

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 OPTION ONE

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 Parenting Schedule 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.

1. WEEKLY SCHEDULE

Birth to Six Months

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

Tuesday and Thursday for a period not to exceed three hours. A specific time of day is not set 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.

2. MONTHLY SCHEDULE

Ages Six Months through 18 Years

A. **WEEKENDS:** The non-residential parent shall have parenting time with the minor child(ren) every other weekend commencing at 6:00 P.M. Friday and terminating at 6:00 P.M. on Sunday.

B. (1) **HOLIDAYS:** Mother's Day and Father's Day shall be spent with the appropriate parent. Should such holiday occur during a non-residential parent's parenting time, said parent shall deliver the minor child(ren) to the residential parent by 9:00 A.M. Conversely, the non-residential parent shall have parenting time from 9:00 A.M. to 6:00 P.M. if the holiday occurs on a non-parenting time weekend.

(2) **CHRISTMAS:** In odd numbered years, the non-residential parent shall be entitled to parenting time Dec. 18th at 6:00 P.M. to Dec. 25th at 12:00 noon (if the child(ren) is (are) not in school. If the child(ren) is (are) in school, parenting time shall be from 6:00 P.M. of the last day of school to 12:00 noon on Dec. 25th.) In odd numbered years, the residential parent shall be entitled to parenting time from 12:00 noon, Dec. 25th to 7:00 P.M. on New Year's Day, Jan 1.

In even numbered years, the residential parent shall be entitled to parenting time Dec. 18th at 6:00 P.M. to Dec. 25th at 12:00 noon (if the child(ren) is (are) not in school. If the child(ren) is (are) in school, parenting time shall be from 6:00 P.M. of the last day of school to 12:00 noon on Dec. 25th.) In even numbered years, the non-residential parent shall be entitled to parenting time from 12:00 noon, Dec. 25th to 7:00 P.M. on New Year's Day, Jan 1.

(3) **THANKSGIVING:** In even numbered years, the non-residential parent shall be entitled to parenting time from Wednesday, 6:00 P.M. to Friday 6:00 P.M. In even numbered years, the residential parent shall be entitled to parenting time from Friday, 6:00 P.M. to Sunday, 7:00 P.M.

In odd numbered years, the residential parent shall be entitled to parenting time from Wednesday, 6:00 P.M. to Friday 6:00 P.M. In odd numbered years, the non-residential parent shall be entitled to parenting time from Friday, 6:00 P.M. to Sunday, 7:00 P.M.

(4) **EASTER:** In odd numbered years, the non-residential parent shall be entitled to parenting time from Thursday, 6:00 P.M., to 6:00 P.M. the day before school resumes. In even numbered years, the residential parent shall have the child from Thursday, 6:00 P.M., to 6:00 P.M. the day before school resumes.

(4)(A) **SPRING VACATION:** If any spring break in school occurs other than that described in paragraph (4) 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 excluding any time spent with the residential parent according to paragraph (4) Easter. 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 excluding any time spent with the residential parent according to paragraph (4) Easter.

(5) FOURTH OF JULY: In even numbered years, the non-residential parent shall have parenting time on July 3rd at 6:00 P.M. to 7:00 P.M. on July 5th except when the 4th of July falls on a Friday, Saturday, Sunday or Monday, at which time parenting time shall commence Friday night at 6:00 P.M. and continue to the end of the week end or end of the holiday, whichever is later, at 7:00 P.M.

In odd numbered years, the residential parent shall have parenting time on July 3rd at 6:00 P.M. to 7:00 P.M. on July 5th except when the 4th of July falls on a Friday, Saturday, Sunday or Monday, at which time parenting time shall commence Friday night at 6:00 P.M. and continue to the end of the week end or end of the holiday, whichever is later, at 7:00 P.M.

(6) MEMORIAL DAY: In even numbered years, the non-residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday. In odd numbered years, the residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday.

(7) LABOR DAY: In odd numbered years, the non-residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday. In even numbered years, the residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday.

(8) MARTIN LUTHER KING DAY: The non-residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday.

(9) PRESIDENT'S DAY: The non-residential parent shall have parenting time on Friday, 6:00 P.M. to 7:00 P.M. on Monday.

C. BIRTHDAYS: In even numbered years, the non-residential parent shall have the child on his/her birthday from 9:00 A.M. to 7:00 P.M. if a non-school day, or from 6:00 P.M. to 9:00 P.M. on a school day. In odd numbered years, the non-residential parent shall have the child on the day following his birthday for three (3) hours, 6:00 P.M. to 9:00 P.M., on a school day or week day and 10:00 A.M. to 6:00 P.M. on a Saturday or Sunday.

In odd numbered years, the residential parent shall have the child on his/her birthday from 9:00 A.M. to 7:00 P.M. if a non-school day, or from 6:00 P.M. to 9:00 P.M. on a school day. In even numbered years, the residential parent shall have the child on the day following his birthday for three (3) hours, 6:00 P.M. to 9:00 P.M., on a school day or week day and 10:00 A.M. to 6:00 P.M. on a Saturday or Sunday.

The child(ren) shall spend each parent's birthday from 9:00 A.M. to 7:00 P.M. if a non-school day, or from 6:00 P.M. to 9:00 P.M. on a school day with that parent unless otherwise ordered by the court or agreement of the parties.

- D. **SUMMER PARENTING TIMES:** The non-residential parent shall have extended summer parenting time for four (4) weeks duration. Such parenting time shall be continuous, except the parties may agree otherwise. Residential and non-residential parent shall cooperate with regard to their vacation time. The non-residential parent shall notify the residential parent by May 1 of the weeks to be taken for the extended parenting time.

The non-residential parent shall not interfere with extra curricular activities, but shall be responsible for transportation to summer extra curricular events and shall encourage participation in same. However, the residential parent shall not enroll the child(ren) in any summer extra curricular event that would disrupt the summer parenting time of the non-residential parent unless the non-residential parent agrees to the activity in writing.

Each parent may arrange an uninterrupted vacation of not more than two weeks with the child(ren). The non-residential parent shall schedule this during his/her four week summer parenting time, and the residential parent shall schedule this at a time other than the non-residential parents' four week summer parenting time. A general itinerary of the vacation shall be provided for the other parent, including dates, locations, addresses, and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed, requiring scheduling of the vacation around these events or that the missed occasion be made up. Alternate weekends are missed during vacation, and are therefore not required to be made up.

- E. **WEEKLY PARENTING TIME:** The non-residential parent shall have one evening parenting time every week period from 6:00 P.M. to 9:00 P.M. The specific day is to be determined by the parents. If the parents cannot agree, the mid-weekday is Wednesday. The non-residential parent shall be responsible for assisting with homework and be responsible for transportation to and from activities.

*All times may be adjusted to avoid conflict with work schedules, but minimal adjustment is encouraged.

**Holiday parenting times have precedence over the regular parenting time. The regular parenting time schedule shall commence the following weekend. The parent who did not exercise parenting time for the holiday weekend shall exercise their parenting time this weekend and starting a new rotation of the schedule.

II. **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.

Subject to Ohio law pertaining to the privacy of domestic violence victims or family members, the non-residential parent shall have access to any student activity involving the child(ren) under the same terms and conditions that access is provided to the residential parent.

III.

GENERAL COMMENTS AND REQUIREMENTS:

- (1) The non-residential parent shall give twenty-four (24) hours advance notice of cancellation of parenting time.
- (2) The residential parent shall advise when a child is ill and unable to visit with as much advance notice as practicable.
- (3) Both parties shall have the child(ren) ready for commencement and termination of parenting time at the appointed time.
- (4) 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.
- (5) 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.
- (6) Child(ren) shall not be taken to a bar or a CBD Dispensary during parenting time.
- (7) 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.
- (8) Disparaging remarks about the other parent SHALL NOT be made to the child(ren) or in the presence of the child(ren).
- (9) 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.
- (10) Unless agreed otherwise, transportation for parenting time shall be divided as follows: the non-residential parent shall pick up the child at the residence of the residential parent for the beginning of parenting time and the residential parent pick-up the child at the residence of the non-residential parent at the end of parenting time.

(11) 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 occur on the next immediately following weekend.

(12) Parenting time requires communication and cooperation. Both parties shall cooperate with regard to parenting time.

(13) The child(ren) are not property. Parenting time questions shall be decided with a prime consideration of the best interest of the child(ren).

(14) 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).

(15) 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.

16) 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.

