

SAGINAW COUNTY FRIEND OF THE COURT
STANDARD PARENTING TIME SCHEDULE 2010

The Saginaw County Friend of the Court, with input from the Domestic Relations Committee, and Circuit Court/Family Court Judges has adopted a new Standard Parenting Time Schedule, effective June 1, 2010.

Please replace any schedules you may have with this new schedule. This will be the one, and only, "Standard" schedule. Please note that it will be required to be attached to all custody/parenting time orders. If there are any exceptions to the schedule, those exceptions must be specifically stated in the Order as "EXCEPTIONS".

Also, please note that in cases where one of the parties has primary physical custody, there must be a weekend designated as the first alternating weekend for the non-custodial parent. If the weekend is not designated, the FOC attorney will select the weekend.

This schedule does not have retroactive effect. Therefore, cases already existing, with a different schedule, will not automatically be modified. A petition would be required to have any review of these cases.

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Saginaw County FOC

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STANDARD PARENTING TIME SCHEDULE 2010

Both parties shall work towards reasonable parenting time during any periods of time which are mutually agreeable to the parties. If an agreement cannot be reached regarding the dates and times for parenting time, then the parties shall be bound by the schedule stated below.

WHEN PARTIES LIVE WITHIN 100 MILES FROM EACH OTHER

1. In this case, one of the parties has primary physical custody. Therefore the Plaintiff/Defendant (circle one) shall have parenting time with the minor child(ren) on alternating weekends from 6:00 p.m Friday to 6:00 p.m Sunday, beginning the weekend of _____(date). If a party's weekend falls on Memorial weekend or Labor Day weekend, then the weekend extends to Monday at 6:00 p.m.
 In this case, the parties have joint physical custody. Therefore, the parenting time schedule shall be indicated as "exceptions" in the body of the existing Order/Judgment.

(The Holiday/Extended schedule does not change the alternating weekend schedule and it resumes after the conclusion of each Holiday/Extended parenting time. Normally scheduled parenting time according to the Court Order will resume immediately after the holiday concludes).

2. The following holiday schedule takes precedence over any other parenting time schedule:

In **odd** numbered years, the Plaintiff shall have the minor child(ren) on the following holidays: Thanksgiving and child(ren)'s birthdays. Halloween (if age 12 and under only).

In **even** numbered years, the Defendant shall have the minor child(ren) on the following holidays: Thanksgiving and child(ren)'s birthdays. Halloween (if age 12 and under only).

Hours for holidays are as follows:

*Thanksgiving – 6:00 p.m. on Wednesday (the day before the holiday) until 6:00 p.m. on the Sunday following Thanksgiving.

*Halloween – 4:00 p.m. until 8:00 p.m. (if age 12 and under only).

*Mother's Day – each year, the Mother shall have the minor child(ren) on Mother's Day from 9:00 a.m. until 8:00 p.m.

*Father's Day - each year, the Father shall have the minor child(ren) on Father's Day from 9:00 a.m. until 8:00 p.m.

*Children's birthdays – Birthday times in the summer and on weekends shall be from 9:00 a.m. until 8:00 p.m. and during the school year, from 5:30 p.m. until 8:00 p.m. and include all the children on each child's birthday. If a child's birthday falls on a holiday (designated above), the holiday takes precedence over the birthday.

3. Periods of Extended Parenting Time

A. Summer

Summer parenting time shall be rotated week on week off starting the first Friday after school ends at 6:00 p.m. until the third Friday in August at 6:00 p.m. If there are no school age children, then summer parenting time starts the first Friday in June and ends the third Friday in August. Plaintiff shall have the minor child(ren) first in **even** years and the Defendant shall have the child(ren) first in **odd** years.

(no alternating weekend parenting time in the summer time by either party)

B. Christmas School Vacation

In **odd** numbered years, the Defendant shall have the minor child(ren) the first portion of the Christmas school vacation for six overnights and the Plaintiff shall have the minor child(ren) the remaining portion. In **even** numbered years, the Plaintiff shall have the minor child(ren) the first portion of the Christmas school vacation for six overnights and the Defendant shall have the remaining portion.

Christmas school vacation is defined as 6:00 p.m. the day school recesses until 6:00 p.m. the day before school resumes. The weekend schedule is suspended during this vacation.

If there are no school-age children, then Christmas break begins on December 20th at 6:00 p.m. and ends on January 1st, at 6:00 p.m. However, if any of the children are in school, all of the children shall go as per the time allotted for the school break.

C. Spring School Break

In **even** numbered years, the Defendant shall have the minor child(ren) the entire spring school break. In **odd** numbered years, the Plaintiff shall have the minor child(ren) the entire spring school break.

Spring school break is defined as 6:00 p.m. the day school recesses until 6:00 p.m. the day before school resumes. The weekend schedule is suspended during this vacation.

If there are **no** school-age children, then Spring break is defined as Easter Sunday at 10:00 a.m. until the following Sunday at 6:00 p.m. In **odd** numbered years, the Plaintiff's parenting time shall begin on Easter Sunday. In **even** numbered years, the Defendant's parenting time shall begin on Easter Sunday.

WHEN THE PARTIES LIVE OVER 100 MILES FROM EACH OTHER

1. From September through May the Plaintiff/Defendant (circle one) shall have the minor child(ren) the second full weekend of every month, from 6:00 p.m. Friday until 6:00 p.m. Sunday.
2. Summer parenting time shall be defined as beginning the first Friday after school ends at 6:00 p.m. until the third Friday in August at 6:00 p.m. In **even** numbered years, Plaintiff shall have the minor child(ren) the first portion of the summer parenting time, which will begin the first Friday after school ends at 6:00 p.m., and continuing six weeks out, ending on Friday at 6:00 p.m. Defendant shall have the minor children(ren) the remaining portion of the summer. In **odd** numbered years, Defendant shall have the minor child(ren) the first portion of the summer parenting time, which will begin the first Friday after school ends at 6:00 p.m., and continuing six weeks out, ending on Friday at 6:00 p.m.

If there are no school age children, then summer parenting time shall be defined as beginning the first Friday in June at 6:00 p.m. until the third Friday in August at 6:00 p.m. In **even** numbered years, Plaintiff shall have the minor child(ren) the first portion of the summer parenting time, which will begin the first Friday after school ends at 6:00 p.m., and continuing six weeks out, ending on Friday at 6:00 p.m. Defendant shall have the minor children(ren) the remaining portion of the summer. In **odd** numbered years, Defendant shall have the minor child(ren) the first portion of the summer parenting time, which will begin the first Friday after school ends at 6:00 p.m., and continuing six weeks out, ending on Friday at 6:00 p.m.

(No alternating weekend parenting time in the summer by either party)

3. The Plaintiff shall have the minor child(ren) for Thanksgiving in **even** numbered years, beginning at 6:00 p.m. on Wednesday and ending at 6:00 p.m. on Sunday. The Defendant shall have Thanksgiving in **odd** numbered years.
4. Christmas school vacation

In **even** numbered years, the Plaintiff shall have the minor child(ren) the entire Christmas school vacation. In **odd** numbered years the Defendant shall have the minor child(ren) the entire Christmas school vacation.

Christmas school vacation is defined as 6:00 p.m. the day school recesses until 6:00 p.m. the day before school resumes.

If there are no school-age children, then Christmas break begins on December 20th at 6:00 p.m. and ends on January 1st, at 6:00 p.m.

5. Spring School Break

In **odd** numbered years, the Plaintiff shall have the minor child(ren) the entire spring school break. In **even** numbered years the Defendant shall have the minor child(ren) the entire spring school break.

Spring school break is defined as 6:00 p.m. the day school recesses until 6:00 p.m. the day before school resumes.

If there are no school-age children, then Spring break begins on the Saturday before Easter at 6:00 p.m. and ends the Sunday following Easter at 6:00 p.m.

PARENTING REQUIREMENTS

Transportation/Exchanges

1. Transportation is to be provided by the party whose parenting time is beginning under the terms of this Order. The other parent then obtains the minor child(ren) when his/her parenting time begins. The party who will be exercising parenting time shall pick up the minor child(ren) at the other party's residence.
2. Either parent can designate a fully license, insured adult, who is not under the influence of any intoxicant and/or mood-altering substance, to transport the minor child(ren). **The child(ren) must be familiar with that adult.** Identification can be requested prior to release of the minor child(ren).
3. The parenting time schedule shall be exercised in a prompt manner. In the event of an unforeseen circumstance, a thirty (30) minute delay is allowed for picking up and returning the minor child(ren). If at any time one of the parties will not be exercising his/her parenting time with the minor child(ren), then that party shall give at least 24 hours prior notice to the other party that he/she is unable to exercise parenting time.
4. Car seats must be used, and both parties must provide a car seat, in compliance with State Law.
5. When transporting the minor child(ren) via airlines the rules of the Airline must be followed. The nearest airport must be used to transport minor children for parenting time.

6. A general itinerary and emergency telephone number shall be provided to the other parent if an out-of-town vacation is planned. Out of State vacations not in conflict with parenting time schedule are allowed. This information shall be provided at least one week before the travel.

Appointments/Activities

1. Doctor appointments for the minor child(ren) are to be scheduled during the parenting time of the parent who schedules the appointment.
2. Any medication prescribed by a doctor shall be administered consistent with doctor's orders. The medication in its prescription bottle shall be exchanged by the parents at pick up and drop off for parenting time.
3. A parent, regardless of the custody arrangement, shall not be denied access to records or information concerning his/her child(ren), unless prohibited by a protective order. Records or information include medical, dental, school records, day care provider's records, and notification of meetings regarding the child's education. 1996 PA 304, MCL 722.21; MSA 25.312(1) (SB 598).
4. The parent who has possession of the child pursuant to the Court Order decides what extra curricular activities the child will attend.
5. It is the affirmative responsibility of each parent to see that the minor child's homework is completed in a timely manner.
6. Summer school necessary for the minor child(ren) to pass to the next grade must be attended. Either party must obtain written verification from the school regarding the necessity of summer enrollment.

Denials

1. A denial may take place if there is a Doctor's written directive as to the amount of time or days that the minor child(ren) cannot leave the home of the parent who has the minor child(ren). This written directive must be provided to the other party. Make up parenting time shall occur immediately after the time missed. The duration of make up parenting time shall be the same as the time missed. If a party denies the other party parenting time for any other reason, it is the burden of the party withholding parenting time to prove to the Court that the denial was justified.
2. Parenting time shall not denied based upon the child(ren) being grounded.
3. Child support and parenting time are separate issues. Parenting time cannot be withheld due to non-payment of support; likewise, the payer of support **cannot withhold** payment of support due to denial of parenting time.

Protective Orders/Juvenile Court Orders

1. Personal Protection Orders do not invalidate parenting time orders unless specifically addressed in the Personal Protection Order. Exchanges for parenting time must occur in a manner that shall not violate the Personal Protection Order (i.e. 3rd party transporters, alternate exchange location may be necessary). The Personal Protection order supersedes this parenting time schedule.
2. This parenting time schedule is not effective when the Juvenile Court has assumed jurisdiction of a matter pursuant to an abuse and/or neglect petition. The Juvenile Court Order supersedes this parenting time schedule for the life of the Juvenile Court case.

Miscellaneous

1. During the pendency of the divorce cases only, no unrelated significant others (boyfriend/girlfriend) are to be present around the minor child(ren).
2. Unless the Court Order specifically states otherwise, both parents must provide their own clothing for the minor child(ren) during their own custodial time. However, outerwear, such as boots and coats, shall be shared, and returned at the conclusion of each parenting time.
3. The party who is not exercising parenting time shall be allowed one phone contact with the minor child(ren) for each seven consecutive day period. The phone contact shall be no more than ten minutes per child and shall occur between the hours of 6:00 p.m. and 8:00 p.m. Each party must provide the other party with a phone number where he/she can be reached.
4. If there are school-age children and non-school age children then the younger child(ren) follow the parenting time schedule of the child(ren) in school. Kindergarten or Young Fives is the first recognized school grade.
5. Neither party shall speak in a derogatory fashion about the other party, in the presence of the minor child(ren).
6. Only the Orders of the Court can be enforced with respect to parenting time; agreements between the parties cannot be enforced.
7. In the event there is a dispute and the parenting time order does not address the disputed issue(s), the Friend of the Court has authority to determine the following: the distance (mileage) between the parties' homes, what items should be provided by each parent during the child(ren)'s visit, who may pick up and return the child, pursuant to the Court Ordered schedule or whether the child may travel alone, and what child related activities either party cannot engage in during parenting time (such as hair cutting, ear piercing, unauthorized non-emergency medical treatment, etc.). The Friend of the court may also determine when a parenting time schedule begins if the Order is silent.

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