

STANDARD SCHEDULE FOR MINIMUM PARENTING TIME

Darke County Court of Common Pleas

TRAVIS L. FLIEHMAN, JUDGE  
General Division

JASON R. ASLINGER, JUDGE  
Probate / Juvenile Division

Parents are encouraged to create an equitable, written parenting time schedule that fits their circumstances and their children's lives, with the following minimum schedule to be used when the parents cannot agree, unless otherwise Ordered by the Court. The parents are encouraged to expand the schedule upon mutual agreement when in the best interests of the children. This schedule presumes that if the parents have more than one child, the parenting time will be exercised with all children together. Also, this schedule presumes the child is old enough to be away from its residential parent for extended time; if not, a phase in schedule should be established.

If a child indicates opposition to visiting the other parent, it shall be the responsibility of both parents to positively encourage non-residential parenting time, to appropriately resolve the situation by maturely discussing with the children the reasons for their opposition, and to work together to alleviate any opposition without confrontation or argument.

For children age five (5) and under, the court recommends to the parties the Ohio Supreme Court parenting education guide found at: [www.supremecourt.ohio.gov/Publications/JCS/parentingGuide.pdf](http://www.supremecourt.ohio.gov/Publications/JCS/parentingGuide.pdf).

**1. WEEKENDS:** The non-residential parent shall have parenting time on alternating weekends from Friday at 5:30 p.m. to Sunday at 5:30 p.m. If Monday is a holiday for the non-residential parent, parenting time extends to Monday at 5:30 p.m. A recommended extension of overnight weekend parenting time is encouraged, such as commencing Thursday evening or ending Monday morning.

**2. WEEKDAY:** The non-residential parent shall have parenting time from 5:30 p.m. to 8:30 p.m. each Wednesday evening. If the children are involved in religious or other activities at this time, the parties are encouraged to select another night.

**3. HOLIDAYS:** In even numbered years, father shall have the children on the holidays in Column 1 and mother shall have the holidays in Column 2. In odd numbered years, mother shall have the children on the holidays in Column 1 and father shall have the holidays in Column 2.

Column 1	Column 2
Easter or Passover	Martin Luther King Day
Memorial Day	Fourth of July
Labor Day	Thanksgiving

Holiday parenting time shall be from 5:30 p.m. on the day before the holiday to 5:30 p.m. on the day of the holiday. 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 Friday at 5:30 p.m. to Monday at 5:30 p.m.

**4. WINTER BREAK:** In all even-numbered years, the father shall have the children from 9:00 a.m. the day after school recesses (or 9:00 a.m. on December 20<sup>th</sup> if the children are not in school) to 3:00 p.m. December 25<sup>th</sup>. The mother shall have the children from 3:00 p.m. December 25<sup>th</sup> to 5:30 p.m. January 1<sup>st</sup>. In all odd-numbered years, the reverse schedule shall apply.

**5. SUMMER VACATION:** The non-residential parent shall have parenting time for 28 days each summer. Summer parenting time shall be taken in two 14 day segments, separated by not less than 7 consecutive days, unless otherwise agreed. The 14 day segments shall not be extended because other non-residential parenting time falls within the chosen summer vacation period. The parent who is entitled to have parenting time with the children on the July 4<sup>th</sup> holiday, as provided above, has priority to choose summer parenting time dates, provided written notice is given to the other parent by May 1<sup>st</sup> of each year. If written notice is not given by May 1<sup>st</sup>, then the other parent has priority in the scheduling of summer parenting time.

Except for uninterrupted parenting time, as referenced in the following paragraph, the regular alternate weekend and holiday parenting schedule shall continue throughout the summer, with each parent continuing to have the children on the weekends and holidays said parent would normally have them pursuant to this schedule. The residential parent shall be entitled to exercise the mid-week parenting time that the non-residential parent would normally exercise during the non-residential parent's summer parenting time.

During the summer parenting time, each parent is entitled to a maximum of 14 days of uninterrupted parenting time to allow for a parent's scheduled, out-of-town, overnight vacation plans. The out-of-town vacation time shall be scheduled as set forth above with written notice provided to the other parent. When exercising out-of-town vacation time, each parent shall provide the other parent with destination, times of departure and arrival, and mode of travel.

**6. SPRING BREAK:** The parent not having the priority of choice for choosing summer parenting time shall have the children for any spring break from school starting at 9:00 a.m. the day after school recesses until 5:30 p.m. the day before school resumes. If there is a conflict between spring break and Easter schedules, the parent entitled to the Easter Holiday is entitled to such time. Spring break applies to all children if any child is of school age.

**7. MOTHER'S / FATHER'S DAY:** Mother's Day shall always be spent with the mother, and Father's Day shall always be spent with the father, regardless of which parent is entitled to the weekend. If the parties cannot agree, the time shall be from 10:00 a.m. to 5:30 p.m.

**8. BIRTHDAYS:** In all even-numbered years, the father shall have all the children on each child's birthday from 5:30 p.m. to 8:30 p.m. In odd-numbered years, the mother shall have the birthdays. Siblings are expected to attend.

- 9. DARKE COUNTY FAIR:** The week of the Darke County Fair shall not be taken as a “vacation” week by either parent, and shall be divided equally between the parties pursuant to the following arrangement, which deviates from the above summer parenting arrangement:
- During even years the father shall get the children beginning at 6:00 p.m. on the Friday the fair begins, and shall keep the children until Tuesday at 8:30 p.m., at which time they shall be delivered to the mother’s residence. Mother shall have the children from Tuesday at 8:30 p.m. until Sunday at 6:00 p.m.
  - In odd numbered years mother shall have the children from 6:00 p.m. on the Friday the fair begins, and shall keep the children until Tuesday at 8:30 p.m., at which time the children shall be delivered to father’s residence. Father shall then have the children from Tuesday at 8:30 p.m. until Sunday at 6:00 p.m.
  - The above schedule shall not hinder a child from showing animals or being involved in 4-H or any other activities in which the child is scheduled to participate.
- 10. ORDER OF PRIORITY:** In the event of conflicting dates and times, the following order of priority shall take precedence: Holidays; Spring / Summer / Winter Breaks; Birthdays; Mother’s / Father’s Day; Darke County Fair; Weekends; then Weekdays.
- 11. PROMPTNESS:** Each parent shall have the children ready for pick up at the start and conclusion 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 at least thirty (30) minutes prior to the scheduled pick-up time. The non-residential parent who arrives more than thirty (30) minutes late without prior notification for a particular parenting time forfeits that parenting time, unless the residential parent otherwise agrees.
- 12. TRANSPORTATION:** The non-residential parent shall be obligated to pick up the children for the commencement of parenting time. The residential parent shall be responsible for retrieving the children from the non-residential residence at the conclusion of the scheduled parenting time. Transportation should be made by the parent themselves; when necessary, another adult well known to the children may be used to pick up or drop off the children. Any person transporting the children shall not be under the influence of alcohol or drugs, and must be a licensed and insured driver. All child restraint and seat belt laws must be observed by the driver.
- 13. CANCELING NON-RESIDENTIAL PARENTING TIME:** Except in emergency situations, the non-residential parent must give at least twenty-four (24) hours advance notice when canceling parenting time in order to be entitled to reschedule the cancelled parenting time.
- 14. MEDICAL TREATMENT AND EMERGENCIES:** If any child becomes seriously ill or injured, each parent shall notify the other parent as soon as practicable. If any child becomes ill or injured during their time with the non-residential parent, said parent shall promptly contact the residential parent to authorize treatment unless the situation is a medical emergency.
- 15. TELEPHONE, MAIL AND 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.
- 16. EXTRACURRICULAR ACTIVITIES:** The parents are encouraged to cooperate and communicate with one another before enrolling the children in extracurricular activities. Unless otherwise agreed, the parent enrolling the child in the activity shall bear the cost of such activity. Each parent shall provide to the other the date, time and location of the children’s activities. Unless otherwise agreed, the parent who has parenting time shall be responsible for transporting the children to and/or from the activity.
- 17. RELOCATION:** Each parent shall submit to the court and the other parent a Notice of Intent to Relocate at least 30 days prior to any change of residence. Such Notice shall provide the court with the anticipated new address, the effective date of the move and the last known address of the other parent.
- 18. LONG DISTANCE PARENTING TIME:** In lieu of paragraphs 1-6, and with notice given as required in paragraph 5, the non-residential parent shall be entitled to the following parenting time when the parties live in excess of 150 miles apart:
- Six weeks during the child’s summer vacation from school.
  - One week each year during the child’s Spring break from school.
  - Winter break, as indicated above, except that the exchange shall take place on December 26, so that the child does not spend Christmas Day traveling.
  - Whenever the non-residential parent is in close proximity to the community where the residential parent lives, and given twenty-four (24) hours notice, the non-residential parent shall be entitled to parenting time for a reasonable period of time, considering the circumstances at the time.
  - The non-residential parent shall be permitted to telephone the child at 6:00 p.m. eastern time on alternate Sundays commencing the first week the order goes into effect. The residential parent shall make sure that the children are available for the calls.
- 19. ACCESS TO RECORDS:** The non-residential parent shall have access to the same records, same school activities and to any daycare 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 by the court. It is the responsibility of the parent obtaining a restrictive order to serve it on the appropriate organization.
- 20. SUPPORT DEVIATION:** Parenting time under the minimum schedule does not meet requirements for a 10% support deviation. The extended weekend overnight visitation schedule meets the requirement for the 10% deviation.