

**SCIOTO COUNTY COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION**

JUDGE JERRY L. BUCKLER

MAGISTRATE MICHAEL L. JONES



**RULE 9.0
STANDARD PARENTING TIME ORDER**

EFFECTIVE DATE: JANUARY 1, 2016

ARTICLE 9.0: PARENTING TIME SCHEDULE

RULE 9.0 STANDARD PARENTING TIME ORDER

(A) Preface

Children require the continued and regular involvement of both parents despite the termination of a relationship. No standard parenting time schedule can possibly meet the needs of every parent-child relationship and therefore the Court encourages parties to submit agreements of parenting times which will meet their specific circumstances.

During and after the termination of a family relationship, there is often a crisis period during which families are under great stress because of loss, conflict and change. Unfortunately, whether intentional or otherwise, children tend to become pawns in a struggle between their parents. Most studies indicate, and psychologists uniformly agree, that the children who “do best” following divorces are those families which maintain lower levels of conflict. The absence of conflict is just as important as the amount of time either parent spends with the child.

The Court adopts this Standard Parenting Time Schedule in the hopes that it is unnecessary. It is only when the parents cannot agree that the Court will require the provisions of this Standard Parenting Time Schedule to be utilized. In such cases where the parents cannot agree to parenting times, the Court’s Standard Parenting Time Schedule will be considered controlling and the Court encourages the parties to minimize conflicts as much as possible. Specific items in the Journal Entry take precedence over this schedule. This schedule in no way affects support obligations or payments.

When a journal entry or divorce decree confers “the right of reasonable parenting time” upon the non-residential parent, this rule shall be considered incorporated by reference and made a part of the entry or decree. Attorneys shall provide copies hereof to clients involved in any child custody/parenting time litigation.

(B) Schedule of Parenting Time

During the academic school year, the non-residential parent shall have parenting time as follows:

- A.** Every other weekend from Friday at 6:00 p.m. to Sunday at 6:00 p.m.
- B.** During the off week, the non-residential parent shall have an overnight visit on Wednesday from 6:00 p.m. until the following day of school. The non-residential parent is required to ensure that the child/children get to school that day. In the event that school is closed for any reason, the non-residential parent shall return the child/children to the residential parent by 9:00 a.m.

- C. The academic school year shall be defined as the school district in which the minor child attends school, or if the minor child is not of school age, the school district in which the residential parent resides.
- D. The receiving party shall be responsible for transportation for all parenting time.

During the Summer break from the academic school year, the parenting time schedule shall be as follows:

- A. Beginning on the first Sunday at 6:00 p.m. following the last day of school, the parties shall alternate parenting time with the child/children on a week to week basis. The parenting time shall be Sunday at 6:00 p.m. to Sunday at 6:00 p.m., and shall continue on a rotating week to week basis until the Sunday before school starts.
- B. In the ODD numbered years, the non-residential parent will have the first Sunday following the last day of school.
- C. In the EVEN numbered years, the residential parent will have the first Sunday following the last day of school.
- D. The receiving party shall be responsible for transportation for all parenting time.
- E. Both the residential parent and the non-residential parent shall be entitled to a fourteen (14) day exclusive period of parenting time during the Summer break. This fourteen (14) day period must be exercised in one block. The person exercising this exclusive fourteen (14) day period of parenting time is not required to leave town and may exercise such time at their discretion. No more than fourteen (14) consecutive days of parenting time are authorized under any circumstances. The person exercising this fourteen (14) day exclusive period of parenting time is not obligated to take the minor child/children to extracurricular activities, but is strongly encouraged to do so, if feasible.
- F. Both the residential parent and non-residential parent shall provide the other party with a minimum of thirty (30) days written notice as to when they intend to exercise their fourteen (14) day exclusive period of parenting time. Such exclusive parenting time shall be exercised beginning on Sunday at 6:00 p.m. and ending on Sunday at 6:00 p.m. The non-residential parent shall be given priority (with proper notice) as to their request for exclusive parenting time in the ODD numbered years and the residential parent shall be given priority (with proper notice) in the EVEN numbered years.

HOLIDAY and SPECIAL PARENTING TIME shall be as follows:

- A.** In the ODD numbered years, the non-residential parent shall be entitled to parenting time for Thanksgiving beginning the Wednesday before Thanksgiving at 6:00 p.m. until Sunday at 6:00 p.m.
- B.** In the EVEN numbered years, the residential parent shall be entitled to parenting time for Thanksgiving beginning the Wednesday before Thanksgiving at 6:00 p.m. until Sunday at 6:00 p.m.
- C.** In the ODD numbered years, the non-residential parent shall be entitled to parenting time from Christmas Eve at 12:00 p.m. to Christmas Day at 12:00 p.m.
- D.** In the ODD numbered years, the residential parent shall be entitled to parenting time from Christmas Day at 12:00 p.m. until December 31st at 6:00 p.m.
- E.** In the EVEN numbered years, the non-residential parent shall be entitled to parenting time from Christmas Day at 12:00 p.m. until December 31st at 6:00 p.m.
- F.** In the EVEN numbered years, the residential parent shall be entitled to parenting time from Christmas Eve at 12:00 p.m. to Christmas Day at 12:00 p.m.
- G.** In the ODD numbered years, the non-residential parent shall have parenting time from December 31st at 6:00 p.m. until January 1st at 6:00 p.m.
- H.** In the EVEN numbered years, the residential parent shall have parenting time from December 31st at 6:00 p.m. until January 1st at 6:00 p.m.
- I.** In the ODD numbered years, the non-residential parent shall have parenting time during the child/children's Spring break from school as determined by the school district in which the child attends school, or if the minor child is not of school age, the school district in which the residential parent resides. The parenting time shall commence at 6:00 p.m. on the last day of school and shall end at 6:00 p.m. the day before the return to school.
- J.** In the EVEN numbered years, the residential parent shall have parenting time during the child/children's Spring break from school as determined by the school district in which the child attends school, or if the minor child is not of school age, the school district in which the residential parent resides. The parenting time shall commence at 6:00 p.m. on the last day of school and shall end at 6:00 p.m. the day before the return to school.

- K. In the ODD numbered years, the non-residential parent shall have parenting time on Easter Sunday from 9:00 a.m. to 6:00 p.m., in the event that Easter does not fall over the Spring break.
- L. In the EVEN numbered years, the residential parent shall have parenting time on Easter Sunday from 9:00 a.m. to 6:00 p.m., in the event that Easter does not fall over the Spring break.
- M. Mother's Day shall be spent with the Mother from 9:00 a.m. to 6:00 p.m.
- N. Father's Day shall be spent with the Father from 9:00 a.m. to 6:00 p.m.
- O. In the ODD numbered years, the Father shall have parenting time with the child/children on the designated trick or treat night for Halloween in the area he resides from 5:00 p.m. to 8:00 p.m.
- P. In the EVEN numbered years, the Mother shall have parenting time with the child/children on the designated trick or treat night for Halloween in the area she resides from 5:00 p.m. to 8:00 p.m.
- Q. The receiving party shall be responsible for transportation for all parenting time.

(C) Miscellaneous Provisions

- (1) **Telephone Contact:** The non-residential parent shall be entitled to telephone each child/children twice (2 times) per week, not to exceed fifteen (15) minutes with each child, if there is more than one child. If there is only one child the time period is twenty (20) minutes. The non-residential parent shall choose the time and day that the calls will be made within reason. However, the Court strongly encourages cooperation of both parents in setting this time schedule. Where the child/children is not available for the call, the residential parent **MUST** provide a new time within twenty-four (24) hours when the child will be available. The other parent shall not participate in such calls. The party with whom the child/children are residing at the time of the call shall bear any expense associated with telephone calls unless the other parent has given permission to be phoned collect. The child/children may call either parent, collect, with the agreement of the parent being called, at any and all reasonable times as the child wishes.
- (2) **Waiting for Parenting Time exchange:** The child/children and/or residential parent have no duty to wait for the non-residential parent to arrive for more than thirty (30) minutes. The non-residential parent who is more than thirty (30) minutes late for a particular period of time shall forfeit that period of time. Exception shall be made if, and only if, the tardiness of the non-residential parent is for just cause and the residential parent receives both prompt notification and a reasonable estimated arrival time.

- (3) **Cancellation of Parenting Time period:** The non-residential parent should give twenty-four (24) hour notice to cancel. Any time cancelled by the non-residential parent is considered forfeited.
- (4) **Illness:** If a child/children is ill, the residential parent should give twenty-four (24) hour notice, if possible, so appropriate plans can be made. However, if more than one day of any parenting time period is missed due to non-emergency and/or non-critical illness, then any missed parenting time shall be made up as soon as practicable.
- (5) **Car Seat:** For any and all child/children required by law to ride in a car seat, the parents shall transfer the car seat with the child/children as parenting time exchanges occur.
- (6) **Current address and phone number:** Each parent must keep the other informed of his/her current address and telephone number at all times. Any change of address, or phone number is to be reported to the other parent within forty-eight (48) hours.
- (7) **Moving:** Upon either parent learning of, or determining that he/she will be moving, whichever occurs first, he/she shall immediately notify the other parent except in those circumstances wherein notice is not required by R.C. 3109.051(G) and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth transition for the child/children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new Parenting Time schedule. However, in the event the parties are unable to do so, the non-residential parent shall, at a minimum, automatically be entitled to parenting time under the appropriate schedule as established within this rule, to be determined by distance between the parties and the child's age until a Court order modifying parenting time is entered. Neither parent may remove the child/children from Scioto County or its contiguous Ohio counties and establish residence for them in another county without a Court order or an agreement signed by the parents and filed with the Court. This rule shall not be construed to contradict any provision contained in the Court's Local Rules. Specifically, this provision is to be read in conjunction with the provisions of Scioto D.R. Rule 1.13.
- (8) **Access to records:** Both parents shall have access to all medical, dental, optometric, psychiatric and psychological records of the minor child/children and may consult with any treating physician, dentist, or other health care provider to the child/children. Both parents shall execute any authorizations or releases necessary to release these records and documents to the other. Both parents shall retain the authority to consent to any necessary emergency medical treatment for the child/children. Each parent shall promptly notify each other of any health problems of the child/children.

Both parents shall have access to the child/children's school records. Both parents shall have the right to participate in parent-teacher conferences, school trips, school programs, and other school activities and events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within three (3) days of receipt.

Both parents shall have access to babysitting, day care, nursery school and/or latchkey records of the child/children. Both parents shall be entitled to communicate with all physical care providers for the child/children. Either parent shall execute any authorizations or releases necessary to release the records to the other. Both parents shall have access to all religious records of the child/children. Both parents shall have the right to participate and attend all religious activities of the child/children.

(9) **Clothing:** The residential parent is responsible for providing sufficient, appropriate, clean clothing for every parenting time period, based on the lifestyle of the residential parent and the child/children. 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/children 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. The non-residential parent is not required to return the clothing washed and cleaned, unless the non-residential parent has parenting time with the child/children for a period in excess of four (4) days. Additionally, any clothing purchased by the non-residential parent and which the child/children are wearing upon their return to the residential parent after parenting time, shall be returned, washed and cleaned, by the residential parent to the non-residential parent at the next parenting time period.

(10) **One-Hundred (100) mile provision:** In the event that the parties reside more than one-hundred (100) miles from each other, either party may petition the Court to modify this parenting time schedule.

(D) ANY KEEPER OF RECORDS WHO KNOWINGLY FAILS TO COMPLY WITH THIS ORDER, OR DIVISION (H) OF SECTION 3109.051 OF THE OHIO REVISED CODE, AND ANY SCHOOL OFFICIAL OR EMPLOYEE WHO KNOWINGLY FAILS TO COMPLY WITH THIS ORDER OR DIVISION (J) OF SECTION 3109.051 OF THE OHIO REVISED CODE IS IN CONTEMPT OF COURT. WILLFUL NON-COMPLIANCE BY A PARENT WITH THIS ORDER MAY RESULT IN A FINDING OF CONTEMPT RESULTING IN THIRTY (30) TO NINETY (90) DAYS INCARCERATION, A \$250.00 TO \$1,000.00 FINE, OR BOTH AND AN AWARD OF THE MOVING PARENT'S ATTORNEY FEES AND COSTS.

RESIDENTIAL PARENT	EVEN NUMBER YEARS	ODD NUMBER YEARS
Summer Break (alternate week-to-week)	First Sunday at end of school	
14 Day Exclusive Summer	Priority with proper notice	
Thanksgiving	Wednesday 6 p.m. – Sunday 6 p.m.	
Christmas	Christmas Eve 12 p.m. – Christmas Day 12 p.m.	Christmas Day 12 p.m. – Dec. 31 st 6 p.m.
New Years	Dec. 31 st 6 p.m. – Jan. 1 st 6 p.m.	
Spring Break	As determined by school district (6 p.m. on last day of school to 6 p.m. on day before returning to school)	
Easter (In event holiday does not fall over spring break)	Sunday 9 a.m. – 6 p.m.	

NON-RESIDENTIAL PARENT	EVEN NUMBER YEARS	ODD NUMBER YEARS
Summer Break (alternate week-to-week)		First Sunday at end of school
14 Day Exclusive Summer		Priority with proper notice
Thanksgiving		Wednesday 6 p.m. – Sunday 6 p.m.
Christmas	Christmas Day 12 p.m. – Dec. 31 st 6 p.m.	Christmas Eve 12 p.m. – Christmas Day 12 p.m.
New Years		Dec. 31 st 6 p.m. – Jan. 1 st 6 p.m.
Spring Break		As determined by school district (6 p.m. on last day of school to 6 p.m. on day before returning to school)
Easter (In event holiday does not fall over spring break)		Sunday 9 a.m. – 6 p.m.

FATHER	MOTHER
Father's Day 9 a.m. – 6 p.m.	Mother's Day 9 a.m. – 6 p.m.
Trick or Treat 5 p.m. – 8 p.m. - odd years (on the designated night in the area he resides)	Trick or Treat 5 p.m. – 8 p.m. – even years (on the designated night in the area she resides)