

**EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA**

**SHARED PARENTAL RESPONSIBILITY  
VISITATION GUIDELINES AND RELATED MATTERS**

**LONG DISTANCE**

January 2002

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA**

**SHARED PARENTAL RESPONSIBILITY VISITATION GUIDELINES  
AND RELATED MATTERS**

When parents of minor children cease to live together, one parent normally has primary physical residential responsibility for the children and the other parent normally has rights of visitation with the children. The breakup of a family unit is traumatic to all involved, especially to the children. The issues of custody and visitation are major issues and the resolution of those issues can benefit or be detrimental to the children, depending upon the parents and the way the issues are resolved. A beneficial resolution requires that the parents be prepared to share the difficult responsibilities of rearing children in separate homes and that they be mature and responsible enough to do so.

These Guidelines have been developed through the joint efforts of psychologists who work with children, attorneys who practice family law and judges who preside over family law cases. The Guidelines represent MODERATE examples of specific visitation rights and considerations applicable to a majority of cases after consideration of the information obtained from all sources. Opinions of experts in some areas were conflicting. The Guidelines were drafted with due regard for the rights of parents and their children.

**SHARED PARENTAL RESPONSIBILITY** means that both parents share the challenging decisions and responsibilities of rearing children. Shared parental responsibility is favored under the law. Major decisions regarding education, discipline, religious upbringing, health care and other matters not a part of the day to day routine must be discussed and agreed upon, or, if the parents are unable to agree, the matter must be submitted to the Court so that a judge may decide which parent will make the ultimate decision in that area of the children's lives. For example, one parent may be granted sole discretion to make decisions regarding health care, and the other parent may be granted sole discretion to make decisions regarding education, if specially requested and supported by the evidence in a particular case.

An alternative is **SOLE PARENTAL RESPONSIBILITY** in which one parent has the right

to make ALL decisions relative to the children without consulting the other parent. Sole parental responsibility is not favored under the law and is not granted unless the secondary residential parent is irresponsible, neglects or abuses the children, or there is some other reason supported by evidence which justifies sole parental responsibility. Restricted or supervised visitation is not favored but may be necessary if the children will be placed in danger of abuse, neglect or other situations which require more protection for their physical, psychological or emotional well being.

Visitation is primarily for the benefit of the children. Parents must be respectful, courteous and businesslike to each other in the presence of the children to protect them from trauma. This is the DUTY and RESPONSIBILITY of each parent. If not fulfilled, the Guidelines cannot work to the greatest benefit to the children.

The Guidelines are only guidelines. THEY ARE NOT "SET IN STONE." Any part of the provisions may be changed or eliminated by evidence indicating a need to change or eliminate a particular part. The judges PREFER that the parents CONSULT and AGREE upon visitation rights and other considerations because the parents best know their work and other schedules and know their children best. A visitation schedule agreed upon by the parents is more likely to work to the satisfaction of the parents and children. It is only if the parents are unable to agree that these Guidelines are considered by the judge assigned to the case. In the event that a judge must decide the issue, the Guidelines are only a STARTING POINT and are not to be arbitrarily imposed. The judge will use discretion based upon the evidence to specify the visitation rights applicable to each case. The schedule may be useful to the parents as an outline to begin negotiations on visitation. Special reasons may exist to alter the suggested visitation rights, such as ages of the children, health, special care needs, detrimental conduct of the secondary residential parent, or similar matters directly related to visitation and childcare issues.

The "C" section of the visitation schedule represents an effort to address matters which come before the courts on a frequent basis on motions for contempt. These matters have been placed in the Guidelines to make parents aware of their responsibilities. By honoring these responsibilities, parents may avoid litigation or present clear issues to the Court in the event of alleged violations. The object is to minimize the necessity for contempt hearings, as continued conflict between the parents has a detrimental effect upon their children.

As used in these Guidelines, the term "custodial parent" shall be used to designate that parent who has ACTUAL PHYSICAL CUSTODY of the children at a particular time, and the term "non-custodial parent" shall be used to designate the other parent. The term "primary residential parent" shall be used to designate the parent with whom the children physically reside during a MAJORITY of the time, and the term "secondary residential parent" shall be used to designate the other parent.

While the Guidelines refer to children in the plural, they also apply in cases in which the

parents have one (1) child.

## I

### GENERAL CONSIDERATIONS AND PROVISIONS

1. **MEDIATION BEFORE LITIGATION:** The parents shall mediate all visitation disputes before applying to the court for resolution unless a visitation dispute arises on short notice or the matter must be resolved before mediation is possible. They may privately mediate with a mediator of their choice or either party may request court-ordered mediation. This circuit has family law mediators who regularly conduct mediations of custody and visitation issues. Children under the age of thirteen (13) should never be involved in mediation. However, in the sole discretion of the mediator, a mediator may confer in the absence of the parents with children if they are thirteen (13) years of age or older and their input is deemed necessary or desirable to the mediation process.

2. **AREA OF APPLICATION:** These Guidelines are applicable to parents who reside in different areas more than 150 miles apart.

3. **SCHOOL CONTACT:** Both parents shall have the right to equal participation in the children's school activities. Each parent shall insure that the other has full and adequate information regarding those activities, especially with regard to opportunities for parental contact with teachers and participation in or attendance at special school events.

4. **REINTRODUCTION OF ABSENT PARENTS:** The Guidelines assume that each parent has been a continuous presence in the children's lives. In the event that a parent has had limited or no contact with his or her children and wishes to be reintroduced into the children's lives, it is up to the parents to agree on the means by which this is to be accomplished. If the parents are unable to agree, the first alternative shall be to mediate the conflict. If mediation is unsuccessful, it shall be the responsibility of the Court to adopt a schedule to ease the reintroduction. Since each case is unique, the immediate adoption of guideline visitation may not be in the children's best interests and the Court shall exercise its discretion to fashion an appropriate remedy.

5. **SCHEDULING EVENTS:** Each parent shall advise the other parent of extracurricular activities in which the children participate. Both parents are encouraged to attend such activities. The primary residential parent shall not schedule activities for the children during the secondary residential parent's visitation period without the secondary residential parent's consent or other

arrangements which are satisfactory to that parent.

**II**  
**GENERAL AND SPECIFIC VISITATION ISSUES**  
**FOR THE PARENTS OF CHILDREN OF DIVORCE OR SEPARATION**

Following a divorce or separation, parents need to cooperate in their efforts to help their children continue to grow emotionally, socially and intellectually, and to insure that their children continue to have meaningful relationships both with the parent with whom they primarily reside (the primary residential parent) and with the other parent (the secondary residential parent).

These visitation Guidelines are intended to MINIMIZE the harm done to children when their parents divorce or separate. They are written from the standpoint of CHILDREN'S NEEDS and attempt to guide parents seeking to accommodate the BEST INTERESTS of their children.

In developing schedules for contact between children and their parents following a separation or divorce, the following factors need to be considered:

1. **MINIMIZE LOSS** - Children experience divorce or separation as a series of significant losses. To children, divorce or separation means losing home, family life, loving parents who care about each other, pets, financial security, relationships with extended family, familiar schools, sports activities, and a daily schedule. Children often feel abandoned and uprooted. The disruptive effects of divorce or separation on their lives can have profound consequences for children in later years. Respect your children's plight by eliminating as much pain and trauma and as many changes and losses as possible.

2. **MAXIMIZE RELATIONSHIPS** - Encourage all relationships which existed between your children and others before the divorce or separation (both parents, grandparents, aunts, uncles, cousins, close adult friends, etc.), as well as future relationships. Your children will most likely keep the feeling of family when they continue to have pleasant, free access to both parents and their extended families. Your children's identities depend upon their feeling that they belong to both families. This requires that your children spend time with both sides of their family.

**Encourage and support the other parent in accepting an active parenting role.**

**Never make your children feel guilty about enjoying their time with the other parent. Enjoyment of that time is a tribute to the security that both you and the other parent have instilled in your children and suggests that your children are learning to trust and to explore a wide range of healthy relationships.**

**Reassure your children that they are not to blame for the separation or divorce and that BOTH parents still love them. Try to avoid blaming the other parent. It is destructive to children's security and self-concepts when they are compelled to take sides after a separation or divorce. You should also AVOID disclosing details of your adult relationship's problems to your children. Although they may initially want the details and may want to alleviate your pain and anger by taking sides with you, they ultimately may resent you for confusing them and increasing their anxieties about their freedom to love and to relate comfortably to both of their parents.**

**3. AVOID CONFLICT - Scientific research verifies that your children will suffer both now and later if they frequently see their parents in conflict. Raised voices, arguments, hateful remarks and physical altercations are not suitable for children to experience. Children are also harmed when they hear one parent say bad things about or refuse to acknowledge the existence of the other parent. If one parent directly or indirectly creates an image of the other parent that is in any way negative, children's own self-images will be assaulted. Children will only feel as good about themselves as they do about each parent.**

**A good procedure for divorced or separated parents to follow is to try never to discuss children's issues and adult issues in the same conversation. When you are talking with the other parent about children's issues, stick to those topics and do not allow the conversation to drift into discussions of problems between the other parent and yourself. Save those topics for another discussion at another time and never discuss them in the presence of your children. If the other parent and you simply cannot avoid fights and arguments when you begin or end visits, you should consider enlisting the help of another person (grandparent, mutual friend, babysitter, etc.) who will agree to serve as a "neutral" to facilitate transfer of the children and thereby avoid negative contacts between the parents.**

**4. AGE RELATED NEEDS - Children of different ages need and benefit from different parenting arrangements. Parents should try to be flexible and to tailor their schedules as much as possible to reflect their children's developmental needs and individual requirements. You can expect that, as your children get older, you will need to be more flexible and will need to work hard at effective communication and fair compromises both with your children and with the other**

parent.

## LONG DISTANCE VISITATION SCHEDULE

The following are paragraphs which should be considered for orders or final judgments as applicable. The language suggested is only a sample and may be changed or eliminated based upon stipulations of the parents or the discretion of a judge based upon the evidence. The precise provisions have been drafted based upon input from psychologists, attorneys and judges of the Eighteenth Judicial Circuit. You may initial the provisions you agree upon if you wish to use these guidelines as the basis for an agreement.

### NON-LOCAL VISITATION SUGGESTED SCHEDULES

#### I. GENERAL CONSIDERATIONS

When a parent resides a great distance from the other parent, different factors must be addressed to provide visitation and a meaningful relationship with the secondary residential parent. The issues involve considerations of age of the child(ren), distance, manner and cost of transportation, and other considerations unique to each parent. Literature on this subject is not too helpful and there is no precise schedule which will work in every case. The Family Law Attorneys of the Brevard County Bar Association and the Circuit Judges have collaborated and held meetings to discuss the issues involved in long distance visitation scenarios. The following suggestions have been considered to be helpful to parents, their attorneys and judges in attempting to construct meaningful contact with the secondary residential parent. The list of considerations are ONLY suggestions to be considered and no standard visitation schedule will be imposed by the courts as there is no standard schedule for long distance visitation. However, the suggestions may shorten the process and provide ideas for the parties to consider in structuring visitation.

#### A. DISTANCE

Modified standard visitation schedules could be used when the distance between the residences of the parents do not exceed 150 miles. However, more than 150 miles distance between parents normally causes standard schedules to be deficient. The suggestions in this part are supplied to address distances in excess of 150 miles.

## B. AGE OF CHILD

A child's physical age and mental or emotional age do not always correspond in any given child and each child has a different personality, belief system and maturity level. The suggestions must be considered as they may affect the particular child or children separately, considering each child as to physical age, emotional age and maturity level.

## C. TRANSPORTATION

Means of transportation include private motor vehicles, public buses, public trains, public watercraft, public aircraft and other public means of transportation. The time allotted to a particular visitation period, the age of the child, the distance to travel, the cost of the transportation, the convenience of the means of transportation and the need and availability for supervision while traveling all must be considered in structuring long distance visitation.



1. VISITATION IS FOR BENEFIT OF CHILDREN: Visitation is for the ultimate benefit of the child(ren) and, unless restricted, means that certain minimum rights are recited in these Guidelines. The intent is that the primary residential parent will allow additional visitation at other times upon request, provided that such requests are reasonable and will not cause a substantial inconvenience to the primary residential parent or unnecessarily interfere with pre-planned activities involving the children. This provision is meant to provide SPECIAL EVENT AND OTHER extra visitation but is not to be used as a means to harass the primary residential parent or to make CONSTANT or daily demands for extra visitation. Common sense and respect for the other parent's separate life and privacy should be used in making requests for extra visitations.

2. SHARED PARENTAL RESPONSIBILITY: The parents are awarded Shared Parental Responsibility relative to the minor child(ren), \_\_\_\_\_, born \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, born \_\_\_\_\_, \_\_\_\_\_, (use more lines if more than two children) and parental responsibility shall be shared by both parents to the extent that both parents shall retain full decision making responsibility with respect to the minor children. Both parents are required to confer so that MAJOR DECISIONS affecting the welfare of the child(ren) will be determined jointly. Such areas of responsibility for the child(ren) shall include education, religious training, non-routine medical and dental care,



disciplinary measures, choice of day care facility or babysitter, and similar matters. If the parents are unable to agree upon the matter in the best interests of the child(ren) after a good faith negotiation, the matter shall be presented to the Court by motion for an evidentiary hearing and the Court shall determine which parent shall have the right to decide the issue. The parent who has actual physical custody of the child(ren) at any particular time (the custodial parent) shall make the DAY TO DAY regular and ordinary decisions for the child(ren)'s control and discipline, emergency medical and dental care, other routine daily care, and any emergency decision if there is insufficient time to contact the other parent.

3. **GOOD FAITH EFFORTS OF THE PARTIES EXPECTED:** Both parents shall exercise, in the utmost good faith, his and her efforts at all times to encourage and foster the maximum relations of love and affection between the minor child(ren) and the child(ren)'s parents. When the child(ren) (is) (are) with one parent, the other parent shall have open but reasonable rights of telephonic communication with the child(ren), in private, one (1) time per day. Both parents must recognize that the child(ren) (has) (have) the right to be treated as interested and affected persons and not as pawns or possessions of either parent; the right to grow to maturity in home environments which will best guarantee opportunities for the child(ren) to become mature and responsible citizens; the right to the love, care, discipline and protection of both parents; the right to know both parents and to have the benefit of both parents' love and guidance through visitation; the right to positive and constructive relationships with both parents; the right to the most adequate level of economic support that can be provided by both parents; and the right to be regarded as persons within the family. In return, the child(ren) (has) ( have) the moral duty to honor and respect the mother and father.

4. **CONTACT BY NON-RESIDENTIAL PARENT (VISITATION):** Each of the parents shall exercise the utmost good faith and shall therefore consent to reasonable requests by the other parent in connection with parental contact and access (visitation). The CHIL(DREN) (has) (have) a right to spend substantial time with the secondary residential parent, and the primary residential parent is expected to provide contacts with the child(ren) at unscheduled times when requested if it does not unreasonably disrupt prior planned activities of the child(ren) or the primary residential parent. This provision is for SPECIAL EVENT AND OTHER extra visitation but is not to be used as a means to harass the primary residential parent or to make constant or daily demands for extra visitation. Visitation rights shall not be used as a pretext for the secondary residential parent to attempt to visit the primary residential parent for purposes other than to pick up the child(ren). Therefore, not as a limitation, but as an extension of the foregoing, the secondary residential parent is entitled to and shall have the following minimum visitation rights with the child(ren).

**II. DISTANCE MORE THAN 150 MILES BUT WITHIN STATE OF FLORIDA.  
(REASONABLE DRIVING DISTANCE)**

**A. INFANTS - 3 YEARS OF AGE**

**?** **?**

**1. The secondary custodial parent shall have the right to visit the child(ren) at least 2 times per month away from the residence of the primary custodial parent for 4 hours per visit. The parties may agree for the visitation to take place at the child's residence but if either party objects, the visitation shall be at a place other than the child's residence. The primary custodial parent shall not be present during the visits unless agreed between the parties. In any event, the primary residential parent shall not interfere with the visitation. The parties shall agree upon the dates and times of visits but if unable to agree, they shall be on the first and third Saturday of each month from 9:00 a.m. through 1 p.m.**

**?**

**2. In addition to the twice per month visits, the secondary residential parent shall have the right to have the child(ren) visit overnight at the secondary parent's residence or other suitable place once every 90 days, from 3:00 p.m. through 12:00 noon on the next day. The parties shall attempt to agree upon the date for the overnight visits but if unable to do so, the date shall commence on the second Saturday of each third month counting from the date the order of the court was entered or from the date the parties entered into a written agreement proving for such visitation, whichever comes first. The visits shall occur on Saturday through Sunday at the time specified. The visits are not required to be spaced exactly 90 days apart but within 10 days either side of or including the 90th day.**

**?**

**3. The secondary custodial parent shall have the right to have the child(ren) visit away from the child(ren)'s residence for 4 hours on Thanksgiving day, every Christmas day, Father's day or Mother's day as applicable and the child's birthday, from 2:00 p.m. - 6:00 p.m. unless at a time otherwise agreed.**

**?** **?**

**4. If a child is being breastfed, the parents shall cooperate so that such child is with the mother at feeding time if possible. Alternatively, breast milk may be harvested by**

the mother to provide for any such child when the child is with the father at feeding time or other feeding arrangements shall be agreed upon by the parents to accommodate any such child. Both parents shall promote consistency in the child(ren)'s nutrition and environment. The primary residential parent shall supply items such as breast milk or formula, clothing, blankets, pacifiers, wipes, toys and infant car seat(s) to the secondary parent as may be needed. Any items not consumed and the car seat(s) shall be returned to the primary residential parent when the child is returned.

? ? 5. After the child(ren) become(s) 18 months of age, the first of the two monthly, visits shall be for a weekend, commencing at 9:00 a.m. on Saturday and to end at 5:00 p.m. on Sunday. The other monthly visit shall remain a 4-hour visit.

? ? 6. The child(ren) shall be picked up and returned by the secondary custodial parent at the residence of the primary custodial parent.

OR

? ? The child(ren) shall be delivered to the secondary parent at > a place in the vicinity of the child(ren)'s residence > at the secondary parent's residence > place to be mutually agreed upon by the parties.

? ? 7. The cost of transportation to accomplish visitation shall be > paid by the secondary residential parent > paid by the primary residential parent > split equally between the parents. If shared or paid by the primary residential parent, the secondary residential parent shall present receipts for gasoline and oil consumed within 60 days after visitation is over to be entitled to reimbursement. Repairs and maintenance of either party's motor vehicle is not a part of the reimbursement contemplated between the parents or by the Court, the intent being to reimburse for gasoline and oil expenses only.

? ? 8. Pickup and return of the child(ren) shall be done by the parent personally unless an alternate person is mutually agreed upon and accepted by each parent.

## B. AGE 3 YEARS AND OLDER

**? ?**

**1. The secondary residential parent shall have the right to visit the child(ren) at least 2 times per month away from the residence of the primary residential parent from 9:00 a.m. on Saturday through 6:00 p.m. on Sunday. The parties shall agree upon the dates of the visits but if unable to agree, they shall be on the first and third weekend of each month.**

**? ?**

**2. The secondary residential parent shall have the right to have the child(ren) visit on Memorial Day and Labor Day weekend each year. If the secondary parent's employer provides a three-day weekend for the holiday, the visitation shall commence at 6:00 p.m. the day prior to the first day of the extended weekend and continue to 6:00 p.m. of the last day of the weekend. If the secondary residential parent has a shorter weekend, the maximum time available.**

**? ?**

**3. When a child is in school, spring break every alternate year in (odd) (even) numbered years from 6:00 p.m. on the day prior to the first day of spring break to 6:00 p.m. Saturday before school recommences.**

**? ?**

**4. Four hours during the secondary residential parent's day (Mother's Day or Father's Day) and the child(ren)'s birthday each year at a time agreed, but in the absence of an agreement, 2:00 p.m. - 6:00 p.m.**

**? ?**

**5. (A) Every alternate Christmas season, in (odd) (even) numbered years, from 6:00 p.m. on the day that the children's school recesses or, if the child(ren) are not in school, on December 20th, through December 25th at 12:00 noon. During (odd) (even) numbered years, from 12:00 noon on December 25th to 6:00 p.m. on the day prior to school recommencing.**

**OR**

**? ?**

**5 (B) Every alternate Christmas season, in (odd)(even) numbered years, from the day after school recesses or on December 20th, whichever is earlier, through December 26th at 2:00 p.m. During (odd)(even) numbered years from 2:00 p.m. on December 26th to 6:00 p.m.**

on the day prior to the day school recommences.

**? ?**

6. \_\_\_\_\_% (75% - 85% suggested) of the summer vacation (or vacation breaks, if a year round school) each year. The primary residential parent shall ascertain as soon as available at the school, the schedule for that school year and shall immediately furnish the other parent a copy by U.S. mail, return receipt requested, and if available, by facsimile in addition. The parents shall confer as soon as possible and compute the actual number of vacation days provided by the school. The secondary residential parent's percentage shall then be multiplied times the total vacation days and the number of days determined shall be the visitation period allotted to the secondary residential parent. The parents may agree upon the times for visitation to be exercised, a continuous number of days or visitation periods with breaks in between. If unable to agree, the visitation shall commence on the first Monday after school recesses if not a year round school and shall end at least a week prior to school re-commencing. If the parties desire the days to not be continuous, but cannot agree on the dates, visitation shall be split equally in days commencing the second Monday in June and the third Monday in July each year. If a year round school, the agreed on or ordered percentage of each vacation break, each period to commence at 6:00 p.m. on the day immediately following the last school day, and to continue for the number of days obtained by multiplying the applicable percentage times the number of vacation days in that particular break period. The parents shall in good faith attempt to arrange visitation to accommodate the parent's schedules and children's schedules as much as possible.

**? ?**

7. If visitation will exceed four continuous weeks, the primary physical residential parent shall have the right to visit the child(ren) the fifth weekend from 6:00 p.m. on Friday through 6:00 p.m. on Sunday. If that visitation is exercised, the secondary residential parent shall have that parent's visitation time extended by two days.

**III. DISTANCE MORE THAN 150 MILES AND NOT WITHIN THE STATE OF FLORIDA BUT WITHIN THE UNITED STATES OF AMERICA OR WHERE CHILDREN RESIDE OUTSIDE THE UNITED STATES OF AMERICA**

**A. INFANTS UP TO 72 MONTHS OF AGE**

**? ?**

1. The secondary residential parent shall have reasonable and liberal contact and visitation with the child(ren) at such times as that parent is within the vicinity of the child(ren)'s residence. The secondary residential parent shall notify the primary residential parent at least one week in advance but as early as reasonably known, of that parent's plans to travel to the vicinity of the child(ren)'s residence and shall specify the dates. If the travel is

unexpected or known less than a week in advance, the primary custodial parent shall cooperate to a reasonable extent to accommodate the secondary residential parent and provide meaningful visitation while in the vicinity. Likewise, if the primary physical residential parent plans to travel to the State of Florida and to bring the child(ren) on the trip, the primary residential parent shall notify the other parent of that fact as soon as known and at least one week prior to the trip if known. If the trip is unexpected or decided less than week in advance, notice shall be given as soon as possible and the primary physical residential parent shall provide visitation to the secondary residential parent while in Florida as is reasonable, depending upon distance, transportation, purposes of the trip etc. Visitation may include an overnight visit if the child(ren) are of an age to tolerate it without excessive stress or trauma but the primary residential parent shall, after good faith discussion, have the ultimate right to make that determination because of superior knowledge of the child's emotional, physical and mental condition and capability to tolerate a change of that nature. If visitation takes place in Florida or in the State of the child's residence and activities or appointments have been planned or previously made for the child, the secondary residential parent shall have the responsibility of taking the child to the activity or appointment.

**?** **?**

2. The secondary residential parent, to the extent the child(ren)'s age and mental state will allow meaningful communication by telephone, shall have the right to contact the child(ren) by telephone, at least two times per week. The primary physical residential parent shall assist the child(ren) in setting up and receiving the call but shall allow the child(ren) to speak in private without eavesdropping or interference. The child(ren) shall be allowed to telephone the secondary residential parent at least twice a week if the child(ren) desire(s) to do so and the primary physical residential parent shall not eavesdrop on or interfere with those conversations.

OR

**?** **?**

2A. The secondary residential parent shall have the right to contact the child(ren) by telephone at least twice a week. If the parents cannot otherwise agree, the contact shall be on Sunday, between 7:00 and 7:30 p.m. and on Wednesday, between 7:00 and 7:30 p.m. The telephone calls shall not exceed 1 hour each. The primary physical residential parent shall have the child(ren) available at those times for the telephone visitation. The secondary residential parent shall notify the primary residential parent if he/she will not be placing the calls so that other plans can be made by the residential parent. The child(ren) shall be allowed to telephone the secondary residential parent at least twice a week if the child(ren) desire(s) to do so. The primary physical residential parent shall not eavesdrop or interfere with any of those conversations. The time specified shall be the time in the time zone in which the child resides.

**? ?** 3. If a telephone call is made to the child(ren) by the other parent and the child(ren)(is) (are) not home or available or if an answer machine is used to record a message, the primary residential parent shall require and assist the child(ren) in returning the call immediately or, if after 10:00 p.m., within 12 hours.

**? ?** 4. The long distance telephone charges shall be paid as follows:

**? •** The secondary residential parent shall pay all long distance charges;

**? •** The primary residential parent shall pay all the long distance charges;

**? •** The parents shall each pay one-half of all long distance charges;

**? •** The primary residential parent shall pay for all long distance charges incurred by the child(ren) in placing calls to the other parent and the secondary residential parent shall pay for all long distance charges incurred by placing calls to the child(ren);

**? •** Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If a call is made but a message is left on the answer machine due to that parents unavailability, the return call long distance charges shall be paid by the parent responsible for the initiating call for which a message had to be left on the machine.

**? ?** 5. If the equipment is available, the child(ren) and the secondary residential parent shall have the right to exchange e-mail without eavesdropping or interference by the primary residential parent. The primary residential parent is not restricted from reasonably monitoring the child's use of the computer to supervise "chat rooms" and other contacts which could be detrimental to the child.



**6. VISITATION REQUIRING TRAVEL**

**a. Infant to 72 months**

(1) In addition to the visitation when the secondary residential parent is in the area where the child(ren) resides, the secondary parent shall have the right to have the child(ren) visit for three (3) periods of 7 days each after the child(ren) (is) (are) 24 months of age. Before the child(ren) (is) (are) 24 months of age, visitation is limited to short visits in the vicinity of the child(ren)'s residence and to include at least four (4) overnight visits as arranged by the parents conferring for the best interest of the child(ren). The parties will confer and agree upon these three (3) visitation periods just prior to the child(ren) becoming 24 months old. If unable to agree, the visitation will occur the first week of February, the last week of June and the first week of October.

(2) After the child(ren) (is) (are) capable of engaging in telephone visitation or at least when 24 months of age, the primary residential parent shall place a telephone call to the secondary residential parent between 5:00 p.m. and 6:00 p.m. on Thanksgiving Day each year, Christmas Day each year, Easter Sunday each year, Mother or Father's Day each year depending on which parent is the secondary residential parent, on the child(ren)'s birthday each year and on the secondary residential parents birthday each year and shall allow the child(ren) to visit with the secondary residential parent in private without eavesdropping or interference. The telephone calls shall be placed between 5:00 p.m. and 6:00 p.m. according to the time zone in which the child(ren) reside and shall last up to one hour.



• The primary residential parent shall pay the long distance charges for the calls.



• The secondary residential parent shall pay the long distance charges for the calls.



• Each parent shall pay for every alternate call.



**?**

**The parents shall equally split the charges for the calls.**

**(3) The child(ren) must be accompanied by a parent or other adult known by the child(ren) during travel, whether by private vehicle or public transportation. The mode of transportation shall be selected by the parents after conferring and taking into consideration the distance to be traveled, the comfort of the child(ren), the stress of the type of travel, the safety of the travel and the adult who will accompany the child(ren). One parent may deliver and pick up the child(ren) or it may be shared. The parents select the following:**

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**?**

**The primary residential parent shall travel with the child(ren) for delivery and return;**

**?**

**?**

**The secondary residential parent shall travel with the child(ren) for delivery and return;**

**?**

**?**

**The primary residential parent shall travel with the child(ren) for delivery and the secondary residential parent shall travel with the child(ren) for return**

**?**

**?**

**The parents shall agree upon a location approximately one half the distance between their residences. The primary residential parent shall deliver the child(ren) to that agreed location and the secondary residential parent shall receive the child(ren) at that location and return the child(ren) to that location for pick-up by the other parent after visitation. The parties shall agree upon the dates of pickup and return, the exact location including the restaurant, motel, hotel or other facility and the city and state at least 30 days in advance. Each parent shall have a leeway of two (2) hours to wait for the meeting due to possible travel delays and car trouble on the way. If possible, each party will possess a cellular phone and contact the other by telephone if any travel emergency or difficulty arises. If two (2) hours pass without contact, the waiting parent may return home with the child(ren). If it is later determined that the failure to arrive within the wait period of the parent was delayed or prevented by some catastrophe or cause beyond that parent's control, the pick-up shall be re-arranged to allow the visitation. If the parties cannot agree, the issue shall be submitted to the court for determination as to time of visitation and the additional cost of travel the second time.**

(4) The expenses of travel shall be paid or shared as follows:

?

The primary residential parent shall pay all the expenses of travel. If expenses of gasoline, oil, tolls, etc., public transportation tickets or fares including airline tickets are incurred by the secondary residential parent, receipts or other appropriate evidence of the expenses shall be furnished to the primary residential parent within 10 days of being incurred and shall be reimbursed within 10 days thereafter. Travel expenses by private motor vehicle are limited to gasoline, oil and tolls.

?

The secondary residential parent shall pay all the expenses of travel. If expense of gasoline oil, tolls, etc, public transportation tickets or fares including airline tickets are incurred by the primary residential parent, receipts or other appropriate evidence of the expense shall be furnished to the secondary residential parent within 10 days of being incurred and shall be reimbursed within 10 days thereafter. Travel expenses by private motor vehicle are limited to gasoline, oil and tolls.

? ?

Each parent shall pay one-half the expenses of travel. Each parent shall furnish the other parent receipts or other appropriate evidence of the expenses incurred within 10 days after the return of the child(ren) from visitation. The parties shall then confer and the parent owing the other parent any excess travel expense shall reimburse that parent within 10 days thereafter or otherwise as agreed. Travel expenses by private motor vehicle are limited to gasoline, oil and tolls.

? ?

If a parent or other person accompanies the child(ren) on the trip, the cost of that person's transportation shall be paid by

?

the primary residential parent

?

the secondary residential parent

?

each parent's transportation will be paid by that parent

**?** the parties shall equally share the cost.

**?** **?** If the parties agree to meet approximately one half the distance between their residences or other location, each parent shall pay that party's expenses incurred for transportation to and from that location.

**?** **?** Other: \_\_\_\_\_

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**?** **?** If the parties agree in advance to airline travel and one party has the responsibility for paying the round trip cost of transportation, the responsible party shall confer with the other to arrange schedules and shall furnish to the other party round trip airline tickets, paid in advance, at least 30 days prior to the agreed travel date. If it occurs that the tickets or any portion of them are not used for travel as agreed, the tickets or unused portion shall be promptly returned to the furnishing party for redemption or otherwise by the parent not responsible for the cost of transportation.

**b. CHILD(REN) 72 MONTHS OLD AND OLDER**

**?** **?** (1) The secondary residential parent shall have reasonable and liberal contact and visitation with the child(ren) at such times as that parent is within the vicinity of the child(ren)'s residence. The visitation shall include overnight visitation as long as the parent has suitable accommodations to care for the child(ren) overnight, including a motel or hotel room. The primary residential parent shall cooperate in the spirit of shared parental responsibility to provide maximum reasonable visitation. The secondary residential parent shall notify the primary residential parent at least one week in advance but as early as reasonably known, if that parent plans to travel to the vicinity of the child(ren)'s residence and shall specify the dates. If the travel is unexpected or known less than a week in advance, the primary residential parent shall cooperate to a reasonable extent to accommodate the secondary residential parent and

provide meaningful visitation. Likewise, if the primary physical residential parent plans to travel to the State of Florida and to bring the child(ren) on the trip, the primary residential parent shall notify the other parent of that fact as soon as known and at least one week prior to the trip if known. If the trip is unexpected or decided less than one week in advance, notice shall be given as soon as possible and the primary physical residential parent shall provide such visitation to the secondary residential parent while in Florida as is reasonable, depending upon distance, transportation, purpose of the trip, etc. Visitation shall include as many overnight visits as are reasonable under the circumstances. If the child(ren) have activities or appointments made for the time period of the short notice visit, the secondary residential parent shall be responsible for taking the child(ren) to the activity or appointment.

?

2. The secondary parent shall have the right to have telephone visitation with the child(ren) at least twice each week and unlimited e-mail communications with the child(ren) if the parties possess the necessary equipment for e-mail. The parties shall confer to establish the telephone visits. If unable to agree, they shall be on Wednesday between 6:00 p.m. and 7:00 p.m. and on Sunday between 6:00 p.m. and 7:00 p.m. The primary physical residential parent shall have the child(ren) available at those times to speak with the calling parent. The calls are limited to 1 hour per evening. The calls will be made between 6:00 p.m. and 7:00 p.m. according to the time zone in which the child(ren) reside(s). Placing the calls shall be the responsibility of

?

The primary residential parent.

?

The secondary residential parent.

The calls shall be at the cost and expense of

?

The primary residential parent.

?

The secondary residential parent.

OR

**?** Alternated between the parties.

In addition to the above, the child(ren) shall be allowed to telephone the secondary custodial parent at least two additional times per week. Those calls shall be at the cost of

**?** The secondary residential parent.

**?** The primary residential parent.

OR

**?** Alternated between the parents.

The child(ren) shall be allowed to converse with the other parent in private and the primary residential parent shall not eavesdrop or interfere with the telephone calls or e-mail. The child(ren)'s e-mail address shall be promptly furnished to the secondary residential parent as soon as it is known and available for use.

**?** **?** 3. If a telephone call is made to the child(ren) by the other parent and the child(ren) (is) (are) not at home or unavailable but the call is answered, or if an answer machine is used to record a message, the primary residential parent shall require and assist the child(ren) to return the call immediately or, if after 10:00 p.m., within 12 hours.

**?** **?** 4. The non-custodial parent shall have the following specific visitation with the child(ren):

**?** **?** (1) Spring break of each year from the day after school lets out to the second day before school resumes. Travel will take place the day after school lets out and the day before school commences after the break.

**?** **?** (2) Christmas vacation each (odd)(even) year from the day after school lets out through December 25, travel to take place on the day after school lets out and on December 26. This visitation shall start in 200\_\_\_. In (odd)(even) years, from December 26 to a day which is

one day before school recommences. Travel shall commence on December 26 and return shall be on a day which is one day before school recommences.

**?** **?**

(3) Thanksgiving holidays each (odd) (even) year commencing 200\_\_, from the day after school lets out through Saturday of the week following Thanksgiving week. Travel shall be on the day after school lets out and return shall be on Sunday of the weekend after Thanksgiving weekend.

**?** **?**

(4) Each summer, commencing 200\_\_, for a period of ( \_\_\_\_\_ weeks) ( \_\_\_\_\_% of the vacation period). If a percentage is used, the parents shall compute the total number of days, including weekends and holidays, the child(ren) will be out of school, starting the day after school lets out through the day school starts in the fall and multiply the percentage times those number of days to determine the non custodial parent's share. The time period shall be continuous unless the parties agree otherwise to split the time in two or more different periods, considering the distance to be traveled, the welfare of the child(ren) and the cost of travel. If the parties cannot otherwise agree, it shall be 85% of the vacation period, to commence the 5th day after school lets out and to continue for the number of days so computed. Travel shall take place in that event, on the 5th day after school lets out. During this visitation, the primary residential parent shall have telephone visitation and e-mail rights set out for the secondary residential parent herein and, if in the vicinity of the place where the child(ren) will be located during visitation, reasonable contact which shall include at least two (2) overnight visits if requested. Any full day or overnight visits by the primary residential parent shall be added to the number of days of visitation due the secondary residential parent and shall extend the visitation period by that number of days. The primary residential parent shall give the secondary residential parent advance notice of at least seven (7) days of the intent to exercise the visitation. If the secondary custodial parent has planned travel for the visitation period to visit relatives, go sightseeing or otherwise, the primary residential parent shall not schedule visitation during the period of planned travel even if it means no visitation during the secondary residential parent's visitation.

**?** **?**

(5) A period of six (6) consecutive days during February or March each year, the time to be at the discretion of the primary residential parent after conferring with the other parent. The primary residential parent shall have the responsibility to make arrangements with the school if school is in session, in advance, for the child to do the work which will be missed in advance or arrange make-up of the work. If the primary residential parent believes in good faith that missing school will be too detrimental for the child and will severely impact the child's grades and learning, the matter shall be submitted to the court for determination. A telephone hearing shall be scheduled and at the hearing, the court may require testimony of the child(ren)'s teacher, and the primary residential parent or, in the alternative the deposition of the teacher, but

in each case, the live telephone testimony of the primary residential parent. The primary residential parent shall be responsible for setting up workable communication both as to place and method to allow communication by a witness and that party to the courtroom or hearing room where the judge, the other party and that party's attorney, if any, will be located for the conference hearing.

**?** **?**

(6) If the child(ren) attend a year round school with no regular summer vacation, the extended visitation rights of the secondary residential parent shall be determined by the Court if the parents cannot otherwise agree.

**?** **?**

(7) Other: \_\_\_\_\_

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**?** **?**

(8) Until a child has attained the age of 12 years, the child(ren) must be accompanied by a parent or other adult known to the child(ren) unless the parents confer and agree that a younger child has sufficient maturity to travel alone or use the care of an airline guardian. If travel is by airline, an airline must be selected which has available a supervisory custodial service in which an airline employee will take the child(ren) from the parent at the airport of embarkation and accompany the child(ren) at all times until delivered to the other parent or authorized person at the airport of final destination, which will be referred to as a "guardian program" or "guardian service". The child(ren) shall be accompanied during transportation, by a supervising adult. When the child attains the age of 10 years, the child may travel alone if the parents confer in advance and agree that the child(ren) has the maturity to travel alone safely. If a child is not sufficiently mature or emotionally capable of travel on an airline with a guardian program or service, the parents shall confer to arrange other means of transportation. If unable to agree, the issue shall be submitted to the Court for resolution. Telephone conference testimony of the primary custodial parent shall be allowed for this hearing and, if the other parent is not located the area where the hearing will be held, that parent may also appear and testify by telephone if available equipment will allow it.. The parents select the following:

**?** **?**

The primary residential parent shall travel with the child(ren) for delivery

and return;

● ●

The secondary residential parent shall travel with the child(ren) for delivery

and return;

● ●

The primary residential parent shall travel with the child(ren) for delivery

and the secondary residential parent shall travel with the child(ren) for return,

● ●

An airline with a guardian program or service will be used.

● ●

The parents shall agree upon a location approximately half the distance

between their residence for exchange of the child(ren). The exact address, location and other information shall be provided. The primary residential parent shall deliver the child(ren) to that agreed location and the secondary residential parent shall receive the child(ren) at that location and return the child(ren) to that location for pick-up by the other parent after visitation. The parties shall agree upon the dates of pick-up and return, the exact location including the restaurant, motel, hotel or other facility and the city and state at least 30 days in advance. Each parent shall have a leeway of two (2) hours to wait for the exchange due to possible travel, due to travel delays or car trouble on the way. If possible each party will possess a cellular phone and contact the other by telephone if any travel emergency or difficulty arises. If two (2) hours pass without contact, the waiting parent may return home with the child(ren). If it is later determined that the parent failing to arrive was delayed or prevented from doing so by some catastrophe or cause beyond control, the pick-up shall be re-arranged to allow the visitation. If the parties cannot agree, the issue shall be submitted to the court for determination as to the visitation dates and the additional cost of traveling the second time.

● ●

(9) The expense of travel shall be paid or shared as follows:

●

The primary residential parent shall pay all the expenses of travel. If expenses of gasoline, oil, tolls, etc., public transportation tickets or fares including airline tickets are incurred by the secondary residential parent, receipts or other appropriate evidence of the expenses shall be furnished to the primary residential parent within 10 days of being incurred and shall be reimbursed within 10 days thereafter.



**?** The secondary residential parent shall pay all the expenses of travel. If expense of gasoline oil, tolls, etc, public transportation tickets or fares including airline tickets are incurred by the primary residential parent, receipts or other appropriate evidence of the expense shall be furnished to the secondary residential parent within 10 days of being incurred and shall be reimbursed within 10 days thereafter.

**?** Each parent shall pay one-half the expenses of travel. Each parent shall furnish the other parent receipts or other appropriate evidence of the expenses incurred within 10 days after the return of the child(ren) from visitation the parties shall then confer and the parent owing the other parent any excess travel expense shall reimburse that parent within 10 days thereafter or otherwise as agreed.

**?** If a parent or other person accompanies the child(ren) on the trip, the cost of that person's transportation shall be paid by

**?** the primary residential parent

**?** the secondary residential parent

**?** each party's transportation will be paid by the traveling party

**?** the parties shall equally share the cost.

**?** **?** If the parties agree to meet approximately one half the distance between their residences or other location, each parent shall pay that party's expenses incurred for transportation to and return to that location.

**? ?** Other: \_\_\_\_\_

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**? ?** If the parties agree in advance to airline travel and one party has the responsibility for paying the round trip cost of transportation, the responsible party shall furnish round trip airline tickets to the other party, paid in advance, at least 30 days prior to the agreed travel date. If any event occurs so that the tickets or any portion of them are not used for travel as agreed, they shall be promptly returned to the furnishing party for redemption or otherwise by the parent not responsible for the cost of transportation.

**C. VISITATION OUTSIDE THE UNITED STATES OF AMERICA**

The visitation suggestions previously provided also apply to visitation outside the United States of America. However, additional considerations must be discussed to provide for the welfare and safety of the child(ren).

**? ?** (1) The primary residential parent shall ascertain and provide for the child(ren) to have all required or suggested inoculations for travel to the country or countries contemplated by the secondary residential parent. These arrangements shall be completed at least 30 days prior to the agreed date for travel to commence. The inoculations shall be identified by the appropriate agencies of the federal, state and local health authorities, the health authorities of the countries to be visited and the child(ren)'s personal physicians.

The cost of the inoculations shall be

**?**  
• paid by the primary residential parent

**?**  
• paid by the primary residential parent

**?**  
• paid one half by each parent.

**?**  
• other: \_\_\_\_\_

**?** **?** (2) The primary residential parent shall not be required to allow visitation of the child(ren) with the other parent in any country which has not adopted and ratified the Hague Convention On The Civil Aspects of International Child Abduction. The secondary residential parent shall provide to the primary residential parent a proposed itinerary of travel to other countries including side trips and provide reasonable evidence that each country on the itinerary has ratified the above-mentioned Convention Treaty. An order shall be submitted to the court and entered by the court prior to departure evidencing the court's jurisdiction, the parent who has primary physical residential custody and the visitation dates, place of embarkation, name of travel airline or ship and the proposed itinerary for use of the primary residential parent in case of abduction by any person.

**?** **?** (3) Any passport issued to a child shall provide that it may not be used unless notarized permission of both parents is presented for each specific travel period if such a condition is permitted by the appropriate governmental agency.

**?** **?** (4) The passports of the child(ren) and the secondary residential parent shall be copied and registered at the U.S. Embassy or equivalent official in the countries in which the child(ren) will visit or travel, or if no such official is present, an equivalent or similar official of another nation friendly to the United States such as Switzerland, U.K., Germany, etc. The secondary residential parent shall provide reasonable proof of registration. This shall be accomplished at least 15 days prior to travel to such foreign countries.

**?** **?** Visitation shall take place within the United States of America only. The

secondary residential parent shall deposit (his) (her) passport and or travel documents or orders with \_\_\_\_\_ until the visitation is over at which time they shall be returned.

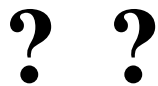
**IV. SPECIFIC PROVISIONS REGARDING EXERCISE OF VISITATION RIGHTS:**



(1) Neither parent shall in any way impede, obstruct or interfere with the exercise by the other of his or her right of companionship with the minor child(ren), and neither of them, at any time, shall in any way disparage, downgrade or criticize the other parent, or allow any other person to do so, to or in the presence of the minor child(ren) or by use of third parties. A parent shall not ignore or fail to respond when the child(ren) mention(s) the other parent, as this engenders a negative attitude and discourages mention of the other parent as "taboo." Each parent should respond with positive statements and positive non-verbal communication, even if it is believed that the other parent does not deserve them.



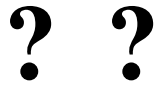
(2) Neither parent shall directly or by use of third parties interrogate or question the child(ren) about the activities of the other parent. Neither parent shall use the child(ren) to send messages to the other. Each parent is ordered affirmatively to foster love and respect for the other parent in all dealings with the child(ren).



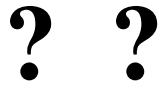
(3) The \_\_\_\_\_ shall give the \_\_\_\_\_ minimum advance notice in writing of the intention to exercise or not to exercise visitation rights as follows: As to Christmas and Thanksgiving, at least 60 days advance notice; as to summer visitation, by April 1. The primary residential parent shall obtain and provide to the secondary residential parent within 30 days after the start of school each fall, a complete schedule for the school year, denoting holidays and other breaks for school. As to all other visitation, at least 45 days advance notice except for visitation which will take place in the area in which the children reside as specified in that part of the agreement.



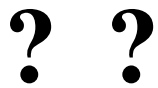
(4) Neither parent shall argue or participate in altercations or adversarial behavior in the presence of the child(ren) at any time. Their relationship in front of the child(ren) shall be businesslike, courteous and non-adversarial. Each parent shall demonstrate respect for the other parent, even if he or she does not believe that the other deserves it.



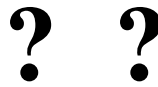
(5) Neither parent shall threaten the other parent with limitation or withholding of visitation with the child(ren) or actually limit or withhold visitation because of non-payment of child support or other financial demands.



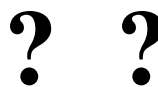
(6) Neither parent shall threaten to limit or terminate visitation rights with the other parent, to change custody or to withhold support as a form of discipline or punishment of the child(ren).



(7) Each parent will provide the other parent with the name, address and telephone number of where the child(ren) will be located during visitation prior to the visitation and when the child(ren) are on vacations away from their residence for more that two (2) consecutive days visiting another person or area. If unknown in advance, the information shall be provided by telephone upon arrival within 8 hours of arrival at the destinations.



(8) Neither parent shall involve the child(ren) in decisions regarding visitation unless the child(ren) have attained twelve (12) years old or older. All visitation plans and conversations shall be conducted solely between the parents until the child(ren) (has)( have) reached at least twelve (12) years of age. The final decisions are to be made by the parents and not the child(ren). The primary residential parent is expected to encourage and assist in visitation with the secondary residential parent. Neither parent shall plan activities for the child(ren) which will conflict or interfere with the visitation schedule of the other parent unless discussed and agreed upon in advance, with make-up time agreed upon as appropriate in advance. Both parents must be sensitive to the developmental needs of the child(ren) and understand the child(ren)'s needs to be involved in school, social, church and other extracurricular activities such as sports, dance lessons and recitals, music lessons, school functions, and the like. The parents shall cooperate to accommodate the child(ren)'s activities if it is possible to do so without undue disruption of the secondary residential parent's visitation with the child(ren). The secondary residential parent shall have the option to transport the child(ren) to and from any such functions or events if there is a conflict with visitation schedules.



(9) The parents shall not encourage the child(ren) to call a new spouse or companion "Father," "Dad," "Mother," "Mom," or similar names, as such is normally detrimental to the relationship between the parents and may confuse and adversely affect the

child(ren). A substitute name such as stepdad etc. shall be suggested and encouraged. A new spouse or companion shall not confront or attempt to interfere with the other parent's contacts or visitation with the child(ren) and each parent is expected to prevent any such confrontation or interference. The parents are expected to converse directly with each other concerning ALL MATTERS in a divorce or separation judgment or order. However, if there has been past violence or intimidation between the parents, the new spouse or companion may handle the contact but shall be courteous, respectful, non-adversarial and non-threatening in doing so. The other parent shall not be adversarial or hostile to the new spouse or companion but shall be courteous, polite, respectful and non-threatening. The child(ren) shall not be allowed to use the last name of a new spouse or companion at school or otherwise without written consent of the secondary residential parent or court order.

**?** **?**

(10) Except in the event of an emergency, neither parent shall remove the child(ren) from day care or school for visitation or otherwise unless agreed upon in advance by the parents so that the day care facility or school may be properly notified.

**?** **?**

(11) The primary residential parent shall provide the secondary residential parent for visitation with a provision of appropriate clean clothing, undergarments, shoes, personal apparel, special medical or orthopedic devices, etc., and any medication prescribed for the child(ren) with written doctor's instructions for frequency and dosage sufficient for the visitation period but as to clothing, not more than 7 days provision is required. The secondary residential parent shall administer any medication to the child(ren) in conformity with the doctor's instructions. The secondary residential parent is expected to maintain sufficient appropriate clothing for the children for visitation. The secondary residential parent shall return all clothing including shoes, all unused medications and any other unconsumed items to the primary residential parent at the end of visitation.

**?** **?**

(12) Each parent shall immediately deliver to the child designated by the other parent all letters, cards, correspondence, gifts, toys and other items sent to that child by the other parent. Neither parent shall withhold, return, destroy, give away, sell, or otherwise dispose of any such items, nor permit the children to do so, but shall deliver them to the child.

**?** **?**

(13) If ordered to be paid through the Court, child support must be paid through the clerk's office to be credited against ordered support. Purchases of gifts, food or clothing; payment of or reimbursement for medical or dental services, registration fees, sports uniforms, school costs and fees, and the like, gifts of money or items to the primary residential

parent or to a child; or payments of other non-ordered payments shall NOT be credited against the obligations ordered for child support. Extra visitation given by the primary residential parent, in itself, shall NOT be a basis to decrease child support unless presented to a judge having jurisdiction and a court order is issued decreasing the amount of child support based upon the time division between the parents.

**?** **?**

(14) Payment of child support shall have priority over payment of other debts and obligations. The amount of child support shall not be decreased simply because the parent ordered to pay it remarries or accepts additional responsibilities. Child support is based upon monthly income. It is the responsibility of parents with seasonal or other fluctuating incomes to budget their funds so that child support payments are made consistently as ordered throughout the year, as the timely receipt of child support is necessary to meet the needs of the children for whom it is paid.

**?** **?**

(15) Neither parent shall conceal the whereabouts of the child(ren) from the other parent. Each parent shall advise the other at all times of the residence address and telephone number where the child(ren) will be and any work telephone number for each parent. If a residence address or telephone number changes, the parent making the change shall notify the other by telephone or personally within twenty-four (24) hours and in writing within seventy-two (72) hours of the change.

**?** **?**

(16) Each parent shall notify the other by telephone or other direct communication of any serious accident, illness or other emergency occurrence which affects the child(ren) as quickly as possible and in no case more than two (2) hours after the custodial parent becomes aware of it. The non-custodial parent shall have the right to be fully informed of all aspects of the matter, shall have an equal right to visit or to be with the child(ren), and shall have an equal right to receive all information from doctors, health care providers and hospitals pertaining to the child(ren) and the emergency.

**”** **”**

(17) If the non-custodial parent cancels scheduled visitation with the child(ren), to the extent appropriate to the age and maturity of the child(ren), that parent shall personally talk with the child(ren) and explain the reason or circumstances so that the custodial parent will not be blamed for the child(ren)'s hurt feelings or disappointment. It is the responsibility of the non-custodial parent to communicate directly with the child(ren) in matters involving that parent's relationship with the child(ren). When children become teenagers, they may desire to spend the majority of their time with friends, rather than with either parent. Both parents should be

sensitive to the developmental aspects of their child(ren) during the teenage years. Both parents shall communicate directly with them to arrange shared time and to nurture both parental relationships with the child(ren).

” ”

(18) If the children fit into different age groups regarding visitation rights, the parents shall confer and shall extend the younger children's visitation to correspond with that of the older children if possible so that the children will not be separated. If the parents cannot agree, the matter may be presented to the Court for a judicial determination in the best interests of the children.

” ”

(19) Both parents shall be entitled to participate in and attend special activities in which the minor child(ren) (is) (are) engaged, such as school programs and graduation, recitals, sports and other extra curricular activities and programs. The parent initially receiving the information shall advise the other parent of the details of the activity within twenty-four (24) hours after receipt. In addition, each parent shall provide the other parent detailed information within that parent's knowledge of any activities of the child(ren), such as sports, games, recitals, graduations, summer camps etc. and a complete copy of all doctor or health care provider reports, school report cards and notices or any other information concerning the child(ren), including notice of disciplinary or other problems. Each parent shall authorize, in writing if necessary, schools, health care providers, etc. to furnish the other parent complete and detailed information upon request unless a court order is entered restricting access to such information. The information will be promptly furnished to the other parent within 24 hours of the receipt of the information, and this is a continuing duty on the part of each parent.

” ”

20. The \_\_\_\_\_ has agreed to be solely responsible for transportation expenses of the child(ren) for visitation. The \_\_\_\_\_ shall be allowed to retain \$\_\_\_\_\_ (per month) (bi-weekly)(weekly) of the child support to be paid and place it in a special account for use in helping to pay transportation costs. The \_\_\_\_\_ shall provide a copy of each monthly statement on the account to the \_\_\_\_\_. At the end of each summer, by August 31, the \_\_\_\_\_ shall pay to the \_\_\_\_\_ any unused balance of the account of the \_\_\_\_\_ if that parent did not exercise his/her visitation as agreed. If the \_\_\_\_\_ did exercise all his/her visitation, only the portion of the account which was unused in travel will be paid to the \_\_\_\_\_.



