

# CHILD PLACEMENT AND PARENTING PLAN

(W. Marsh Robertson, Family Court Judge)

The child placement schedule and parenting provisions outlined below (the "Plan") shall be legally binding on the parties unless and until modified by subsequent court order. The terms of this Plan are fully incorporated into the Court Order to which this Plan is attached, and shall be enforceable as to both parents through the contempt powers of the Family Court.

## I. CHILD PLACEMENT SCHEDULE

This section sets forth the court-ordered child placement to which the noncustodial/secondary custodial parent ("visiting parent") shall be entitled to exercise at a minimum. The visiting parent and the primary custodial parent ("custodial parent") are free to supplement or deviate from this schedule at any time by mutual consent or agreement. The terms of this section shall therefore be construed as the "default" visitation schedule where no agreement to the contrary exists. Summer Placement and Holiday Placement shall supersede and take precedence over Weekend Placement and Midweek Placement where conflicts arise.

**A. Weekend Placement:** The visiting parent shall have child placement on alternating weekends ("visitation weekends") from 6:00 PM Friday until 6:00 PM Sunday. During the school year, visitation weekends will be extended where applicable by 24 hours to include any Friday or Monday school holiday.

**B. Weekday Placement:** The visiting parent shall have midweek child placement from 5:30 PM until 8:30 PM as follows: (1) each Thursday immediately following a visitation weekend; and (2) each Tuesday immediately following a non-visitation weekend.

**C. Summer Placement:** The visiting parent shall have child placement for four full weeks each summer, to include one week in June, two weeks in July, and one week in August. The visiting parent shall notify the custodial parent by no later than April 15 each year of the selected summer placement weeks. The visiting parent may not in consecutive years select a week that includes Independence Day or a child's birthday.

### D. Holiday Placement

**1. Christmas:** The visiting parent shall have child placement for one full week during the Christmas school vacation ("Christmas visitation week"). On odd-numbered years, the Christmas visitation week will begin at 2:00 PM Christmas Day. On even-numbered years the Christmas visitation week will end at 2:00 PM Christmas Day. The Christmas school vacation shall be as defined by the school that the child/children attend; or if the child/children do not yet attend school, then by the public school district of the child/children's residence.

2. **Thanksgiving:** The visiting parent shall have child placement on odd-numbered years for the extended Thanksgiving weekend from 6:00 PM Wednesday until 6 PM Sunday. The custodial parent shall have this placement on even-numbered years.
3. **Easter Weekend / Spring Break:** The visiting parent shall have child placement on even-numbered years for the entire Spring Break vacation and the weekend that includes Easter Sunday, from 6:00 PM on the day school lets out until 6:00 PM on the day prior to school recommencing. The custodial parent shall have this placement on odd-numbered years. Spring Break vacation shall be as defined by the school that the child/children attend; or if the child/children do not yet attend school, then by the public school district of the child/children's residence.
4. **Mother's Day / Father's Day / Parent Birthdays:** If the child/children are scheduled to be with the other parent, child placement shall nevertheless be with the mother on Mother's Day and with the father on Father's Day from 9:00 AM to 9:00 PM; and with the mother on her birthday and the father on his birthday from 5:30 PM to 8:30 PM.

## II. PARENTING DUTIES, RIGHTS AND RESTRICTIONS

- A. **Placement Exchanges:** Absent other arrangements mutually agreed upon by the parents, the visiting parent will pick the child/children up from the home of the custodial parent at the beginning of scheduled visitation, and the custodial parent will pick the child/children up from the home of the visiting parent at the end of scheduled visitation. Both parents will have a duty to ensure that the child/children are available at their respective homes for timely exchanges.
- B. **Notice of Unavailability:** The visiting parent shall provide reasonable advance notice to the custodial parent of his or her intention for any reason not to exercise any placement rights available under this schedule.
- C. **Telephone Access:** Each parent shall have reasonable, private access to the child/children by telephone while physical child placement is with the other parent.
- D. **Access to Records and Activities:** Each parent, whether the custodial or noncustodial parent, has equal access and the same right to obtain all educational records and medical records of their minor children and the right to participate in their children's school activities.
- E. **Restraining Order:** While exercising physical child custody or placement, the parents shall be mutually restrained from willfully or negligently (a) engaging in any illegal conduct or activity; (b) subjecting or exposing the child/children to any acts of abuse or neglect; (c) engaging in conduct that endangers the physical or emotional wellbeing of the child/children; and (d) violating any additional restraining orders that may be specified in the court order to which this Plan is attached.