

IN THE COURT OF COMMON PLEAS, HARRISON COUNTY, OHIO
JUVENILE DIVISION

FILED

IN RE:

ADOPTION OF FOUR PARENTING
TIME GUIDELINES

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JUDGMENT ENTRY

SEP 27 2023

**Harrison County
Juvenile Court**

Effective October 1, 2023, the Harrison County Juvenile Court adopts two Local Parenting Time Guidelines, one Local Shared Parenting Time Guideline, and One Long Distance Parenting Time Guideline which are all attached. The two previously adopted Guidelines that these four Guidelines replace will no longer be considered in new cases going forward.

SO ORDERED AND ADOPTED.



MATTHEW P. PUSKARICH, JUDGE

COURT OF COMMON PLEAS, HARRISON COUNTY, OHIO
PARENTING TIME GUIDELINES
LONG DISTANCE COMPANIONSHIP

Parenting time is a time for children to do things with the parent with whom they do not live. Activities that you do with them or skills you can teach them help the time be rewarding and enriching. Encouraging the children to find friends in your neighborhood also helps make it like home for them. Children clearly profit by continued meaningful contact with both parents. Children need the continuing and regular involvement of both parents to feel loved. No specific schedule will satisfy the change in needs of both children and parents over the years. Critical to the success of any schedule is that each parent be flexible, based upon the changing needs of the child, as the child grows older.

This Long Distance Parenting Time Guideline takes into account the changing developmental needs of children. This schedule represents the minimum requirements for parenting time. It is each party's responsibility to tailor this schedule as necessary to meet the best interest of their child(ren). It is recognized that each situation and each child is different. Liberal parenting time arrangements are encouraged, as contact with both parents is important to the children. Absent such agreement each party shall follow these requirements. Specific items in each case's Order take precedence over this schedule as the court will strive to adopt a parenting schedule that is in the child(ren)'s best interests. Changes or modifications can be made by the court if need for such is shown. Any request to deviate from the following parenting schedule shall be supported by the filing of the proper motion.

NO PARENT IS PERMITTED TO MAKE PARENTING TIME ARRANGEMENTS OR MODIFY ORDERED PARENTING TIME ARRANGEMENTS DIRECTLY WITH THE CHILD(REN). THE PARENTS MUST PERSONALLY DISCUSS ANY ISSUES OR CONFLICTS INVOLVING PARENTING TIME WITHOUT USING THE CHILD(REN) AS INTERMEDIARY/INTERMEDIARIES.

- I. **REASONABLE PARENTING TIME:** This guideline schedule shall be considered reasonable parenting time. Additional parenting time arranged between the parents is strongly encouraged.

Except as otherwise explicitly provided in this Order, when the non-residential parent resides more than 30 miles from the residence of the child, **the non-residential parent shall have the right to parenting time with the child as follows:**

1. WEEKLY SCHEDULE

Birth to Six Months

The non-residential parent shall have parenting time weekly, if practicable, as follows:

Tuesday and Thursday for a period not to exceed three hours. A specific time of day is not set so to accommodate shift work and the schedule of the baby so that the baby will be awake during its parenting time. Alternate Saturdays and Sundays on each weekend from 9:00 A.M. until 6:00 P.M. each day.

The residential parent shall send with the child(ren) on parenting time, clean clothing appropriate to the season and sufficient to last the entire parenting time period. The residential parent shall send sufficient bottles and all prescription or non-prescription medication taken by the child(ren) along with written instructions for the administration of the same and the name and telephone number of the physician. All bottles and unused supplies sent by the residential parent shall be returned with the child(ren) as well as all clothing, which shall be cleaned by the non-residential parent. Each parent is to provide a car seat, diapers, and formula for the child during parenting time.

2. MONTHLY SCHEDULE

Ages Six Months through 18 Years

1. Weekends – On weekends, beginning at 6:00 p.m. on the first, third, and fifth Friday of each month, and ending at 6:00 p.m. on the following Sunday. Except as otherwise explicitly provided in this Parenting Time Guideline, if a weekend period of parenting time by the Non-residential parent begins on a Friday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, or if the period ends on or is immediately followed by a Monday that is such a holiday, that weekend period of parenting time shall begin at 6:00 p.m. on the Thursday immediately preceding the Friday holiday or school holiday or end at 6:00 p.m. on that Monday holiday or school holiday, as applicable.
2. Christmas Holidays in Even-Numbered Years – In even-numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 26.

Christmas Holidays in Odd-Numbered Years – In odd-numbered years, beginning at noon on December 26 and ending at 6:00 p.m. on New Year's Day or two days before school resumes after that Christmas school vacation whichever is later.

3. Thanksgiving in Even-Numbered Years – The child remains with the residential parent.

Thanksgiving in Odd-Numbered Years – In odd numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the Thanksgiving holiday and ending at 5 :00 p.m. on the following Sunday.

4. Spring Break - If any spring break in school occurs other than that described in paragraph (5) Easter, then in even numbered years, the non-residential parent shall be entitled to parenting time from 6:00 P.M. on the day school recesses for the break until 6:00 P.M. the day before school resumes.
5. Easter Holidays – In even numbered years beginning at 6:00 p.m. on the day the child is dismissed from school and ending at 6:00 p.m. on the day before school resumes.
6. Extended Summer Parenting Time by the Non-Residential Parent

With Written Notice by May 1 – If the non-residential parent gives the residential parent written notice by May 1 of a year specifying an extended period or periods of summer parenting time for that year, the non-residential parent shall have parenting time of the child for forty-two days beginning no earlier than the day after the child’s school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. These periods of parenting time shall begin and end at 6:00 p.m.

Without Written Notice by May 1 – If the non-residential parent does not give the residential parent written notice by May 1 of a year specifying an extended period or periods of summer parenting time for that year, the non-residential parent shall have parenting time of the child for forty-two consecutive days beginning at 6:00 p.m. on June 15 and ending at 6:00 p.m. on July 27 of that year.

7. Child’s Birthday – If the non-residential parent is not otherwise entitled under this Parenting Time Guideline to have parenting time with the child on the child’s birthday, the non-residential parent shall have parenting time of the child beginning at 6:00 p.m. and ending at 8:00 p.m. on that day, provided that the non-residential parent picks up the child from the residential parent’s residence and returns the child to that same place.
8. Mother’s Day/Father’s Day Weekend – Each year, beginning at 6:00 p.m. the Friday preceding Mother’s Day/Father’s Day and ending at 6:00 p.m. on Mother’s Day/Father’s Day, provided that if the non-residential parent is not otherwise entitled under this Parenting Time Guideline to have parenting time with the child, she/he shall pick up the child from the residential parent’s residence and return the child to that same place.

9. Parent's Birthday's – The non-residential parent shall have parenting time with the child from 6:00 p.m. to 9:00 p.m. on the day of the parent's birthday. If the residential parent's birthday falls on a day that the non-residential parent has parenting time, the residential parent shall have parenting time from 6:00 p.m. to 9:00 p.m. on that day.

Notwithstanding the weekend periods of parenting time ORDERED for the non-residential parent, it is explicitly ORDERED that **the residential parent shall have a superior right of parenting time of the child as follows:**

1. Christmas Holidays in Odd-Numbered Years - In odd numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 26.
2. Christmas Holidays in Even-Numbered Years – In even-numbered years, beginning at noon on December 26 and ending at 6:00 p.m. on the day before school resumes after that Christmas school vacation.
3. Thanksgiving in Even-Numbered Years – In even-numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the Thanksgiving holiday and ending at 6:00 p.m. on the following Sunday.
4. Easter Holidays – In odd numbered years beginning at 6:00 p.m. on the day the child is dismissed from school and ending at 6:00 p.m. on the day before school resumes.
5. Spring Break - In odd numbered years, the residential parent shall be entitled to parenting time from 6:00 P.M. on the day school recesses for the break until 6:00 P.M. the day before school resumes.
6. Summer Weekend Parenting time by the Residential Parent – If the residential parent gives the non-residential parent written notice by June 1 of a year, the residential parent shall have parenting time with the child on any one weekend beginning at 6:00 p.m. on Friday and ending at 6:00 p.m. on the following Sunday during any one period of parenting time by the non-residential parent during the non-residential parent's extended summer parenting time in that year, provided that if a period of parenting time by the non-residential parent in that year exceeds thirty days, the residential parent may have parenting time of the child under the terms of this provision on any two non-consecutive weekends during that period and provided that the residential parent picks up the child from the non-residential parent and returns the child to that same place.
7. Extended Summer Parenting time by the Residential Parent – If the residential parent gives the non-residential parent written notice by June 1 of a year, the

residential parent may designate twenty-one days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, during which the non-residential parent shall not have parenting time of the child, provided that the period or periods so designated do not interfere with the non-residential parent's period or periods of extended summer parenting time or with Father's Day Weekend.

8. Child's Birthday – If the residential parent is not otherwise entitled under this Parenting Time Guideline to have parenting time with the child on the child's birthday, the residential parent shall have parenting time of the child beginning at 6:00 p.m. and ending at 8:00 p.m. on that day, provided that the residential parent picks up the child from the non-residential parent's residence and returns the child to that same place.

II. GENERAL COMMENTS AND REQUIREMENTS

Except as otherwise explicitly provided in this Parenting Time Guideline, the terms and conditions of parenting time with the child that apply regardless of the distance between the residence of a parent and the child are as follows:

1. Surrender of Child by the Residential Parent – the residential parent shall surrender the child to the non-residential parent at the beginning of each period of the non-residential parent's parenting time at the residence of the residential parent.
2. Return of Child by the Non-Residential Parent – the non-residential parent shall return the child to the residence of the residential parent at the end of each period of parenting time.
3. Surrender of Child by the Non-Residential Parent – the non-residential parent shall surrender the child to the residential parent, if the child is in the non-residential parent's parenting time or subject to the non-residential parent's control, at the beginning of each period of the residential parent's exclusive periods of parenting time, at the residence of the non-residential parent.
4. Return of Child by the Residential Parent – the residential parent is ORDERED to return the child to the non-residential parent, if the non-residential parent is entitled to parenting time of the child, at the end of each of the residential parent's exclusive periods of parenting time, at the residence of the non-residential parent.
5. The non-residential parent shall give twenty-four (24) hours advance notice of cancellation of parenting time.

6. The residential parent shall advise when a child is ill and unable to visit with as much advance notice as practicable.
7. Both parties shall have the child(ren) ready for commencement and termination of parenting time at the appointed time.
8. Both parties shall be punctual. NO party shall have to wait beyond thirty (30) minutes of an appointed time. A parent who is late forfeits companionship for that period.
9. The residential parent shall send sufficient clean clothes appropriate to the season and sufficient to last the entire parenting time period. If the planned parenting time activities require special or unusual clothing needs, the non-residential parent must notify the residential parent at least two (2) days in advance of the parenting time period. If the child does not have the type of clothing requested, the residential parent is under no obligation to comply with the request. All clothing sent by the residential parent must be returned immediately after the parenting time period. Additionally, any clothing purchased by the non-residential parent and which the children are wearing upon their return to the residential parent after parenting time, shall be cleaned and returned by the residential parent to the non-residential parent at the next parenting time period.

The residential parent shall send sufficient bottles and all prescription or non-prescription medication taken by the child(ren) along with written instructions for the administration of the same and the name and telephone number of the physician. All bottles and unused supplies sent by the residential parent shall be returned with the child(ren). Each parent is to provide a car seat, diapers, and formula for the child during parenting time.

10. Each parent is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of parenting time.
11. Child(ren) shall not be taken to a bar or CBD Dispensary during parenting time.
12. It is encouraged that child(ren) shall not be left with friends or family members during a parenting time except if the non-residential parent is working or in an emergency.
13. Each parent may designate any competent adult to pick up and return the child, as applicable.
14. Disparaging remarks about the other parent SHALL NOT be made to the child(ren) or in the presence of the child(ren).

15. The residential parent shall notify the non-residential parent of any illness that requires medical attention. No surgery, except emergency surgery, shall be performed without a good faith effort to give notice to the non-residential parent.
16. Parenting time granted shall be exercised; parenting time not taken is lost. Parenting time not taken due to the actions of the residential parent is not waived, but shall be added to the next scheduled parenting time weekend.
17. Written notice shall be deemed to have been timely made if received or postmarked before or at the time that notice is due.
18. Parenting time requires communication and cooperation. Both parties shall cooperate with regard to parenting time.
19. The child(ren) are not property. Parenting time questions shall be decided with a prime consideration of the best interest of the child(ren).
20. Both parties shall recognize that the child(ren) have his/her own friends and activities and shall respect this fact. Regardless of where the children are living, their continued participation in extracurricular activities, school related or otherwise, shall continue uninterrupted. It shall be the responsibility of the parent with whom they are residing at the time of the activity to provide the physical and economic cost of transportation to these activities. The residential parent shall provide the non-residential parent with notice of all extracurricular activities, school related or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten by the residential parent if no formal schedule is provided by the activity) and the name of the activity leader (including address and telephone number if reasonably available to the residential parent).

21. Telephone/Text/FaceTime Access:

The non-residential parent may call/FaceTime the child(ren) not more than three (3) times per week and speak with said child(ren) for not less than 15 minutes on each call. The non-residential parent may text with the child if the child has a mobile telephone.

The child(ren) is/are permitted to call/FaceTime the non-residential parent at least once per day at reasonable times. If the call is long distance, the child(dren) shall call collect. The child may text with the non-residential parent at the child's discretion.

The residential parent shall not interfere with or prevent communication between the non-residential parent and the child(ren) nor shall the non-

residential parent interfere with or prevent communication between the residential parent and the child(ren) during parenting time.

22. The periods of parenting time ordered above apply to the minor child the subject of this suit while that minor child is under the age of eighteen years and not otherwise emancipated.
23. This schedule does not affect support payments. Additional parenting time is encouraged, but that factor does not create a deviation in child support. Child support is not abated for any period of parenting time.

III. STATUTORY REQUIREMENTS:

1. RELOCATION NOTICE:

If the residential parent intends to move to a residence other than the last residence of court record, he/she shall file a notice of intent to relocate with this Court. Except as provided in ORC 3109.051(G)(2), (3), and (4) pertaining to incidents involving a conviction of domestic violence, 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 children to revise the parenting time schedule for the children. Said notice shall be filed 60 days prior to the relocation.

2. RECORDS ACCESS NOTICE:

Except as specifically modified or otherwise limited by court order, and subject to statutory restrictions on files maintained by the Child Support Enforcement Agency and files maintained by any Education Institution when the non-residential parent is involved in a domestic violence situation, 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 children and to which the residential parent is legally provided access, including school records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of Court.

Both parents shall have access to the children's school records. Both parents are encouraged to participate in parent-teacher conferences, school trips, school programs and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within a reasonable time.

Subject to Ohio Revised Code Section 2301.35(G)(2) and 3319.321(F), the non-residential parent shall be entitled to access any record related to the child(ren) under the same terms and conditions that access is provided to the residential parent.

3. DAY CARE CENTER ACCESS NOTICE:

Except as specifically modified or otherwise limited by court order, and in accordance with statutory requirements of a operating a daycare, the non-residential parent is entitled to access to any day care center that is or will be attended by the children with whom parenting time is granted, to the same extent that the residential parent is granted access to the center.

4. SCHOOL ACTIVITIES NOTICE:

Except as specifically modified or otherwise limited by the court order, and subject to Ohio law pertaining to the privacy of domestic violence victims or family members, 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 children to which the residential parent legally is provided access.

IV. AIR TRAVEL ARRANGEMENTS FOR PARENTING TIME

IT IS ORDERED that, until a child reaches the age of five years, the following arrangements for air travel of that child shall control:

Surrender at the Non-Residential Parent's Residence – Adult to Accompany Child

Adult to Accompany Child – Each parent is authorized to designate a responsible adult known to the child to travel with the child between the residences of the parties. However, it is preferred that the parent be the actual person transporting the child between the residences

IT IS FURTHER ORDERED that the child shall not travel alone between the residence of the non-residential parent and that of the residential parent until the child reaches the age of five years.

Surrender at the Non-Residential Parent's Residence – Expenses

Expenses shared by the Non-Residential Parent and the Residential Parent – IT IS ORDERED that the non-residential parent shall pay all travel expenses, charges, escort fees, and air fares incurred for the child for transportation from the residence of the residential parent to that of the non-residential parent. IT IS FURTHER ORDERED that

the residential parent shall pay all travel expenses, charges, escort fees, and air fares incurred for the child for transportation from the residence of the non-residential parent to that of the residential parent.

Child 5 Years of Age or Older

IT IS ORDERED that the following provisions shall govern the arrangements for the travel of the child to and from the non-residential parent after the child reaches the age of five years.

Return to Residential Parent's Residence

Notice of Place and Time of Parenting time – IT IS ORDERED that, if the non-residential parent desires to take parenting time of the child at an airport near the non-residential parent's residence, the non-residential parent shall state these facts in a notice letter to the residential parent.

- (a) the airport where the residential parent is to surrender the child;
- (b) the date and time of the flight on which the child is scheduled to leave;
- (c) the airline and flight number of the airplane on which the child is scheduled to leave;
- (d) the airport where the child will return to the residential parent at the end of the period of parenting time;
- (e) the date and time of the flight on which the child is scheduled to return to that airport; and
- (f) the airline and flight number of the airplane on which the child is scheduled to return to the residential parent at the end of the period of parenting time.

Flight Arrangements

Flight arrangements – IT IS ORDERED that each parent shall make airline reservations for the child only on major commercial passenger airlines on flights having no change of airplanes between the airport of departure and the airport of final arrival (a “nonequipment change flight”). IT IS FURTHER ORDERED that each parent shall make airline reservations for the child on flights that depart from a commercial airport

near the residence of the other parent that offers regularly scheduled passenger flights to various cities throughout the United States on major commercial passenger airlines.

Delivery and Pickup by the Residential Parent

Delivery and Pickup by the Residential Parent – IT IS ORDERED that the residential parent shall deliver the child to the airport from which the child is scheduled to leave at the beginning of each period of parenting time at least two hours before the scheduled departure time. IT IS FURTHER ORDERED that the residential parent shall surrender the child to a flight attendant who is employed by the airline and who will be flying on the same flight on which the child is scheduled.

IT IS FURTHER ORDERED that the residential parent shall take parenting time of the child at the end of the residential parent's period of parenting time at the airport where the child is scheduled to return and at the specific airport gate where the passengers from the child's scheduled flight disembark.

Pickup and Return by the Non-Residential Parent

Pickup and Return by the Non-Residential Parent – IT IS ORDERED that the non-residential parent shall take parenting time of the child at the beginning of each period of parenting time at the airport where the child is scheduled to arrive and at the specific airport gate where the passengers from the child's scheduled flight disembark.

IT IS FURTHER ORDERED that the non-residential parent, at the end of each period of parenting time, shall deliver the child to the airport where the child is scheduled to depart at least two hours before the scheduled departure time and surrender the child to a flight attendant who is employed by the airline and who will be flying on the same flight on which the child is scheduled to return.

Missed Flights

Missed Flights – IS ORDERED that any parent who has parenting time of the child at the time shall notify the other parent immediately if the child is not placed on a scheduled flight at the beginning or end of a period of parenting time. IT IS FURTHER ORDERED that, if the child should miss a scheduled flight, the parent having parenting time of the child when the flight is missed shall schedule another nonequipment change flight for the child as soon as is possible after the originally scheduled flight and shall pay

any additional expense associated with the changed flight and give the other parent notice of the date and time of that flight.

The Non-Residential Parent's Residence

Expenses Shared by the Non-Residential Parent and the Residential Parent – IT IS ORDERED that the non-residential parent shall purchase in advance the airline tickets (including escort fees) to be used by the child for the child's flight from the airport near the residence of the residential parent to the airport near the residence of the non-residential parent. IT IS FURTHER ORDERED that the non-residential parent shall make the necessary arrangements with the airlines and with the residential parent in order that the airline tickets are available to the child before a scheduled flight. IT IS FURTHER ORDERED that the residential parent shall purchase in advance the airline tickets (including escort fees) to be used by the child for the child's flight from the airport near the residence of the non-residential parent to the airport near the residence of the residential parent. IT IS FURTHER ORDERED that the residential parent shall make the necessary arrangements with the airlines and with the non-residential parent in order that the airline tickets are available to the child before a scheduled flight.

Miscellaneous Expenses

Miscellaneous Expenses – IT IS ORDERED that the expenses of a parent incurred in traveling to and from an airport as well as related parking and baggage handling expenses, are the sole responsibility of the parent delivering or receiving the child at the airport.