If the child and non-custodian cannot agree upon weekly visitation, upon the filing of a motion the matter will be set for hearing.

(B) Summer Vacation – 4 Weeks Commencing at Age 18 Months.

- (1) For children from ages 18 months up to 5 years vacation shall be taken in no longer than one or two week segments. For children ages 5 and older vacation may be taken in one, two, three, or four - week periods.
- (2) During any vacation when the children are in the vicinity, the custodian shall have the same mid-week visitation as the non-custodian.

- (3) Each party must provide the other party with his/her vacation destination and telephone number, where he/she can be reached, times of arrival and departure, and method of travel.
- (4) Non-custodian's schedule shall have priority over custodian's, unless custodian's vacation time is mandated by provisions of his/her employment (such as annual plant shut-down). The parties shall give written notice to the other as the vacation schedule at least 60 days in advance.

(C) Holiday Parenting/Visitation, Commencing at 18 months.

HOLIDAY	EVEN #'D YEARS	ODD #'D YEARS	DAYS & TIMES
Martin Luther King Day	custodian	non-custodian	9:00 a.m. to 7:00 p.m.
President's Day	non-custodian	custodian	9:00 a.m. to 7:00 p.m.
Easter Sunday	custodian	non-custodian	9:00 a.m. to 7:00 p.m.
Spring Break	custodian	non-custodian	5:30 p.m. day school ends to 7:00 p.m. day before school resumes
Memorial Day	non-custodian	custodian	5:30 p.m. Fri. preceding to Mon. at 7:00 p.m.
Fourth of July	custodian	non-custodian	5:30 p.m. day preceding to 11:00 p.m. on the 4 th
Labor Day	non-custodian	custodian	5:30 p.m. Fri. Preceding to Mon. at 7:00 p.m.
Halloween	custodian	non-custodian	4 hours on "trick or treat" day/night
Thanksgiving	custodian	non-custodian	5:30 p.m. Wed. before Holiday to Fri. at 7:00 p.m.
	non-custodian	custodian	7:00 p.m. Fri. to Sun. at 7:00 p.m.
Christmas Eve	custodian	non-custodian	9:00 a.m. 12/24 to 10:00 p.m.
Christmas Day	non-custodian	custodian	10:00 p.m. 12/24 to 7:00 p.m. 12/25
New Year's Holiday	custodian	non-custodian	5:30 p.m. 12/31 to 7:00 p.m. 1/1*
Holiday Break	divide equally (or as the parties may otherwise agree in writing)		

***New Year's Holiday shall be based upon the 12/31 calendar year.**

(D) Days of Special Meaning

- (1) Religious or ethnic holidays – alternate between the parties yearly.
- (2) Mother’s and Father’s day with respective parties.
- (3) Children’s birthdays with custodian in even-numbered years and non-custodian in odd-numbered years. All siblings to attend.

(E) Make-up Days

Make-up days shall be given if, due to an emergency, the child or non-custodian cannot visit at the schedule time, or if the custodian denies visitation time with just cause. All make-up days shall be rescheduled and exercised within 30 days.

(F) Extracurricular Activities

Regardless of where the children are living, their participation in existing and renewed extracurricular activities, school related or otherwise, shall continue uninterrupted. The party with the child at the time of the activity shall provide the transportation to these activities. Notice of all extracurricular activities, school related, or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten, if no formal schedule is provided by the activity) and the name of the activity leader (including address and telephone number if reasonably available) shall be exchanged between the parties.

(G) Change of Residence within Ohio

If the custodian intends to move his or her residence, the custodian shall immediately file a written notice with the Clerk of Courts. The written notice shall include the following:

- (a) The case number under which the original visitation order was issued;
- (b) The custodian’s name, old address and new address; and
- (c) The non-custodian’s name and present address.

Upon receipt of this notice, the Clerk shall file the original and send the non-custodian a copy of the notice unless the custodian has filed with the notice a motion requesting a hearing pursuant to O.R.C. 3109.051(G).

(H) Removal from Ohio

The custodian shall not remove the child(ren)’s residence from the State of Ohio without first obtaining either written consent of the non-custodian in a Judgment Entry providing for a modified visitation schedule or an order of this Court.

(I) Access to Records, Day Care and Activities. Each party is entitled, under the same terms and conditions under which access is provided to the custodian, to access:

- (1) any school, health, or agency records or reports that are related to the child(ren);
- (2) any child day care center which the child attends; and
- (3) Any student activity in which the child(ren) participated. O.R.C. 3109.051(H), (I), (J).

(J) Transportation

Unless the parties agree otherwise, the non-custodian has the responsibility for obtaining the children at the beginning of a visitation period, and the custodian has the responsibility for picking up the children after their visit. The child(ren) and the custodian have no duty to wait for the non-custodian to arrive for more than 30 minutes. The non-custodian who is more than 30 minutes late for a particular companionship period shall forfeit that visitation. If a party is unavailable to pick up the child(ren), an adult licensed driver who is well-known to the children may substitute for the party. All child restraint laws must be complied with by any person driving with the child(ren). No person transporting the child(ren) may be under the influence of drugs or alcohol.

(K) Telephone Calls

Each party shall talk over the telephone with the child(ren) as often as the parties agree. If the parties cannot agree, the non-custodian shall have telephone privileges at least twice per week. In addition, a party may call a child once during a scheduled or agreed visitation period that is missed. Also, each party shall have the right to call a child who is on vacation with the other party as often as the parties agree; absent agreement, each party may call the child at least twice per week. Phone calls shall be during the normal hours a child is awake; and if the child is unavailable for conversation, each party shall be responsible to see that the child timely returns the call.

(L) Medication/Illness

If the child(ren) is taking medication (prescription or non-prescription) upon the advice of a physician, the custodian shall send with the child(ren) sufficient medication to last the entire visitation period; written instructions for the administration of the medication to the child(ren); and the name and telephone number of the physician. If visitation time is cancelled due to the child(ren)'s illness or injury, then the time shall be made up within sixty (60) days at a time of the non-custodian's choosing.