

IN THE COURT OF COMMON PLEAS, TRUMBULL COUNTY, OHIO
DOMESTIC RELATIONS AND JUVENILE DIVISIONS

PARENTING AND COMPANIONSHIP GUIDELINES

Adopted pursuant to Local Rule by Judges Richard L. James and Pamela A. Rintala
effective for matters heard on or after October 15, 2011

Children need a positive relationship with both parents and this information is designed to assist in making that possible. Parents and other responsible persons are encouraged to work together in all matters pertaining to the welfare of the children. **In circumstances where such cooperation is not taking place, until such time as the Court can review the circumstances of each case, the following will govern.**

A. General Guidelines

1. Transportation will be the responsibility of the parent with whom the child/ren will be staying (e.g., going to Mother's residence, Mother's responsibility).
2. Clothing and all items of personal property brought on the visit will be returned with the child/ren unless the parents have agreed otherwise.
3. Due to the need to maintain a positive relationship with both parents, each will encourage at least two weekly telephone calls between the child/ren and the other parent.
4. Frequency and duration of the calls shall be based upon the child/ren's desires as well as the parents' requests and will remain private.
5. Use of video calling technology is encouraged whenever possible.
6. Parents will *jointly fulfill all responsibilities* regarding the child/ren's welfare, including health (rest, nutrition, health care appointments and administration of medicines, education (school attendance, completion of assignments) and activities (transportation).
7. In the event of a *medical emergency*, the parent obtaining the care shall notify the other parent immediately.
8. Parents shall arrange enrollment in sports, lessons and other pastimes so these activities do not interfere with the schedule. Parents shall communicate prior to enrolling children in such events.
9. Child support shall not be suspended or reduced for periods of companionship.
10. **Late pick-up** – The residential parent shall have the child/ren ready for pick-up at the start of all parenting time. The child/ren 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. The non-residential parent who arrives more than thirty minutes late without prior notification for a particular parenting time forfeits that parenting time, unless the residential parent agrees otherwise.
11. **Canceling non-residential parenting time** – Except in emergency situations, either parent must give at least **24 hours** advance notice when canceling any parenting time.
12. In the event of ill health, serious weather/travel concerns or an other need to modify the schedule, parents will agree upon alternative dates and times with careful consideration of the child/ren's needs.
13. In the event the parties have split custody, then the companionship schedule will be arranged so that the children are together for weekends, summer, holidays and special days. The party who has custody of the youngest child will be considered residential parent for purposes of alternating the summer periods, and holiday/special day schedules.

B. Basic Schedule Guidelines

1. For children over 18 months of age, if *both parents have demonstrated a relationship with the child/ren and an ability to care for the child/ren*, the child/ren shall share **alternating weekends** with parents, from Friday at 6:00 p.m. until Sunday at 6:00 p.m.
2. In addition, the child/ren will share **midweek time** with the non-residential parent, every Wednesday from 4:30 p.m. until 8:00 p.m., unless otherwise agreed by the parents or ordered by the Court.

3. Children **birth to 3 months** of age will share time with the non-residential parent two days per week for up to two hours on the weekend and two hours on a week night. If parties cannot agree, Saturday from 2:00 p.m. until 4:00 p.m. and Tuesday from 6:00 p.m. until 8:00 p.m.

4. Children **3 months to 18 months** will share time with the non-residential parent two days per week for up to six hours on the weekend and three hours on a week night. If parties cannot agree, Saturday from 2:00 p.m. until 8:00 p.m. and Tuesday from 5:00 p.m. until 8:00 p.m.

5. Parents of children with **serious or chronic health problems** (physical and/or psychological) who are unable to agree are to contact the child/ren's physician or a qualified mental health professional for guidance in developing a parenting schedule.

6. **Summer**

a. The child/ren will share the summer with each parent in one-week segments, from Sunday at 6:00 p.m. until Sunday at 6:00 p.m., beginning with the non-residential parent on the first Sunday after the final day of the academic year.

b. The child/ren will be available for two weeks of out-of-town travel with each parent, to be scheduled as follows:

(1) In even numbered years, Mother will have the first choice of dates

(2) In odd numbered years, Father will have the first choice of dates

c. Plans are to be communicated to the other party by May 15

d. Telephone contact shall continue during the summer

e. The child/ren shall return to the residential parent one week prior to the first day of school.

7. **Holidays**

a. The child/ren will share holidays with the parents as follows (9:00 a.m. – 9:00 p.m. unless otherwise noted)

	<u>even-numbered years</u>	<u>odd-numbered years</u>
Easter	father	mother
Memorial Day	mother	father
July 4 th overnight to July 5 th 9:00 a.m.	father	mother
Labor Day	mother	father
Thanksgiving overnight to Friday at 6:00 p.m.	father	mother
Child's birthday (including siblings)	mother	father

b. When a holiday falls on Saturday, Sunday or during mid-week visits, the above schedule takes precedence.

c. Children will share Mother's Day and Father's Day (9:00 a.m. – 9:00 p.m.) with the appropriate parent irrespective of the alternating weekends.

d. If parents' homes have trick or treat night on different days or time, the child/ren shall attend both. If the events are on the same day and time, the parents shall alternate years with mother having the child/ren on odd-numbered years and father having children on even-numbered years.

e. Other special days shall be discussed and agreed upon in advance.

8. **School Holidays**

a. When making plans regarding scheduled time off from school (winter and spring breaks, Mondays or Fridays off), parents shall take into consideration the following factors: employment schedules, weekend rotation and the holiday schedule.

b. During the school year, if there is no school on Friday and/or Monday, the parent who has the children for the weekend shall also have the children for the Friday and/or Monday that there is no school.

- i. If there is no school on Friday, the weekend companionship shall begin on Thursday at 6:00 p.m.
 - ii. If there is no school on Monday, the weekend companionship shall continue through Monday at 6:00 p.m.
 - iii. These extra days do not apply during the summer period of vacation, Spring, Thanksgiving or winter/Christmas breaks and do not apply to change the holiday and special day schedule above.
- c. **Spring break**
- i. In even-numbered years, father shall have the child/ren for the spring break from school, starting at 9:00 a.m. the day after school recesses to 6:00 p.m. the day before school resumes.
 - ii. Mother shall have the child/ren in the odd-numbered years.
 - iii. If all of the children are not of school age, the Saturday before Easter through the Friday after Easter shall be substituted.
- d. **Christmas break**
- i. In even-numbered years, Father shall have the child/ren from 9:00 a.m. the day after school recesses (or 9:00 a.m. on December 20 if all of the children are not in school) until 9:00 p.m. on December 24 and Mother shall have the child/ren from 9:00 p.m. on December 24 through 6:00 p.m. on January 1.
 - ii. In odd numbered years, Mother shall have the child/ren from 9:00 a.m. the day after school recesses (or 9:00 a.m. on December 20 if all of the children are not in school) until 9:00 p.m. on December 24 and Father shall have the child/ren from 9:00 p.m. December 24 through 6:00 p.m. on January 1.

C. Relocation and Long Distance Guidelines

1. The Court recognizes that parents may chose to reside some distance apart from each other for a variety of reasons. When travel distance is more than **three hours** travel time for the child one way from home to home, the Long Distance Guidelines apply unless the parties agree otherwise.
2. Prior to any relocation, the moving parent shall file a Notice of Intent to Relocate.
3. **Christmas/Winter break and Spring break** shall be the same as Section 8 (c) and (d) above.
5. The non-residential parent shall have reasonable companionship time with the child/ren when that parent is in the vicinity of the residential parent with 14 days notice.
6. **Summer** - If travel distance and cost is not prohibitive:
 - a. The child will be with the residential parent from the end of the school year until the following Sunday.
 - b. The child/ren will return to the residential parent on the Friday prior to commencement of the school year.
 - c. The intervening weeks shall be divided equally by the parties in blocks of time as they agree depending on the travel requirements.
 - d. If the parties cannot agree, the child/ren will spend uninterrupted two week blocks with each parent starting with the non-residential parent on the Sunday following the end of the school year.
7. **Summer** - If travel time is too prohibitive:
 - a. The summer shall be divided into two blocks of time with parents alternating blocks of time from one year to the next.
 - b. The **first block** shall begin the first Sunday at 6:00 p.m. after school is out for the year and will end on July 15 at 9:00 a.m.
 - c. The **second block** shall begin July 15 at 9:00 a.m. and shall end the last Friday at 6:00 p.m. before school begins.
8. The parties shall share equally the responsibility and cost of transportation.

9. Parents shall encourage at least **three weekly telephone calls**. Frequency and duration of calls will be based upon the child/ren's desires, as well as parents' requests and will remain private. Use of video calling technology is encouraged whenever possible.

D. Additional considerations

1. In the absence of an order from the Court to the contrary, both parents are to have **full access** to all records and personnel regarding the child/ren's health care and education.
2. In order that disputes over payment (health care, education, activities) do not interfere with parenting time, both parents are to take special care with regard to orders from the Court regarding such responsibilities and discuss the matters separate and apart from companionship exchanges.
3. In matters regarding the child/ren's education, parents will see to it that there is no misunderstanding with school administration or teachers regarding mutual access to personnel and records, such as report cards, schedules, etc. Both parents have the responsibility to maintain updated contact information with school administration.
4. In establishing these guidelines, the Court is aware situations may arise concerning the schedule and/or other matters not addressed herein. As in every situation regarding the child/ren's well being, parents are expected to *discuss and agree* upon such matters.
5. In situations where the parents are unable to resolve disagreements regarding the matter in which they share their responsibilities, the Court encourages them to seek the assistance of a mediator.
6. For good cause shown and in the best interests of the child/ren, the Court reserves the right to modify the above schedule and transportation responsibilities upon motion filed and duly served with notice of hearing to the appropriate parties.

10/15/11