

*Stanislaus County Superior Court
Family Court Services*

Introduces

*Orientation to Child
Custody Recommending
Counseling*

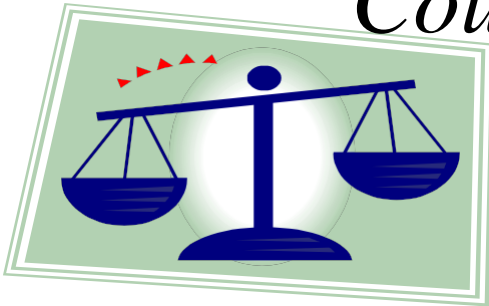


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Welcome to Family Court Services

Family Law Process

We know this may be a challenging time for you as you and the other parent work towards a custody and timeshare arrangement which will be in the best interest of your child. Our professional clerical staff will do their best to make themselves available to assist you in achieving this goal. We will endeavor to offer our services in a friendly and useful manner.

Do not bring children to any part of this process unless asked by the Counselor or Judge.

Step 1

A party files a Petition for Dissolution, Petitioner for Custody and Support, Petition to Establish Parentage, or an Order to Show Cause (OSC), Notice of Motion (NOM) or Temporary Restraining Order (TRO) indicating there is a custody or visitation issue.

Step 2

Parents attend Orientation

(Orientation is Mandatory and an order of the court.)

Orientation in Stanislaus County is offered online. You may complete this course in the comfort of your own home online, at the public library, or within the Self Help/Facilitator's Office at the Superior Court of Stanislaus County Room 220, Modesto CA .Orientation is required every two years. The orientation is designed to prepare you for your Counseling appointment. This written packet is a tool for you and helpful resource of information.

Step 3

Parents attend Child Custody Recommending Counseling

In all custody and visitation cases where the parties have been unable to reach agreement on a parenting plan, the case is required to be sent to CCRC. California Law states that prior to a court making permanent custody orders the parties shall attend Custody Counseling. **Counseling is required by law.... it is Mandatory!**

This counseling session is 1-1 ½ hours long when parties meet together.

If there is Domestic Violence between the parents, one or both may ask to meet in Counseling separately and/or bring a support person to the Counseling court date. Child Custody Counseling is a process of dispute resolution. The purpose is to reduce the conflict and to develop a parenting plan that ensures the child's close and continuing contact with both parents.

The focus is to help parents share in parental rights and responsibilities in such a way that the best interests of the child will not be jeopardized. There is no substitute for cooperative parenting.

It attempts to reduce parental conflict. It creates an environment where it is safe to meet under reasonable rules of conduct and deal rationally with the issues affecting your children. The Counselor facilitates the process in a way that encourages positive communications that are focused on what is best for the children.

If an agreement is reached in the counseling session it will be typed and signed by the Judge. The parties and their attorneys as well as the court will receive a copy immediately.

You may also opt to sign Stipulation and Order document to attach to your parental agreement. Signing this document will allow your agreement to be made an order of the Court without having to participate in another court appearance.

If you are unable to reach an agreement in your morning counseling session the Counselor will refer the case to Family Court Services Evaluation. This is where an appointment is made in the Counselor's private office and more time is spent working with the family and perhaps talking to the children, schools, and day care providers.

FREQUENTLY ASKED QUESTIONS

Additional Information:

1. You are **NOT** allowed to contact your Counselor following the court date unless you are in further evaluation.
2. Neither the Family Law department nor the Counselors(s) are permitted to give any party legal advice.
3. The child custody process and the counselor only address child custody and visitation related issues. They do not address/mediate other issues such as child support, spousal support, property division, etc.
4. Counselors are mandated reporters of suspected child abuse.

5. If after you have a court order for custody and visitation and you believe the other parent is not following the order, you should contact law enforcement and/or file the appropriate motions with the court to seek enforcement of the order. The Family Court Services department does not have the authority to enforce child custody and visitation orders. **DO NOT CONTACT** the Family Law department about non-compliance with the court order as enforcement of these orders is not a function of the Family Court Services department. You may contact the Self Help Center or your attorney.
6. The Counselor will discuss any special requests and parameters for the parties during the appointment. These include parenting classes, drug and alcohol testing, anger management classes or counseling.

Can you tell me more about Child Custody Recommending Counseling?

It is a form of conflict resolution, where the parents sit down with a neutral person, the counselor, and attempt to resolve their differences concerning the appropriate parenting plan for their children. The counselor's job is to provide a safe place for each person to talk and be heard. The counselor also provides information about the effects of parental separation, the developmental needs of the children and how to effectively share parenting responsibilities so as to meet the needs of the children in the future.

This gives the parent a unique opportunity to have self-determination in the decision making process regarding their children. Most of the time parents are able to see beyond their own immediate needs and, with the help of a counselor, work together to develop a parenting plan that serves the best interests of their children.

When counseling does not result in an agreed upon parenting plan, the counselor notifies the court that an agreement was not reached and makes recommendations.

Please keep in mind, if the parents are unable to reach an agreement in child custody recommending counseling, it is the judge who will make the final decision as to what the appropriate parenting plan will be in a long cause hearing.. Each parent will be given an opportunity to present their position to the judge at the appropriate time.

What should I do to prepare for my counseling session?

The most important thing you can do is to complete online orientation. How to properly prepare for your counseling appointment is covered in depth during your orientation and within tools provided in this packet.

Do we have to be seen together?

In most cases, parents are best able to design a successful parenting plan for their children while working together in their counseling session. While it may be awkward or difficult to be in the same room with the other parent, it is important to be able to listen to each other's concerns about their children. Parents will be able to hear each other's point of view and begin to focus on the best interests of their children. Counselors are trained to ensure that the session remains a safe and respectful environment.

What if I have been a victim of domestic violence and am afraid to be in the same room with the other parent?

If you have been the victim of domestic violence you may request to participate in separate counseling sessions or bring a support person to the joint session. This support person may not be related to the case. The support person may be in the room, but will not be permitted to participate **in any way** in the session itself. Your safety is a priority and concern of the counseling department, a joint session can be modified even after it has begun, if issues arise. Please let the counselor know your wishes or concerns if necessary.

Who should attend the counseling court date?

Both parents should attend.

What if I don't show up for my counseling court date?

It is always left to the Judge's discretion but if there has been proper service the case may proceed with the one party in attendance.

What is Supervised Visitation?

One of the private professional providers of supervised visits in our area has put forth one of the best definitions we have encountered:

"Supervised visitation provides a highly structured, safe and protected setting for parent-child contact when such contact presents risk due to high conflict surrounding parental separation, substance abuse, mental illness of a parent, parental alienation, child abuse or neglect, flight risk or child abduction, or after an extended interruption of contact.

The emphasis is on neutrality: the monitor is an observer, intervening only when the emotional or physical safety of the child is threatened, or when program guidelines are broken.

The monitor is the "eyes and ears of the court" and can provide objective information required by the court or mediator."

There are two types of supervision:

1. Professional supervision, where the visits are paid for with an hourly fee and a trained person follows State Guidelines to supervise the visit.

2. Non-professional supervision, when a family member or friend is agreed upon or someone specific is ordered by the court to supervise the visits and to follow State Guidelines for non-professional visits. (You may get these at the Self Help Center or on the court webpage)

LEGAL AND PHYSICAL CUSTODY DEFINED

"Legal Custody"

Legal custody determines who (one or both parents) will make the decisions concerning the child's health, safety, education and welfare.

Joint Legal Custody

Joint Legal Custody means that both parents shall share in the right and the responsibility to make the decisions related to the health, education, and welfare of the child (FC 3003). Joint legal custody means all major decisions shall be made jointly by the parents after adequate consultation has occurred between them and a consensus has been reached. No prior consultation is required between the parents regarding emergency medical or dental treatment, routine check-ups or minor illnesses.

When there is joint legal custody the court will usually require the parents to confer in making decisions on the following matters:

- a. Enrollment in or leaving a particular private or public school or daycare center
- b. Participation in particular religious activities or institutions
- c. Beginning or ending psychiatric, psychological, or other mental health counseling or therapy
- d. Selection of a doctor, dentist, or other health professional (except in emergency situations)
- e. Participation in extracurricular activities
- f. Out-of-country or out-of-state travel

In all other matters exercising joint legal custody, the parents may act alone, as long as the action does not conflict with any orders concerning the physical custody of the children.

Sole Legal Custody

Sole legal custody means that one parent shall have the right and the responsibility to make all of the decisions relating to the health, safety, education and welfare of the children.

"Physical Custody"

Physical custody determines where the child(ren) will reside.

Joint Physical Custody

Joint physical custody means that each of the parents shall have significant periods of physical custody; often this is equal time but is not necessarily required. Joint physical custody shall be shared by the parents in such a way so as to assure a child of frequent and continuing contact with both parents.

Sole Physical Custody

Sole physical custody means that a child shall reside with and under the supervision of one parent. The other parent may have little, limited, or no contact.



HOW DOES DOMESTIC VIOLENCE AFFECT CUSTODY AND VISITATION?

THE COURT CAN AWARD SOLE LEGAL AND/OR PHYSICAL CUSTODY TO ONE PARENT.

HOWEVER, THE FAMILY CODE PRESUMES JOINT LEGAL AND PHYSICAL CUSTODY IS IN "THE CHILD'S BEST INTEREST."

BUT, THERE IS AN EXCEPTION, FAMILY CODE §3044 STATES THERE IS A PRESUMPTION THAT DOMESTIC VIOLENCE IS DETRIMENTAL TO THE "BEST INTERESTS OF THE CHILD." BECAUSE OF THIS PRESUMPTION, IF A DOMESTIC VIOLENCE PROTECTIVE ORDER IS ISSUED AGAINST YOU AND YOU AND THE PROTECTED PARTY HAVE MINOR CHILDREN, THE ENTRY OF THE DOMESTIC VIOLENCE ORDER MAY AFFECT YOUR RIGHTS TO LEGAL AND PHYSICAL CUSTODY OF THOSE CHILDREN.

THE ENTRY OF SUCH A PROTECTIVE ORDER MAY ALSO BE GROUNDS FOR MODIFICATION OF AN EXISTING CHILD CUSTODY ORDER. IF A PERSON DOES NOT HAVE LEGAL OR PHYSICAL CUSTODY, THIS NON-CUSTODIAL PARENT MAY STILL ASK FOR VISITATION. HOWEVER, A FINDING OF DOMESTIC VIOLENCE MAY AFFECT THE CONDITIONS UNDER WHICH THE JUDGE WILL ALLOW THE VISITATION TO TAKE PLACE.

PLEASE READ FAMILY CODE SECTION 3044 WHICH IS SET FORTH IN ITS ENTIRETY BELOW.

Family Code Section 3044

3044.

- (a) Upon a finding by the court that a party seeking custody of a child has perpetrated domestic violence against the other party seeking custody of the child or against the child or the child's siblings within the previous five years, there is a rebuttable presumption that an award of sole or joint physical or legal custody of a child to a person who has perpetrated domestic violence is detrimental to the best interest of the child, pursuant to Section 3011. This presumption may only be rebutted by a preponderance of the evidence.
- (b) **In determining whether the presumption set forth in subdivision (a) has been overcome, the court shall consider all of the following factors:**
 - (1) Whether the perpetrator of domestic violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interest of the child. In determining the best interest of the child, the preference for frequent

- and continuing contact with both parents, as set forth in subdivision (b) of Section 3020, or with the noncustodial parent, as set forth in paragraph (1) of subdivision (a) of Section 3040, may not be used to rebut the presumption, in whole or in part.
- (2) Whether the perpetrator has successfully completed a batterer's treatment program that meets the criteria outlined in subdivision (c) of Section 1203.097 of the Penal Code.
 - (3) Whether the perpetrator has successfully completed a program of alcohol or drug abuse counseling if the court determines that counseling is appropriate.
 - (4) Whether the perpetrator has successfully completed a parenting class if the court determines the class to be appropriate.
 - (5) Whether the perpetrator is on probation or parole, and whether he or she has complied with the terms and conditions of probation or parole.
 - (6) Whether the perpetrator is restrained by a protective order or restraining order, and whether he or she has complied with its terms and conditions.
 - (7) Whether the perpetrator of domestic violence has committed any further acts of domestic violence.
- (c) For purposes of this section, a person has "perpetrated domestic violence" when he or she is found by the court to have intentionally or recklessly caused or attempted to cause bodily injury, or sexual assault, or to have placed a person in reasonable apprehension of imminent serious bodily injury to that person or to another, or to have engaged in any behavior involving, but not limited to, threatening, striking, harassing, destroying personal property or disturbing the peace of another, for which a court may issue an ex parte order pursuant to Section 6320 to protect the other party seeking custody of the child or to protect the child and the child's siblings.
- (d) (1) For purposes of this section, the requirement of a finding by the court shall be satisfied by, among other things, and not limited to, evidence that a party seeking custody has been convicted within the previous five years, after a trial or a plea of guilty or no contest, of any crime against the other party that comes within the definition of domestic violence contained in Section 6211 and of abuse contained in Section 6203, including, but not limited to, a crime described in subdivision (e) of Section 243 of, or Section 261, 262, 273.5, 422, or 646.9 of, the Penal Code.
- (2) The requirement of a finding by the court shall also be satisfied if any court, whether that court hears or has heard the child custody proceedings or not, has made a finding pursuant to subdivision (a) based on conduct occurring within the previous five years.
- (e) When a court makes a finding that a party has perpetrated domestic violence, the court may not base its findings solely on conclusions reached by a child custody evaluator or on the recommendation of the Family Court Services staff, but shall consider any relevant, admissible evidence submitted by the parties.
- (f) In any custody or restraining order proceeding in which a party has alleged that the other party has perpetrated domestic violence in accordance with the terms of this section, the court shall inform the parties of the existence of this section and shall give them a copy of this section prior to any custody counseling in the case.

What is Domestic Violence

Domestic violence is a pattern of behavior used to establish power and control over another person with whom an intimate relationship is or has been shared through fear and intimidation, often including the threat or use of violence. Battering happens when one person believes that they are entitled to control another.

Domestic violence may include not only the intimate partner relationships of spousal, live-in partners and dating relationships, also familial, elder and child abuse may be present in a violent home. Abuse generally falls into one or more of the following categories: physical battering, sexual assault and emotional or psychological abuse, and generally escalates over a period of time.

Victims of abuse may experience punched walls, control of finances, lying, using children to manipulate a parent's emotions, intimidation, isolation from family and friends, fear, shame, criticism, cuts, crying and afraid children, broken bones, confusion, forced sexual contact, manipulation, sexist comments, yelling, rages, craziness, harassment, neglect, shoving, screaming, jealousy and possessiveness, loss of self esteem, coercion, slammed doors, abandonment, silent treatment, rape, destruction of personal property, unwanted touching, name calling, strangling, ripping, slapping, biting, kicking, bruises, punching, stalking, scrapes, depression, sabotaging attendance at job or school, brainwashing, violence to pets, pinching, deprivation of physical and economic resources, public humiliation, broken promises, prevention of seeking medical and dental care, ridicule, restraining, self-medication, forced tickling, threats to harm family and friends, threats to take away the children, threats to harm animals, threats of being kicked out, threats of weapons, threats of being killed.

DOMESTIC VIOLENCE FACTS

NCADV Public Policy Office ·

SEXUAL ASSAULT AND STALKING

One in 6 women and 1 in 33 men has experienced an attempted or completed rape.

Nearly 7.8 million women have been raped by an intimate partner at some point in their lives.

Sexual assault or forced sex occurs in approximately 40-45% of battering relationships.

1 in 12 women and 1 in 45 men have been stalked in their lifetime.

81% of women stalked by a current or former intimate partner are also physically assaulted by that partner; 31% are also sexually assaulted by that partner.

CHILDREN WHO WITNESS DOMESTIC VIOLENCE

Witnessing violence between one's parents or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next.

Boys who witness domestic violence are *twice as likely* to abuse their own partners and children when they become adults.

30% to 60% of perpetrators of intimate partner violence also abuse children in the household.

Almost **one-third of female homicide victims** that are reported in police records are killed by an intimate partner.

In 70-80% of intimate partner homicides, no matter which partner was killed, the man physically abused the woman before the murder.

Less than one-fifth of victims reporting an injury from intimate partner violence sought medical treatment following the injury.

Intimate partner violence results in more than **18.5 million mental health care visits** each year.

One in every four women will experience domestic violence in her lifetime.

Most cases of domestic violence are never reported to the police.

GIVING CHILDREN LOVE AND CARE

In giving children the love and care they need, it is important for parents to reflect on these essentials of parenting:

Trust and Respect - Acknowledge children's right to have their own feelings, friends, activities and opinions. Promote independence, allow for privacy and respect their feelings for the other parent. Believe in them.

Provide Emotional Security - Talk and act so your children feel safe and comfortable expressing themselves. Be gentle. Be dependable.

Provide Physical Security - Provide healthy food, safe shelter and appropriate clothing. Teach personal hygiene and nutrition. Monitor safety. Maintain a family routine. Attend to wounds.

Give Your Time - Participate in your children's lives, in their activities, school, sports, special events, celebrations and friends. Include your children in your activities. Reveal who you are to your children.

Encourage and Support - Encourage children to follow their interests. Let children disagree with you. Recognize improvement. Teach new skills. Let them make mistakes.

Give Affection - Express verbal and physical affection. Be affectionate and reassuring when your children are physically or emotionally hurt.

Care for Yourself - Give yourself personal time. Keep yourself healthy. Get sufficient rest. Maintain friendships. Accept love.

We are separating. What happens to our children?

What happens to our children when we separate?

Parents that separate will need to have a plan for deciding how they will share and divide their parenting responsibilities. This plan can be called a parenting plan, a time-share plan, or an agreement ("stipulation") regarding child custody and visitation. Any plan must be in writing and signed by both parents and a judge. Make sure that after the judge signs your plan, you file it with the court clerk.

What are our children going through?

Children react differently to the separation of their parents, and you know your children best. But, here is some information to help you understand what could be going on with

your children. It is important that you remain open to talking to your children and that you give them a lot of understanding and nurturing during this time.

In general, children go through different stages in dealing with the grief of their parents' separation:

Shock and denial that their parents are separating.

Anger because their parents are separating.

Depression, seeing that their world is falling apart, and can feel overwhelmed with feelings of helplessness and sadness.

Bargaining, when children take on the responsibilities of making things the way they were, promising themselves or their parents anything to get their parents back together.

Acceptance, when the children begin to talk more openly about the separation, get their energy and interests back.

How can we help our children cope with our separation?

Explain to your children that you and the other parent will be living in separate homes. If it is appropriate in your situation, reassure your children they will still have contact with both parents even though you live in separate homes.

Do not argue with the other parent in front of the children, no matter how hard it is to put off a discussion until later, when your children are not around.

Do not put your children in the middle by using them as messengers or spies between the two parents.

It may help to have your children talk to a counselor or to other children who have gone through their parents' separation. Show your children that you respect their other parent, and support the time that they spend with each of you.

There are resources in the Parenting Plan section that can give you more information on helping your children cope with your separation.

How do we parent together after separation?

Give your children the stable and predictable routine they need.

Figure out how you and the other parent can each make time to be with your children.

Get the information you need to make good decisions about what your children need at each age.

If possible, find a way to parent well together and separately.

Take care of yourself. Find ways to feel good about yourself and to understand your confusing feelings.

Set goals. Try to stay calm in difficult situations.

Preparing for Child Custody Recommending Counseling

Things to consider when preparing a parenting plan:

1. Age and stage of child/ren
2. The child/ren's psychological attachments
3. Past caretaking responsibilities of the child/ren.
4. Each parents strengths and weaknesses
5. The child/ren's temperament(the ability to adjust to change)
6. Each parent's work demands
7. Any disabilities or special needs of the parent's or child/ren
8. Childcare history and social resources
9. How to promote a relationship with the other parent.
10. Substance Abuse issues
11. Mental Health issues
12. Children Services involvement in the case
13. The distance between each parent's residences
14. Where will the child/ren attend school
15. Vacations and Holidays

Bring:

1. Patience, flexibility and a business like attitude towards the process of Child Custody Recommending Counseling and the concept of the child's best interest.
2. Yearly calendar, which identifies all the holidays.
3. School calendar, which identifies all school holidays.
4. Your work schedule and the other parent's if you have it.
5. A list of your child's extracurricular activities.

EXAMPLES OF PARENTING PLANS

INFANCY TO 3 YEARS OLD

In order for infants and toddlers to develop secure attachments to their parents, it is critically important that the separation time from the mother and father be small to minimize anxiety, keep attachments secure, and keep the child comfortable with both parents. It is hard for the child to maintain a memory of the parent if the parent is not there. Infants and toddlers have difficulty conceptualizing time and need frequent and continuing contact with a predictable pattern. Separation anxiety is most intense around fifteen (15) to twenty-four (24) months of age. Although it is normal for children at this developmental stage to cry and cling during transitions, most children can be quickly comforted by each parent.



The following parenting plan options for infants and toddlers are guidelines for schedules for the non-custodial parent. These guidelines are based on the degree of attachment with the non-custodial parent. (See Essential Considerations on next page for information about degree of attachment.)

Suggested Parenting Plan Options:

**The following options are dependent upon the age and maturity of the child, pattern of contact with each parent, familylifestyle, and presence of siblings. Gradual increase of the less attached parent's contact should occur over time.*

Child Attached to Both Parents <i>(Child is comfortable and secure with both parents.)</i>	Child Less Attached to One Parent (Parent A) <i>(Child is significantly less comfortable and secure with one parent.) **</i>
1. Parent A Tuesday, Thursday 4:00 p.m. to 7:00 p.m. Saturday 10:00 a.m. to Sunday 10:00 a.m.	Weeks 1 & 2 (Parent A) Minimum (2 hours) per visit, three times per week on nonconsecutive days Parent B All other times
2. Parent A Tuesday 5:00 p.m. to Wednesday 9:00 a.m. Thursday 4:00 p.m. to 7:00 p.m. Saturday 5 :00 p.m. to Sunday 5:00 p.m.	Weeks 3, 4, & 5 (Parent A) Minimum (3 to 4 hours) per visit, three times per week nonconsecutive days Parent B All other times
3. Parent A Wednesday 4:00 p.m. to 7:00 p.m. Saturday noon – Sunday 5:00 p.m.	Weeks 6 & 7 (Parent A) Minimum (5 to 6 hours) per visit, three times per week nonconsecutive days Parent B All other times

<p>4. Parent A Wednesday 4:00 p.m. to 7:00 p.m. Saturday 5:00 p.m. to Monday 8:30 a.m.</p>	<p>Week 8 (Parent A) See Schedule for Child Attached to Both Parents Parent B All other times</p>
<p>5. Parent A Tuesday noon – Wednesday noon Thursday noon – Friday noon Saturday noon – Sunday noon **Child is with Parent B at all other times</p>	<p>Parent B All other times <i>*Parents may agree on any combination of the above.</i></p>

Essential Considerations - Infancy to 3 Years Old

• **Degree of Attachment** – Attachment can be defined as the level of trust, security, and bonding in a parent/child relationship. If a parent has not had contact with an infant to 3-year-old child for an extended period of time or has not been involved in the day to day care of the child, contact should start slowly and gradually increase as the child adjusts and feels more comfortable.



- In order to maximize child’s trust and security, it is critical the less attached parent spend significant alone time caring for the child.
- Information regarding the infant/toddler’s diet, medications, daily routine, etc. should be provided by the custodial parent.
- In order to communicate the feeling of security to the child, it is usually best the primary parent deliver the child to the other parent.
- Exchanges are to be done quickly with no excessive delays.
- Security object(s) may go with the child.
- Days of contact should be consistent.

3 TO 5 YEARS OLD

Current research suggests that children in this age group can form strong attachments to both parents as well as other adults and caregivers. Along with the growing ability to form attachments with many people comes the ability to tolerate longer periods of separation from attachment figures. Important for children throughout the preschool years are consistency, predictability, and structure.

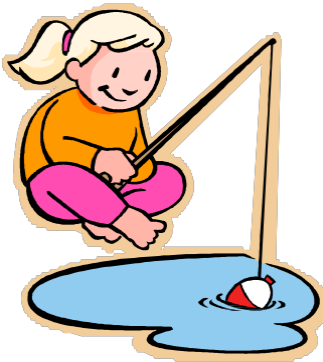


Suggested Parenting Plan Options

**The following options are dependent upon the age and maturity of the child, pattern of contact with each parent, family lifestyle, and presence of siblings.*

1. Parent A - Alternate weekends Saturday and/or Sunday from 8:00 a.m. to 4:00 p.m. and Wednesday evenings from 6:00 p.m. until 8:00 p.m.;
Parent B - All other times
2. Parent A - Alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m. and Wednesdays from 5:00 p.m. until 8:00 p.m.; Parent B - All other times

3. Parent A - Alternate weekends from Saturday at 8:00 a.m. until Sunday at 8:00 p.m. and Tuesdays and Thursdays from 5:00 p.m. until 8:00 p.m.; Parent B - All other times
4. Parent A - Alternate weekends from Friday evening until Monday morning and every Wednesday overnight; Parent B - All other times
5. Parent A - Monday afternoon to Wednesday morning and Every Other Weekend (Friday afternoon to Monday morning)
Parent B - Wednesday afternoon to Friday morning and Every Other Weekend (Friday afternoon to Monday morning)
6. Parent A – Saturday evening through Wednesday morning
Parent B - Wednesday afternoon through Saturday evening
7. A combination of any of the above.

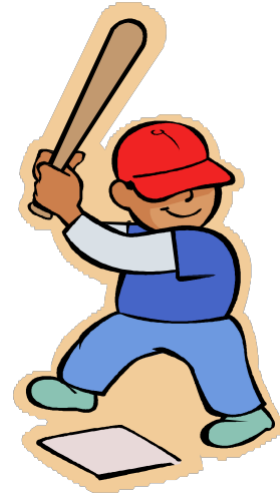


Essential Considerations – 3 to 5 Years Old

- Consistency, predictability, and structure are important during the preschool years.
 - Children in this age group are able to follow their schedules using color-coded blocks of time to represent time with each parent marked on a calendar.
 - Children in this age group are able to understand one parent may do things differently than the other parent, or rules may differ in different places.
- Preschool children are capable of spending overnights with each parent; however, week long blocks of time may seem very long to such young children, and a visit with the other parent midweek may be necessary.
 - Most important for children in this age group is that they are not exposed to parental conflict. Exposure to parental conflict can cause young children to experience anxiety and to regress to younger behaviors.
 - Nightmares are common for young children and some of their anxieties are often expressed as fears or through nightmares. Nightmares do not necessarily mean the child is having bad experiences with either parent.
 - Young children are very self-centered and often dislike changing activities when they are interested in a particular activity. They may cry, for example, when dropped off at preschool or when they are picked up from preschool. Similar protests can occur during parental exchanges of the child.
 - If a child cries when one parent picks up the child, this may mean only that the child does not want to “switch gears”; and such incidents should not be universally interpreted to mean that there is a problem between the parent and child.

6 TO 11 YEARS OLD

Most six to eleven-year-old children can handle moving back and forth between parents' homes with ease, although some children do better spending more time at one home. The child's school schedule, extra-curricular activities, parents' work schedule, and availability to provide transportation and supervision, are important factors in deciding on a parenting plan in this age group. Stability, predictability, ensuring the child's preparedness for school, and protection from parental conflict are essential to the child's adjustment.

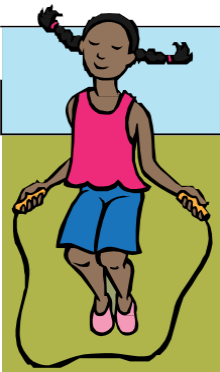


Suggested Parenting Plan Options:

1. Parent A Alternate weekends Saturday and/or Sunday from 8:00 a.m. to 4:00 p.m. and Wednesday evenings from 6:00 p.m. until 8:00 p.m.; Parent B All other times
 2. Parent A Alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m. and Wednesdays from 5:00 p.m. until 8:00 p.m.; Parent B All other times
 3. Parent A Alternate weekends from Saturday at 8:00 a.m. until Sunday at 8:00 p.m. and Tuesdays and Thursdays from 5:00 p.m. until 8:00 p.m.; Parent B All other times
 4. Parent A Alternate weekends from Friday evening until Monday morning and every Wednesday overnight. Parent B All other times
 5. Parent A Monday afternoon to Wednesday morning and Every other weekend (Friday afternoon to Monday morning); Parent B Wednesday afternoon to Friday morning and Every other weekend (Friday afternoon to Monday morning)
 6. Parent A Saturday evening through Wednesday morning; and Parent B Wednesday afternoon through Saturday evening
 7. Parent A Alternate weeks with Parent B; Parent B Alternate weeks with Parent A
- *Parents may agree on any combination of the above.*

Essential Considerations 6 to 11 Years Old

- Parents need to communicate with each other about establishing consistent rules, structure, and discipline for the child.
- Exchanges should be done quickly and without conflict to reduce transition issues for the child.
- Exchanges may be done by pickup and return at school or daycare.
- Neither parent should schedule outside/extracurricular activities that interfere with the other parent's court-ordered time with the child without mutual agreement.
- Parents need to agree mutually on any rescheduling in a timely manner.
- Parents should communicate when there are changes in the schedule.



12 TO 18 YEARS OLD

Adolescents are developing a separate identity from their parents and typically are more focused on activities and relationships outside the home. At the same time they need ongoing contact with both parents and continued guidance about rules and standards for their behavior. Adolescents often want to be more independent and to have a say in their living arrangements. Parents may find it helpful to allow older teens to express their ideas for schedules and living arrangements, while making it clear that it is still up to the parents to make the final decisions. Flexibility is the key in accepting children's increasing ability to care for their own needs and make more of their own decisions, while making sure that access to both parents occurs on a regular basis.



Suggested Parenting Plan Options:

1. Parent A Every other weekend (Friday 6:00 p.m. to Sunday 6:00 p.m.); Parent B All other times

2. Parent A Every other weekend (Friday 6:00 p.m. to Sunday 6:00 p.m.) plus weekly mid-week visit (Wednesday 5:00 p.m. to 8:00 p.m.) Parent B All other times

3. Parent A Every other weekend (Friday 6:00 p.m. to Sunday 6:00 p.m.) plus weekly midweek overnight (Wednesday 5:00 p.m. to Thursday before school)
Parent B All other times

4. Parent A Every other weekend (Friday afternoon to Monday morning) plus weekly midweek overnight; Parent B All other times



5. Parent A Monday afternoon to Wednesday morning Parents alternate weekends Friday afternoon to Monday morning; Parent B Wednesday afternoon to Friday morning
Parents alternate weekends Friday afternoon to Monday morning (2-2-5-5 schedule)

6. Parent A Alternate weekly custodial periods with Parent B; Parent B Alternate weekly custodial periods with Parent A

**Parents may agree on any combination of the above.*

Essential Considerations – 12 to 18 Years Old

- It is not unusual for teenagers to be angry or embarrassed by the break-up of their parents and to side with one parent over the other. It is important for both parents to be sensitive to their feelings, yet both parents need to encourage ongoing contact with that parent in spite of these feelings.
- Older adolescents may resist a rigid weekly schedule and may prefer to make adjustments in the schedule based on school activities or other extra-curricular activities.
- Both parents need to support their children's participation in extra-curricular activities even if it conflicts with their parenting time.
- Effective parental communication and cooperation are required in order to support adolescents in their school and extra-curricular activities.
- While input from their child should be considered, it is the final responsibility of the parents to agree upon the parenting plan.



- Parents should not use the children as messengers, but should communicate directly with one another.
- Flexibility and communication are keys in maintaining positive parent/child relationships.
- Parents should not rely upon their children for emotional support.
- Often teenagers after having lived with one parent wish to spend more time or to live with the other parent. Developmentally this can be appropriate since the adolescent is struggling with forming an identity and often needs to have meaningful contact with the other parent to successfully form their self-concept.



EXAMPLE HOLIDAY SCHEDULE

	<u>ODD NUMBERED YEARS</u>	<u>EVEN NUMBERED YEARS</u>
<i>Halloween</i> After school or 3pm if no school on 10/31 to drop off at school or 9am if no school on 11/1	Mother	Father
<i>Thanksgiving Holiday</i> 6pm Wednesday to 6pm Friday	Father	Mother
<i>Christmas Eve</i> 6pm on 12/23 to 8pm on 12/24	Father	Mother
<i>Christmas Day</i> 8pm on 12/24 to 12pm on 12/26	Mother	Father
<i>OR</i>		
<i>Christmas Holiday/Winter Break (if a 2 week break)</i> 1st week (to include Christmas Holiday) shall be from after school the day school is dismissed until the second Saturday of the break at 9am or at minimum until 9am on 12/26 if the 2 nd Saturday is before or is the Christmas Holiday.	Mother	Father
2nd week (to include New Year Holiday) shall be from 9am the 2 nd Saturday after school is dismissed (or 9am on 12/26 in the event that the 2 nd Saturday is before or is the Christmas Holiday) until 4pm the day before school resumes.	Father	Mother
<i>Easter Sunday</i> 7pm Saturday to 7pm Easter Sunday	Mother	Father
<u><i>Spring Break:</i></u> The spring break shall be shared equally by the parents each year. The Easter Holiday shall determine who has the children for the first or second half of the break (if connected to the Spring Break). If Easter is the first Sunday of Spring Break then the parent having the Easter Holiday shall have the child(ren) from after school the day school is dismissed for the break until 6pm on Wednesday (after the Easter Holiday). If Easter is the second Sunday of Spring Break the parent having the Easter Holiday shall have the child(ren) from 6pm on Wednesday (before the Easter Holiday) until drop off at school the day school resumes.		
<i>Mother's Day</i> 9am to 7pm	Mother	Mother
<i>Father's Day</i> 9am to 7pm	Father	Father
<i>Independence Day</i> 12pm July 4 to 12pm July 5	Father	Mother
<i>Child's Birthday (Specific date)</i> 3 hours of time (specific time period determined by mutual agreement)	Non-timeshare day parent	Non-timeshare day parent