

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
LOCAL SHARED PARENTING TIME GUIDELINES OPTION THREE

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 Shared Parenting Schedule takes into account the changing developmental needs of the child. This schedule represents the minimum requirements for Shared 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 Shared Parenting Time arrangements are encouraged, as contact with both parents is important to the child(ren). 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 SHARED PARENTING TIME:** This guideline schedule shall be considered reasonable Shared Parenting Time. Additional parenting time arranged between the parents is strongly encouraged.

1. **WEEKLY SCHEDULE**

Birth to Three Months if the mother is breastfeeding.

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

Monday, Wednesday, and Fridays for a period not to exceed four 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 for a period not to exceed four hours each day. The non-breastfeeding parent shall see the child for a minimum of four days a week.

Birth to Three Months if the Mother is not breastfeeding shall follow the schedule set in the next paragraph.

2. **SHARED PARENTING SCHEDULE**

Birth through 18 Years

A. The parents shall follow a 5-5-2-2 schedule. Whereby Parent 1 will have the child from 8:00 a.m. on day one and relinquish the child to Parent 2 on day five at 3:00

p.m. Parent 2 shall then have the child from 3:00 p.m. until 8:00 a.m. on day five and then relinquish the child to Parent 1. Parent 1 will then have the child from 8:00 a.m. until 3:00 p.m. on day two when Parent 2 will retrieve the child at 3:00 p.m. and maintain the child until 8:00 a.m. on day two when Parent 1 will retrieve the child and the cycle begins gain.

This formula provides for each parent to equally parent the child throughout the month with both parents having equal time with the child. This formula also provides for each parent to parent during the week as well as on the weekends.

The Court set the 8:00 a.m. and 3:00 p.m. start and end time to coincide with the school day. The parents may mutually adjust the start and end times especially if the child is not in school or is on break from school.

- B.**
- (1) **HOLIDAYS:** Mother's Day and Father's Day shall be spent with the appropriate parent. Should such holiday occur during a time when the child is not in the household of the celebrating parent, the non-celebrating parent shall deliver the child(ren) to the celebrating parent by 9:00 a.m. and the celebrating parent shall return the child to the non-celebrating parent by 7:00 p.m. to resume the 5-5-2-2 schedule.
 - (2) **CHRISTMAS:** As the schedule will change each year, the parent who has the child shall permit the other parent to retrieve the child on Dec. 25th at 12:00 noon and return the child on December 27th at 6:00 p.m. to resume the 5-5-2-2 where it was disrupted. (i.e. if the child went to Parents 2 home on Christmas and it was day two of five with Parent 1, Parent 1 will resume the remaining three days beginning on the 27th and Parent 2 will pick up the child on day five as normal.
 - (3) **THANKSGIVING:** As the schedule will change each year, the parent who has the child shall permit the other parent to retrieve the child on Thanksgiving Day at 2:00 p.m. and the child shall return at 7:00 p.m. that evening to resume the 5-5-2-2 schedule.
 - (4) **EASTER:** As the schedule will change each year, the parent who has the child shall permit the other parent to retrieve the child on Easter Day at 2:00 p.m. and the child shall return at 7:00 p.m. that evening to resume the 5-5-2-2 schedule.
 - (5) **SPRING VACATION:** If any spring break in school occurs, the 5-5-2-2 schedule shall continue unless the parents agree to yearly alternate the breaks for travel purposes with Parent 1 getting odd numbered years and Parent 2 getting even number years. At the end of the break, the 5-5-2-2 schedule resumes.
 - (6) **FOURTH OF JULY, MEMORIAL DAY, LABOR DAY, MARTIN LUTHER KING DAY, PRESIDENTS DAY:** As the schedule will change yearly, unless agreed upon by the parents, the 5-5-2-2 schedule will continue through these holidays. The parents are encouraged to modify this schedule for family events provided the modifications are mutually agreed upon.

(7) **BIRTHDAYS:** The parent with the child shall celebrate the child's birthday with them until 3:00 p.m. when the other parent will have the right to celebrate with the child from 3:00 p.m. until 8:00 p.m. when the child will return to the other parent to continue the 5-5-2-2 schedule. The parents are encouraged to modify this schedule for family events provided the modifications are mutually agreed upon.

- C. **SUMMER PARENTING TIMES:** Each parent is granted one week of uninterrupted parenting time for a family vacation each summer. This week shall be communicated to the other parent by May 1 of each year. There must be a period of time with the other parent after returning from vacation so that the seven-day period shall not be combined with a five-day period for a total of twelve days where the other parent will not see the child.

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 if both parents mutually agree, the missed time will be made up with the other parent.

II. **STATUTORY REQUIREMENTS:**

1. **RELOCATION NOTICE:**

If either parent intends to move to a residence other than the last residence of court record, Parent 1/Parent 2 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 other parent. On receipt of the notice, the court, on its own motion or on the motion of the other parent, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child(ren) to revise the parenting time schedule for the child(ren). 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 a parent is involved in a domestic violence situation, that parent is entitled to access under the same terms and conditions as the other parent to any record that is related to the child(ren) and to which the other parent is legally provided access, including medical and school records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of Court.

Subject to Ohio Revised Code Section 2301.35(G)(2) and 3319.321(F), 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.

3. DAY CARE CENTER ACCESS NOTICE:

Except as specifically modified or otherwise limited by court order, and in accordance with statutory requirements of an operating a daycare, both parents are entitled access to any day care center that is or will be attended by the child(ren).

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, both parents are entitled to access to any student activity that is related to the child(ren).

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III. GENERAL COMMENTS AND REQUIREMENTS:

(1) The parents shall give twenty-four (24) hours advance notice of cancellation of shared parenting time and the 5-5-2-2 schedule will resume once the canceling parent gives twenty-four (24) hours advance notice of resumption of shared parenting time.

(2) The parent with the child shall advise the other parent when a child is ill. The parents shall look to the best interest of the child to determine whether it is better for the child to remain in place or is able to transfer to the other parent. It is expected that both parents are capable of caring for an ill child.

(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 the remainder of that day and then the schedule resumes the following day minus the lost day so the schedule may become a 5-4-2-2 for the lost day and then resuming to the 5-5-2-2 the next cycle.

(5) Each parent shall maintain sufficient clean clothes and hygiene products at their own residence and not be dependent on the other parent to send clothing or hygiene products. Each parent is required to send fully cleaned uniforms and/or equipment for extracurricular activities with the child at the end of each visit.

The parent with the child 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 Parent 1 shall be returned with the child(ren) at the end of the visit with Parent 2. Each parent is to provide a car seat, diapers, and formula for the child during Shared Parenting Time.

(6) Child(ren) shall not be taken to a bar or CBD Dispensary during parenting time.

(7) It is encouraged that child(ren) shall not be left with friends or family members during Shared Parenting Time except if the parent is working or it is 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 parent with the child shall notify the other 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 other parent.

(10) Unless agreed otherwise, transportation for Shared Parenting Time shall be divided as follows: the Parent beginning their Shared Parenting Time shall pick the child up at the residence of the other Parent.

(11) Shared Parenting Time granted shall be exercised; Shared Parenting Time not taken is lost. Shared Parenting Time not taken due to the actions of the other parent is not waived, but shall be immediately made up beginning at the next Shared Parenting Time visit.

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

(13) The child(ren) are not property. Shared 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 Parent enrolling the child in the activity shall provide the other parent with notice of all extracurricular activities, school related or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten by the 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 Parent who enrolled the child).

(15) Telephone/Text/FaceTime Access:

The Parent who does not have Shared Parenting Time may call, FaceTime, or text their child at appropriate hours. This added communication shall not disrupt the Shared Parenting Time of the Parent who has the child.

The child(ren) is/are permitted to call, text, or FaceTime the other parent at their discretion providing it is at reasonable times.

Neither Parent shall interfere with or prevent communication between the other 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.