

NOTE: The arbitration commission has established a compensation schedule for arbitrators. The arbitrator shall be compensated at the rate of \$120.00 per hour (or any greater sum agreed upon by the parties), not to exceed 10 hours, for hearings and related work. Each party shall pay a \$500.00 deposit directly to the arbitrator prior to the arbitrator beginning work on the case. The arbitrator shall be compensated at the rate of \$60.00 per hour for travel.

SLR 8.001 – Appendix 1

**HARNEY/GRANT COUNTY**  
**EXAMPLE PARENTING PLAN**

It is the policy of this court to encourage parents to work out their own Parenting Plan, either between themselves, with the help of legal professionals or through mediation. The court will generally approve any Parenting Plan agreed upon by the parents.

During this process, it is important for parents to attempt to minimize the amount of conflict the children are exposed to, because research has shown that children that are exposed to conflict are at increased risk for behavior problems, anxiety and depression. Parents involved in high levels of conflict should consider including provisions in the parenting plan that reduce conflict.

This Parenting Plan may not be suitable when there are safety concerns due to substance abuse or domestic violence. When there are safety concerns, parents should develop a Safety Focused Parenting Plan. Information and forms are available at [www.courts.oregon.gov](http://www.courts.oregon.gov) and at the court's public counter.

Petitioner \_\_\_\_\_ )  
 )  
and \_\_\_\_\_ ) EXAMPLE PARENTING PLAN  
 ) CASE NO : \_\_\_\_\_  
Respondent \_\_\_\_\_ )  
( ) Co-Petitioner ) DATE: \_\_\_\_\_

**1. GENERAL INFORMATION**

1.1 The parent's names are \_\_\_\_\_ and \_\_\_\_\_.

1.2 This Parenting Plan applies to the following Child(ren):

	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

**2. DESIGNATION OF RESIDENTIAL PARENT**

For purposes of the Standard Parenting Plan, the "residential parent" means the parent who provides the primary residence for the children. The "non-residential parent" means the parent who has parenting time with the children according to the schedule provided in the Example Parenting Plan.

( ) Mother ( ) Father shall be considered the "residential parent." (Check one.)

### 3. DECISION MAKING

#### 3.1 Major Decisions (Joint or Sole Custody)

The terms Sole and Joint Custody indicate how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children's education, non-emergency health care and religious training. The terms Sole and Joint Custody have nothing to do with the amount of time that children spend with either parent, nor do they affect Child Support calculations. The court cannot order Joint Custody unless both parents agree to it.

**3.1 (a) Sole Custody.** The residential parent shall have sole decision making authority on major decisions about the children.

**3.1 (b) Joint Custody.** Both parents will share in the responsibility for making major decisions about the children.

**Note:** In order to be valid, the designation of Joint or Sole custody must be set forth in Judgment.

#### 3.2 Day-to-Day Decisions

Each parent shall make decisions regarding the day-to-day care and control of the children while the parent is caring for the children. Both parents are authorized to make emergency decisions affecting the health and safety of the children.

### 4. SPECIAL PROVISIONS FOR PARENTING TIME SCHEDULE

**4.1** If there are children who would have different parenting time schedules because they are in different age groups, parenting time for all of the children shall be based upon the schedule for the oldest child that is present for the parenting time, unless a child is younger than 12 months. In that case, the schedule for "Children ages birth to 12 months" shall apply to that child.

**4.2** If parents live **no more than 60 miles apart** at the time the order is signed, the non-residential parent is entitled to have the children according to the schedule described in Section 5. If parents live **more than 60 miles apart** at the time the order is signed, the non-residential parent is entitled to have the children according to the schedule described in Section 7.

### 5. PARENTING TIME SCHEDULE

#### 5.1 DEFINITIONS

**5.1(a) Weekends:** A weekend is defined as commencing at 6:00 p.m. on Friday and ending at 6:00 p.m. on Sunday. If the Monday following the non-residential parent's weekend is a school closure day, parenting time shall be extended to Monday until 6 p.m. If the Friday preceding the non-residential parent's weekend is a school closure day, parenting time shall begin at 6 p.m. on Thursday. The first weekend of the month is defined as the first one that has both a Saturday and a Sunday within the same calendar month.

**5.1(b) Vacation and Holiday Periods:** These are the dates set by the public school district in which the child(ren) resides whether or not the child(ren) is attending school or enrolled in that school.

**5.2 PARENTING TIME:** The non-residential parent shall have not less than the following parenting time with the minor child(ren) unless agreed upon by the parents:

**5.2(a) Children zero (0)- one (1) years:**

- (1) **Weekends:** The first, third, and fifth Saturday of each month from 9:00 a.m. to 6:00 p.m.
- (2) **Mother's Day/Father's Day:** Each year, the mother shall have the child(ren) on Mother's Day and the father shall have the child(ren) on Father's Day, from 9:00 a.m. to 6:00 p.m.
- (3) **Christmas/Winter Break:** Christmas Eve from 9:00 a.m. to 9:00 p.m. in odd numbered years and Christmas Day from 9:00 a.m. to 9:00 p.m. in even numbered years.
- (4) **Midweek:** Each Wednesday from 5:00 p.m. to 8:00 p.m.

**5.2(b) Children one (1) –three (3) years:**

- (1) **Weekends:** The first, third, and fifth weekends of each month from 9:00 a.m. Saturday to 9:00 a.m. the following Sunday.
- (2) **Mother's Day/ Father's Day:** Each year, the mother shall have the child(ren) on Mother's Day and the father shall have the child(ren) on Father's Day, from 9:00 a.m. to 6:00 p.m.
- (3) **Christmas/Winter Break:** Christmas Eve from 9:00 a.m. to 9:00 p.m. in odd numbered years and Christmas Day from 9:00 a.m. to 9:00 p.m. in even numbered years.

- (4) Summer: In lieu of summer parenting time, there shall be five (5) consecutive days each calendar year quarter upon thirty (30) days advance written notice to the residential parent.
- (5) Midweek: Each Wednesday from 5:00 p.m. to 8:00 p.m.

**5.2(c) Children over three (3) years:**

- (1) Weekends: First, third, and fifth weekends of each month.
- (2) In-service/Conference Days: In addition to weekend parenting time, if the child(ren) has a day out of school on either or both the Monday following and/or the Friday preceding the non-residential parent's weekends parenting time, the non-residential parent shall also have visitation with the child(ren) on said extra day(s) commencing either twenty-four (24) hours before and/or ending twenty-four (24) hours after the scheduled parenting time. This provision does not apply if the regular weekly schedule in that area is Monday through Thursday.
- (3) Summer: As set forth below in 5.3.
- (4) Holidays: As set forth below in 5.4.

**5.3 SUMMER:** Thirty-five consecutive days during the period of school summer vacation. Before May 1 of each year, the non-residential parent shall select and notify the residential parent in writing of the inclusive dates of the thirty-five day parenting time period with the child(ren). If the non-residential parent fails to give such written notice to the residential parent before May 1 of the year of the summer parenting time the non-residential parent nevertheless shall have the right to such summer parenting time with the child(ren), if and to the extent, that the time remains for such parenting time after the residential parent's parenting time plans of up to two consecutive weeks.

**5.3(a)** When the non-residential parent exercises his or her right to a summer parenting time period of more than nineteen (19) days with the child(ren), the residential parent shall have the right to a weekend of parenting time with the child(ren) on the third weekend after commencement of the extended parenting time by the non-residential parent. Such interim parenting time by the residential parent shall not lengthen the thirty-five day parenting time period allowed to the non-residential parent.

**5.3(b)** The residential parent shall have the right to designate one weekend each summer when the non-residential parent's weekend parenting time will not

occur in order that the residential parent can have the child(ren) for an uninterrupted two (2) weeks period. Before May 15 of each year, the residential parent shall inform the non-residential parent of which weekend has been selected. The weekend shall not be on a holiday, birthday, or during the non-residential parent's summer parenting time period.

#### 5.4 HOLIDAYS:

##### 5.4(a) Even numbered years:

**(1) Christmas/Winter Break:** From 6:00 p.m. the day school lets out for Christmas vacation until 10:00 a.m. on December 26.

**(2) Child's Birthday:** The birthdays of the child(ren), from 9:00 a.m. to 6:00 p.m. if the birthday falls on a weekend, or from 5:00 p.m. to 8:30 p.m. if the birthday falls on a weekday

**(3) Thanksgiving holiday:** Commencing on Wednesday prior to Thanksgiving, at 6:00 p.m. and ending on the Sunday following Thanksgiving at 6:00 P.M.

**(4) The Fourth of July:** If this holiday does not fall on Friday, Saturday, Sunday, or Monday, parenting time shall commence at 9:00 a.m. and shall end at 10:00 p.m. on July 4<sup>th</sup>. If this holiday falls on a Saturday, Sunday, or Monday, parenting time shall commence at 6:00 p.m. on the Friday preceding the Fourth of July and shall end on Sunday the 4<sup>th</sup>, or Monday the 4<sup>th</sup>, as the case may be, at 6:00 p.m. If this holiday falls on a Friday parenting time shall commence at 6:00 p.m. on Thursday and shall end at 6:00 p.m. the following Sunday.

**(5) Spring Break:** The school spring vacation from 9:00 a.m. the day after school adjourns to 6:00 p.m. the day before school resumes.

##### 5.4(b) Odd-numbered years:

**(1) Christmas/Winter Break:** From 10:00 a.m. on December 26 until 6:00 p.m. on the day before school resumes.

**(2) Child's Birthday:** the day before the child(ren)'s birthday, from 9:00 a.m. to 6:00 p.m. , if the birthday falls on a weekend, or from 5:00 p.m. to 8:30 p.m. if the birthday falls on a weekday.

**(3) Memorial Day Weekend:** Commencing on the Friday preceding Memorial Day at 6:00 p.m. and ending on the following Monday at 6:00 p.m.

##### 5.4(c) Every Year:

(1) Mother's Day/Father's Day: Each year, the mother shall have the child(ren) on Mother's Day and the father shall have the child(ren) on Father's Day, from 9:00 a.m. to 6:00 p.m.

(2) Parent's Birthdays: Each parent shall have parenting time with the child(ren) on that parents birthday from 9:00 a.m. to 6:00 p.m.

## **6. RULES OF PARENTING TIME:**

### **6.1 HOLIDAY PARENTING TIME SUPERSEDES**

Holiday and summer parenting time supersedes weekend parenting time in the event there is a conflict of dates.

### **6.2 EXCHANGE TIMES**

All parenting time periods shall be exercised in a prompt manner so that both parties can make their plans accordingly. The non-residential parent shall pick the child(ren) up from the front step of the residential parent's residence no earlier than thirty (30) minutes before and no later than thirty (30) minutes after the parenting time period commences. Return of the child(ren) to the front steps of the residential parent's residence shall also be subject to the thirty (30) minute rule. The residential parent shall have the child(ren) fed and ready on time for the parenting time period. The child(ren) shall be returned fed and with their clothing in the same manner (packed and cleaned) as they were when picked up for the parenting time.

### **6.3 MAKEUP PARENTING TIME:**

In the event the child(ren) are ill and unable to visit, a makeup parenting time will be allowed to the non-residential parent on the next succeeding weekend. However, if the non-residential parent fails to exercise his or her parenting time, for reasons of health or for any other reason there will be no makeup parenting time period. The child(ren) will not be permitted to determine whether they wish to visit with the non-residential parent.

**6.3(a)** Personal plans of the residential parent of child(ren), school activities and other considerations will not be reason for failing to adhere to this parenting time schedule. Only substantial medical reasons will be considered sufficient to postponement of parenting time schedule. Both parties will provide addresses and contact telephone numbers to the other parent and of any emergencies circumstances or substantial changes in the health of the child(ren).

### **6.4 CORRESPONDENCE AND TELEPHONE CONTACT**

The non-residential parent shall, in addition to the parenting time set forth in this order, have the unlimited right to correspond with the minor child(ren) of the parties, and to telephone the minor child(ren) during reasonable hours without interference or monitoring by the residential parent or anyone else in any way. Unless otherwise

agreed to between the parties, telephone conferences between the non-residential parent and the child(ren) shall be limited to no more than two (2) per week and shall be limited, each call, to ten (10) minutes or less in duration.

#### **6.5 INAPPROPRIATE REMARKS**

Both parents are restrained and enjoined from making derogatory comments about the other parent or in any way diminishing the love, respect and affection that the child(ren) have for the other parent.

#### **6.6 SCHOOL ACTIVITIES**

In addition to the parenting time specified above, the non-residential parent shall have the right to visit with the child(ren) at school, attend the child(ren)'s school activities, and have full access to school teachers and administrators for complete information about the child(ren) in school. The residential parent shall notify the non-residential parent of any parent-teacher conferences scheduled.

### **7. MEDIUM AND LONG DISTANCE PARENTING TIME**

Parents who live far apart will have the children according to the schedule described below. All other provisions of this parenting plan are unchanged except as described below.

When parents live more than 60 miles apart, but less than 250 miles apart, the non-residential parent is entitled to have the children according to the schedule labeled "**Medium Distance.**" When parents live more than 250 miles apart, the non-residential parent is entitled to have the children according to the schedule labeled "**Long Distance.**"

#### **7.1 Weekend and Weekday Schedule**

**7.1 (a)** Prior to August 15th each year the non-residential parent shall notify the residential parent in writing of the dates of the parenting time weekends to be scheduled during the school year. The selected dates shall include any holidays listed in Section 5.4. If the non-residential parent fails to provide such written notice prior to August 15th, the residential parent is entitled to designate those weekends, so long as they include any holidays listed in 5.4. The residential parent shall notify the nonresidential parent in writing by August 31st.

#### **7.1 (b) Children ages birth to 12 months**

**Medium Distance:** Two hours every Saturday and two hours every Sunday in the location where the residential parent resides, according to a schedule determined by the residential parent.

**Long Distance:** Same as for Medium Distance.



**7.1 (c) Children ages 12 months to 36 months**

**Medium Distance:** On alternating weekends from 9 a.m. Saturday until 6 p.m. Sunday.

**Long Distance:** Same as for the Medium Distance except that parenting time will occur at the location where the residential parent resides.

**7.1 (d) Children over ages 36 months**

**Medium Distance:** Alternating weekends from 6 p.m. on Friday until 6 p.m. on Sunday. If the Monday following the non-residential parent's weekend is a school closure day, parenting time shall be extended to Monday until 6 p.m. If the Friday preceding the non-residential parent's weekend is a school closure day, parenting time shall begin at 6 p.m. on Thursday.

**Long Distance:** One weekend per month, which shall include up to two weekdays attached to the weekend, so long as the children are not attending school on those days. Children shall return to the residential parent's home no later than 6 p.m. on the day prior to a school day.

**7.1 (e) Special weekend and weekday provisions:** If both parents agree, or the Court so orders, the following provisions shall apply:

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**7.2 Summer Schedule**

**7.2 (a)** Prior to May 1st, the non-residential parent shall notify the residential parent, in writing, of the summer parenting time schedule. If the non-residential parent fails to provide the summer schedule by May 1st, then the residential parent shall notify the non-residential parent of the summer schedule in writing by May 20th.

**7.2 (b)** The Medium Distance summer schedule must not conflict with any holiday schedule described in 5.4. If the Long Distance summer schedule conflicts with the schedule for Father's Day, 4th of July or a birthday, the residential parent may have parenting time as described in 5.4 in the location where the non-residential parent resides and at the residential parent's expense.

**7.2 (c)** Whether or not the children are in school, the non-residential parent is entitled to have the children for the total amount of time described below during the period of school summer vacation.

**7.2 (d) Children ages birth to 12 months.**

**Medium Distance:** Parenting time remains the same as the rest of the year, as described in 7.1 (a).

**Long Distance:** Same as for Medium Distance.

**7.2 (e) Children between ages 12 months to 36 months (3 years) before June 1<sup>st</sup>**

**Medium Distance:** Parenting time remains the same as the rest of the year, as described in 7.1 (b).

**Long Distance:** Three weekends in the location where the residential parent resides from 9 a.m. Saturday until 6 p.m. Sunday, and three "long weekends" in the location where the non-residential parent resides, one in June, one in July and one in August from 6 p.m. Friday until 6 p.m. Sunday.

**7.2 (f) Children between ages 36months to 96 months (8 Years) before June 1<sup>st</sup>.**

**Medium Distance:** Thirty-five days (5 weeks) scheduled so that neither parent has the children for more than 19 consecutive days. If either parent has the children for two weekends in a row, the other parent is entitled to have the children for the following weekend. "Alternate weekends" are discontinued.

**Long Distance:** Thirty-five consecutive days (5 weeks).

**7.2 (g) Children over age 96 months (8 Years) before June 1<sup>st</sup>.**

**Medium Distance:** Forty two days (6 weeks) scheduled so that neither parent has the children for more than 19 consecutive days. If either parent has the children for two weekends in a row, the other parent is entitled to have the children for the following weekend. "Alternate weekends" are discontinued.

**Long Distance:** Sixty three consecutive days (9 weeks).

**7.2 (h) Special Summer Schedule provisions.** If both parents agree, or the Court so orders, the following provisions shall apply.

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**7.3 Holiday Schedule**

**7.3 (a)** Parents who live more than 60 miles apart will follow the Holiday Schedule and provisions described in Section 5 except as described below.

**7.3 (b)** If both parents agree, or if the court so orders, the following **special holiday schedule provisions** shall apply.

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**7.4 Winter Break/Christmas**

**7.4 (a) Children ages birth to 12 months.**

**Medium Distance:** Same as described in Section 5.2(a) except that parenting time will occur in the location where the residential parent resides.

**Long Distance:** Same as for Medium Distance.

**7.4 (b) Children ages 12 months to 24 months.**

**Medium Distance:** Same as described in Section 5.2(b).

**Long Distance:** Same as described in Section 5.4 except that parenting time will occur in the location where the residential parent resides.

**7.4 (c) Children over age 24 months.**

**Medium Distance:** Same as described in Section 5.4.

**Long Distance:** Same as for Medium Distance.

**7.5 Thanksgiving**

**7.5 (a) Children ages birth to 12 months.**

**Medium Distance:** Parenting time shall be from 9 a.m. until 6 p.m. on Thanksgiving Day in the location where the residential parent resides.

**Long Distance:** Same as for Medium Distance.

**7.5 (b) Children ages 12 months to 24 months.**

**Medium Distance:** From noon on the day prior to Thanksgiving until 6 p.m. on Thanksgiving Day.

**Long Distance:** The same as for Medium Distance, except that parenting time will occur in the location where the residential parent resides.

**7.5 (c) Children over age 24 months.**

**Medium Distance:** From noon the day prior to Thanksgiving until 6 p.m. on the Sunday following Thanksgiving.

**Long Distance:** Same as for Medium Distance.

**7.6 Memorial Day, Fourth of July, Children’s Birthdays, Mother’s Day, Father’s Day, Parent’s Birthday, Thanksgiving, Christmas/Winter and Spring Break.**

**7.6 (a) Children ages birth to 12 months.**

**Medium Distance:** The same as described in Section 5.2(a) except that parenting time will occur in the location where the residential parent resides.

**Long Distance:** The same as for Medium Distance.

**7.6 (b) Children ages 12 months to 24 months.**

**Medium Distance:** The same as described in Section 5.2(b).

**Long Distance:** The same as for Medium Distance except that parenting time will occur in the location where the residential parent resides.

**7.6 (c) Children over age 24 months.**

**Medium Distance:** The same as described in Section 5.4.

**Long Distance:** Same as for Medium Distance.

**7.7 Spring Break**

**7.7 (a) Children over 24 months.**

**Medium Distance:** Same as described in Section 5.4

**Long Distance:** From 6 p.m. the day school adjourns until noon on the day before school resumes.

**8. SIGNATURE**

Your signature indicates to the court that you understand and agree to abide by the terms of this Parenting Plan. You are advised to seek legal counsel prior to signing. This Parenting Plan becomes legally binding when it is attached as an Exhibit to a Judgment or Order that is signed by a Judge.

**Petitioner**

\_\_\_\_\_

Signature

Date