

## **SANTA ROSA COUNTY PARENTING PLAN "B"**

The parties have been ordered or have agreed to share parental responsibility for their minor child(ren). This parenting plan consists of the following Time-Sharing Schedule and Shared Parental Responsibility Statement. Unless other terms or provisions are specified in the Court's judgment or orders in this proceeding or, if approved by the Court, in the agreement of the parties, the parties will adhere to the following Time-Sharing Schedule:

**1. General:** This schedule is not intended to apply as a matter of course to situations where parents rotate or share approximately equal time with their child(ren). Rotating parenting arrangements may include, but are not limited to, alternating Thursdays from the time the child is released from school or daycare, until Tuesday morning at which time the child shall be returned to school, daycare, or the other parent, as the case may be; alternating weeks from Sunday at 6:00 p.m. to the following Sunday at 6:00 p.m.; or six/nine-week periods of rotation which are commensurate with (equal to) the child's school schedule. In a case of rotating parenting agreements, parents are free to incorporate portions of this schedule into their customized time sharing. This Time-Sharing Schedule shall apply when the parties live within a reasonable commuting distance of each other, (reasonable commuting distance is presumed to be no greater than Fifty (50) miles one way), and unless the parties otherwise agree in writing and obtain a different, Court approved, Time-Sharing Schedule.

**2. Weekends:** The Mother shall be entitled to alternate weekend parenting time commencing on the first (1<sup>st</sup>) Friday following a hearing addressing parenting time, mediation, or such other times as the parties may agree in writing. Said parenting time shall start Friday from the time school recesses, or one (1) hour after school if the child(ren) needs to retrieve personal items from home (the one [1] hour does not apply if the Mother supplies all necessary clothing, accessories, etc.), or it starts otherwise at 6:00 p.m. if due to work related reasons the Mother is unable to start parenting time after school recesses. Parenting time continues through Monday morning. If school is in session, the child(ren) shall be taken to school by the Mother. If school is not in session, the child(ren) shall be returned to the Father's residence, or daycare (if applicable), by 9:00 a.m. Once the child(ren) is/are picked up, it is the Mother's responsibility to house and care for the child(ren) during this time period unless the Father agrees that the child(ren) should be returned early.

**3. Weekday Parenting Time:** The Mother shall have parenting time each Wednesday from the time school recesses, or it starts otherwise at or before 6:00 p.m. if the Mother is unable to start parenting time after school recesses. Parenting time shall end at 8:00 p.m. Weekday parenting time shall commence on the first (1<sup>st</sup>) Wednesday following a hearing addressing parenting time, mediation, or such times as the parties may otherwise agree in writing.

If the child(ren) is/are not enrolled in school due to age or home schooling, parenting time shall begin at the time school normally recesses for the day at the public school in the Father's district, or it starts otherwise at or before 6:00 p.m. if the Mother is unable to start parenting time after school recesses. Parenting time ends at 8:00 p.m.

4. **Holidays and Other Parenting Times:** In odd-numbered years, the Mother shall have Memorial Day, the Thanksgiving holiday, Martin Luther King, Jr. Day, and Halloween, and the Father shall have July 4<sup>th</sup>, Labor Day, President's Day and Veteran's Day. In even-numbered years, this schedule is reversed. It is recognized that holiday parenting time is an interruption of, and supersedes regular weekday, weekend, and any uninterrupted summer parenting time. If the child(ren) is/are not enrolled in school due to age or home schooling, holidays and other parenting time shall be governed by the schedule of the public school in the Father's district. At the conclusion of any holiday parenting time, the previously established parenting schedule shall resume as if there was no interruption unless otherwise agreed to by both parties in accordance with Paragraph 22.

A. **Thanksgiving Holiday:** Thanksgiving holiday begins from the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at 6:00 p.m., or before, if the Mother is unable to start parenting time after school recesses. Parenting time ends the following Monday morning when school reconvenes. The Mother shall take the child(ren) to school on the scheduled morning that school reconvenes, return the child(ren) to the Father, or daycare provider, no later than 9:00 a.m.

B. **Christmas Vacation:** The Christmas holiday period shall be divided by the total number of days for the Christmas holidays. Christmas parenting time shall start at the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at or before 6:00 p.m., if the Mother is unable to start parenting time after school recesses. Christmas parenting time ends when school reconvenes. In even-numbered years, the Mother shall have the child(ren) the first half of this Christmas holiday period. The child(ren) transition(s) to the other parent for the second half of the Christmas vacation at 12:00 p.m. on the day between the two halves of Christmas vacation (if the calculated number of days of Christmas vacation is odd) or on the first day of the second parent's time (if the calculated number of days of Christmas vacation is even).

Splitting the holiday period equally can result in one parent having both Christmas Eve and Christmas Day. Parents are encouraged to work together so that the parent without one of these two days spends at least some time with the child(ren) on one or both of these days.

- C. **Easter**: Easter often falls within spring break vacation. In the event it does not, then the Mother shall have the child on Easter from 8:00 a.m. through 9:00 a.m. Monday morning during odd-numbered years, and the Father during even-numbered years. If Easter falls within the spring break vacation period, then parenting time shall be pursuant to Paragraph 4(D).
- D. **Spring Break**: The Mother shall have the parenting time with the child(ren) for spring break during even-numbered years and the Father during odd-numbered years. Spring break parenting time shall commence from the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at or before 6:00 p.m. if the Mother is unable to start parenting time after school recesses. This vacation period shall end the morning school reconvenes. The Mother shall take the child to school on the scheduled morning that school reconvenes, return the child(ren) to the Father, or daycare provider, no later than 9:00 a.m.
- E. **Fall Break**: In the event the child's school elects to have a fall break, the Mother shall have the parenting time with the child(ren) during odd-numbered years and the Father during even-numbered years. Fall break parenting time shall commence from the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at 6:00 p.m., if the Mother is unable to start parenting time after school recesses. This vacation period shall end the morning school reconvenes. The Mother shall take the child(ren) to school on the scheduled morning that school reconvenes, return the child(ren) to the Father, or daycare provider, no later than 9:00 a.m.
- F. **Birthdays**: In odd-numbered years, the child shall celebrate his or her birthday at the home of the Mother. In even-numbered years, the child shall celebrate his or her birthday at the home of the Father. If the child attends school, parenting time shall commence from the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at or before 6:00 p.m. if due to work related reasons the Mother is unable to start parenting time after school recesses and shall conclude the following morning when the child is either returned to school or by 9:00 a.m. to the other parent's residence, or daycare (if applicable). If the child is not of school age, that child can be picked up as early as noon, if a parent's schedule permits for exercising birthday visitation. If the birthday celebration falls on a weekend, it will be from 8:00 a.m. through 6:00 p.m. When appropriate, the parent holding a birthday celebration for the child may wish to consider inviting the other parent to the child's celebration. If the parties

have more than one (1) child, the above parenting times apply to all children of the parties.

- G. **Father's Day and Mother's Day:** The day shall be spent each year with the appropriate parent.
- H. **Summers:** The Mother shall have parenting time the first (1<sup>st</sup>) one-half (½) of summer break visitation during odd-numbered years, and the second (2<sup>nd</sup>) one-half (½) during even-numbered years. The Father shall have the same weekday and weekend visitation, as well as communication rights, during the summer as the Mother has during the year, except that each parent has a right to have the child for uninterrupted parenting time for two (2) weeks. The parents may agree in writing to a longer or shorter period of uninterrupted parenting time. The uninterrupted parenting time shall occur during that parent's part of summer parenting time unless otherwise agreed in writing. Each party should attempt, when possible, to give the other party as much advance written notice of when they will be exercising uninterrupted parenting time during the summer. Any period of uninterrupted parenting time shall not conflict with any holiday or birthday parenting time unless the parties otherwise agree in writing. Uninterrupted parenting time shall not be construed to supersede a parent's communication rights under Paragraph 14.

The summer break parenting time shall commence from the time school recesses, or one (1) hour after school recesses (the one [1] hour does not apply if the Mother supplies all clothing, accessories, etc.), or it starts otherwise at or before 6:00 p.m. if the Mother is unable to start parenting time after school recesses. Summer break concludes at 6:00 p.m. on the seventh (7<sup>th</sup>) day prior to school reconvening for the next school year. The child(ren) transition(s) to the other parent for the second half of the summer at 12:00 p.m. on the day between the two halves of summer (if the calculated number of days of summer vacation is odd) or on the first day of the second parent's time (if the calculated number of days of summer vacation is even).

If a child is required to attend summer school, the parenting time shall proceed as during the normal school year for the time summer school is in session. Any remaining portion of the summer break, as defined above, shall be equally split between the parents.

- I. **School Planning Days:** Parents are to divide all school planning days equally. In that regard, the Father should notify the Mother at the beginning of each school year as to when all school planning days are scheduled, so that the Mother can make efforts to spend this additional time with the child(ren) on a rotating basis. If the parties cannot agree, the Mother shall

have the first school planning day, and the parties will rotate every other school planning day thereafter.

- A. Hours of Shared Parenting:** Hours of shared parenting for Memorial Day, Martin Luther King, Jr., Day, July 4<sup>th</sup>, Labor Day, President's Day, Veteran's Day, Halloween, Mother's Day, Father's Day, and school planning days shall be from 9:00 a.m. until school begins the following morning (if in session), or otherwise at 9:00 a.m. the following morning when the child(ren) is/are returned to the Father, or daycare, if applicable. For Halloween, if school is in session, parenting time shall commence from the time school recesses or as soon as the parent entitled to Halloween can pick-up the child.
- B. Exception from Back-up Care:** The parent who is assigned spring break, summer vacation, fall break, or Christmas vacation time under this schedule may choose for the child(ren) to spend such time with a relative, by blood or marriage within the second degree (e.g., grandparent, aunt, uncle or step-parent), even if such parent is not present. In this situation, the other parent does not have the back-up care rights listed in Paragraph 6.

A parent, during his or her summer vacation time, may choose to enroll the child(ren) in a special activity, day camp, or overnight camp including, but not limited to, Boy/Girl Scouts, sports camp, or music camp. The purpose of the activity must be to foster an interest of the child(ren). In this situation, the other parent does not have the back-up care rights listed in Paragraph 6. Standard daycare used to keep the child(ren) while the parent is away does not meet this required purpose.

**1. Cancellation by Mother:** Forty-eight (48) hours notice shall be given by the Mother to the Father if parenting time **will not be exercised** for any scheduled parenting time. Otherwise, the Mother is expected to pick up the child at the appointed time. Any shared parenting time canceled without forty-eight (48) hours notice by the Mother shall be forfeited unless the non-parenting time is caused by illness, extended work hours, or a physical impossibility to pick up the child(ren). In that event, and if make-up parenting time is requested, it shall be in accordance with Paragraph 15.

**2. Back-up Care:**

- 3. Short Term:** When the child(ren) are with either parent and that parent has to be absent, because of work, social obligations etc., and is not able to care for the child(ren) for a period of less than six (6) hours, that parent does not have to give the other parent, first right of refusal to keep the child(ren) as long as a relative, by blood or marriage, within the second degree (e.g., grandparent, aunt, uncle or step-parent) provides care for the child(ren). If a relative, as defined above, does not provide that care, then that parent

shall contact the other parent and allow him or her the opportunity to care for the child(ren). The parent that is providing back-up care shall provide all transportation associated with exercising this visitation.

4. Long Term: When the child(ren) is/are with either parent and that parent has to be absent for a period of time in excess of six (6) hours. The parent who is not able to care for the child(ren) shall contact the other parent and allow him or her the opportunity to care for the child(ren). If that parent is not able to care for the child(ren), then a third party may care for the child(ren). The parent who is providing back-up care shall provide all transportation associated with exercising this visitation.
5. Exception to Short and Long Term Back-up Care: If the child(ren) is/are enrolled in and attending daycare or after school care and the policy of the daycare/after school care provider requires the attendance of the child(ren) or the child(ren) will lose his/her/their slot; compliance with the above provision(s) is/are not mandatory.
6. Trip Itinerary: Each parent has the right to know the whereabouts of the child(ren) when parenting time will be exercised in a different locale other than the home. Should either parent have the child(ren) away from their normal residence for a period of more than 24 hours (e.g., for a trip or vacation), then prior to exercising that parenting time such parent shall provide the other with an itinerary of where the child(ren) will be staying providing addresses, telephone numbers of each location, the length of the stay, the name of all persons who may provide care for the child(ren) during the stay, the departure date, and the date of return/arrival. In case of an emergency involving the child(ren) and in the best interest of the child(ren), each parent is encouraged to communicate with the other (unless prohibited by Court order) when he or she will be traveling away from home for less than 24 hours. The parties should provide the other parent with telephone number(s), pager, voice mail, or contact information for a third party so that the parent may contact the other parent if there is an emergency involving the child(ren).
7. Scheduled Events: In the event the child(ren) has/have has an extracurricular activity or social event, (e.g., softball game, ballet, Scout meeting), then both parents are required to assure the child's attendance, provided the parents have agreed in writing that the child will participate in these activities and the child is not otherwise ill or unable to attend due to extraordinary circumstances.

Both parents have the right to be informed as to the schedule of such activities in which the child(ren) are involved and both shall be entitled to attend such activities (unless otherwise prohibited by Court order). Both parents shall make good faith efforts to get the child(ren) to such activities on time and in appropriate attire. If not attending such activity, the parent who drops the child(ren) off for such activity has the duty to ensure that the child(ren) is/are picked up from such activity

8. **Records**: Each parent has the right to complete access to all of the child(ren's) school, medical and dental records. The Mother has a responsibility to recognize that the transfer of information regarding the child(ren's) life is a mutual obligation. Should the Mother have concerns regarding the academic, social, or emotional development of the child(ren), the Mother has an obligation to contact the appropriate school, doctor, or other individual regarding same. The Mother, as a concerned and loving parent, cannot rely totally upon the Father to supply all of the information which the Mother deems necessary regarding the care and development of the children. Neither parent shall in any way obstruct or hinder the other parent's right and ability to seek and obtain information pertaining to the child(ren) (unless otherwise permitted by Court order).

**Medical Condition**: Each parent has the right to know of any significant illness of a child or significant injury sustained by such child(ren). "Significant" is hereby defined as any such condition which would require a child to miss school or to be taken to a health care provider. Each party shall notify the other promptly of any significant illness or injury affecting the minor child(ren).

9. **Religious Days/Holidays**: The Court recognizes that this schedule (and the typical school schedule) revolves around certain religious days/holidays. If one or both parties are of a different faith or nationality, then those religious days/holidays shall be shared equally or as agreed to in a written document that is signed by both parties.

10. **Transportation**: Unless otherwise provided by Court order, the child(ren) shall be transported to and from parenting time by the Mother, the Mother's spouse, the grandparents, or a third-party agreed to by both parents. However, the Father shall be responsible for transportation during the summer when it is the Mother's scheduled summer parenting time. The Father may delegate transportation to her spouse, grandparents, or a third-party agreed to by both parents.

When airline transportation is used and the child(ren) is/are below the age to fly unaccompanied, the parent having the child(ren) transported by air for parenting time must make arrangements with the airline(s) to have the child accompanied by airline personnel. The additional cost of which shall be divided equally between the parents; unless otherwise provided by Court order or agreement between the parties.

11. **Waiting**: The child(ren) and the Father shall have no duty to await the arrival of the Mother for more than thirty (30) minutes. If the child(ren) is/are not picked up by the Mother within that time, parenting time shall be forfeited for that parenting period, unless the Mother's lateness is excused by illness, extended work hours, or a physical impossibility to arrive on time, or a telephone call explaining the reason for the delay before the thirty (30) minutes have elapsed.

12. **Cancellations by Father:** In the event a child is ill and unable to safely leave the home, the Father shall give the Mother twenty-four (24) hours notice, if possible, in order that appropriate alternate plans can be made in accordance with Paragraph 15. If medication has been prescribed for a child, then that medicine shall accompany the child, and shall be given as prescribed. The doctor's name and phone number shall be shared. In the event an accident or illness occurs while in the care of either parent, that parent shall notify the other parent as soon as practical.

13. **Communications:** Each parent shall have the right to contact the child(ren) by telephone at the residence, or location of the other parent with reasonable frequency, during reasonable hours, and for reasonable duration (unless otherwise prohibited by Court order). Unless an emergency arises, "reasonable frequency" is defined as once per day. "Reasonable hours" is defined as 8:00 a.m. through 8:00 p.m. (child(ren)'s local time). "Reasonable duration" is hereby defined as no more than one-half (½) hour per call. Each parent has a duty to promptly return telephone calls placed by the other and to see that the child(ren) do the same. The child(ren) shall be allowed to initiate telephone calls, during any period of parenting time. If the telephone call requires a long distant charge, the parent initiating the call is responsible for any long distance charge.

The child(ren) should be afforded reasonable privacy during conversations with the parent. Neither parent shall record or monitor telephone calls between the child(ren) and the other parent (unless permitted to do so by Court order).

14. **Make-up Parenting Time:** If weekend parenting time is missed, it shall be made up on an "alternate weekend" (presumably the weekend immediately following the missed parenting time period). The regular parenting time shall then recommence the following weekend. Summer, spring break, fall break, and Christmas make-up days shall be added to the parenting time schedule the following summer, spring break, fall break, or Christmas. Make-up parenting for weekday parenting shall be made up the next day, or otherwise is forfeited unless the parties otherwise agree.

15. **Adequate Clean Clothing for the Parenting Time:** Clean and appropriate (correct size, seasonally correct, etc.) clothing shall be supplied by the Father, and all clothes shall be returned by the Mother to the Father in the same condition. If agreed to by the parties, the Mother may provide clothing, thus dispensing with the need for the Father to provide clothing.

16. **Pre-school Aged Children (before age 6):** Pre-school children who are not enrolled in a pre-school program may have more flexibility as it relates to summer vacation, Christmas holiday, Thanksgiving holiday, spring break, and fall break. As such, rather than equally dividing the summer, parents **may** wish to spread this time over the months of the year. Parents are permitted to change the above schedule for pre-schoolers in accordance with Paragraph 22. In the event the parents **cannot agree** to these changes to the benefit of their child(ren), then the parents shall follow the Time-Sharing Schedule.

17. **Relocation of Father:** When the Father or a parent in a rotating time sharing arrangement intends to relocate more than fifty (50) miles away from his or her principal residence at the time the last Court order addressing residential issues was entered, that parent must follow the provisions of Florida Statute § 61.13001. This statute requires, among other things, the sending of a detailed notice (with the specific information listed in the statute) to the other parent and allows time for the other parent to raise to the Court his or her objection to relocation. The statute also has provisions for an agreement by the parties and approval by the Court. This statute does not apply if the intended move will place the new residence less than fifty (50) miles from the other parent.

18. **Attorney's Fees and Court Costs:** In the event a contempt hearing is held and one (1) parent has been found in contempt for violation of this time-sharing schedule, then the parent found in contempt **may** be subject to appropriate sanctions, which may include (but are not limited to) payment of the other party's attorney's fees and costs.

19. **Child Support:** Non-payment or late payment of child support is **not** a legal or acceptable reason to deviate from or refuse to follow this schedule. Conversely, denial of parenting time will **not** legally justify non-payment or late payment of child support. **Denial** of parenting time **may** subject the denying parent to **sanctions** (punishment) by the Court.

20. **Grandparents:** Grandparents usually have a desire to maintain a relationship and contact with their grandchildren. Likewise, grandchildren benefit from maintaining a strong and loving relationship with their grandparents. The parents are strongly encouraged to share parenting time with the paternal and maternal grandparents.

21. **Flexibility:** Each parent is encouraged to mutually agree to change his/her schedule to suit the needs of the child(ren) first and themselves second. The parents may, by mutual agreement, change the terms of this Time-Sharing Schedule on a per activity basis. For example, switching weekends due to a relative's wedding. If the parents wish to make permanent changes, which are enforceable by the Court, this should be accomplished by paragraph 24.

22. **Adjustment of Agreement:** The parties are permitted to mutually adjust this Time-Sharing Schedule. It is strongly recommended that the parties reduce any adjustments to this schedule to writing, signed by both parties and notarized. The parties may also reach an unwritten agreement, but if the Court, in its discretion, chooses to recognize their adjusted agreement (written or oral) it may choose to only adopt and incorporate into a Court order an agreement that has been reduced to writing, signed by both parties and notarized. Additionally, the Court does not have the authority to enforce, by contempt or otherwise, an agreement of the parties until after the agreement has been approved by the Court and incorporated into a Court order.