

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE
FAMILY DIVISION

Plaintiff

vs.

Case No. _____

Judge: _____

Defendant

_____/ **Attorney for Plaintiff:**

Attorney for Defendant:

WAYNE COUNTY CIRCUIT COURT CO-PARENTING ORDER
GENERAL PARENTING TIME

At a session of said Court held in the
City of Detroit, County of Wayne,
State of Michigan, on _____

Present: Hon. Judge _____
Referee _____

THIS MATTER having come before the Court on The Court's Case Establishment Docket, Plaintiff's
 Defendant's Motion / Petition for _____,
and the Court having being fully advised in the premises;

PURPOSE OF PLAN: The following Plan is for use when the custodial parent (CP) and non-custodial parent (NCP) live close to each other, the child(ren) has a relationship with the NCP, there is no history of the parents living together, and the parents cannot otherwise agree on parenting time. The parents may both agree to change this parenting-time schedule. If the parents can agree to parenting time, they can use the blank calendars at the back of this guide to mark the days and times each parent will have parenting time.

COURT'S GOAL: Parents should help their child(ren) have a good relationship with their other parent.

*** NOTICE:** This Parenting Time Order will remain in effect until specifically modified by the Court.

FD-FOC 4141 Revised: December 12, 2016

TIPS:

- ** Make exchanges easier for your children by following set schedules, avoiding conflict with the other parent in front of your child(ren), and supporting your (child(ren)'s relationship with the other parent.
- ** The child(ren) should be allowed to take toys and/or important personal items with him/her back and forth to each parents' home. The child(ren)'s items shall be returned to the home of the parent who provided the item.
- ** Do not talk badly about, or allow third parties to talk badly about, the other parent to or in front of the child(ren).
- ** Do not talk about court issues with the child(ren).

INFANT AND TODDLER PARENTING POLICY

The age of a child(ren) is an important issue in determining the amount and length of parenting time. As a young child develops, they will need more contact with each parent, but the length of the contact should be shorter. As a child(ren) becomes older, the contact may be less often but longer. So, for most infants, short contacts are the best way to build relationships without overwhelming the infant with too much change in routine or environment. Each child will have different needs and established routines that will also be considered by the Court. Examples would be whether the child(ren) is nursing, goes to daycare, spends the night with grandparents or other relatives, etc.

AGE: 0 – 1 YEAR**SCHEDULE****Regular Parenting Time**

Two visits of up to 2 hours each **AND** one 6 hour visit per week. **NO** overnights.

If the parents are unable to agree, the days for the parenting time shall be:

Monday and Wednesday 12PM to 2PM **OR** 5:30 PM to 7:30PM **AND** Saturday **OR** Sunday 1PM to 7PM.

Holiday Parenting Time

See Pages 4 for the appropriate Holiday schedule.

***PARENTAL TIME OFFSET FOR THIS PLAN:**

365 overnights for CP/0 overnights for NCP

AGE: 1 – 3 YEARS**SCHEDULE**

Every Tuesday at 6PM until 8:30PM **AND** alternate weekends.

ALTERNATE WEEKEND time is defined as Friday 6PM until Saturday 6PM **OR** Saturday 6PM until Sunday 6PM

Holiday Parenting Time

See Pages 4 for the appropriate Holiday schedule.

***PARENTAL TIME OFFSET FOR THIS PLAN:**

339 overnights for CP/26 overnights for NCP

AGE: 3 YEARS AND OLDER**SCHEDULE**

Every Tuesday at 6PM until Wednesday to school/daycare/ or custodial parent, no later than 10AM **AND** alternate weekends.

ALTERNATE WEEKEND time is defined as Friday 6PM until Sunday 6PM

Holiday Parenting Time

See Pages 4 for the appropriate Holiday schedule.

***PARENTAL TIME OFFSET FOR THIS PLAN:**

249 overnights for CP/116 overnights for NCP

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Please note: This schedule is meant to promote frequency and consistency of contact, which is important for young children. Equally important is a transitional period to prepare the child(ren) for extended time with both parents. The FOC and the Family Assessment Mediation and Education (FAME) Department can assist the parents in setting a customized parenting time schedule upon filing a Parenting Time Motion.

HOLIDAY PARENTING TIME SCHEDULE

COMMON CHILD is defined as a child whose parents are the parties to this case.

| <u>HOLIDAY</u> | FAMILIES WHERE THE OLDEST COMMON CHILD IS YOUNGER THAN 1 YR OLD THE NON-CUSTODIAL PARENT (NCP) SHALL EXERCISE | FAMILIES WHERE THE OLDEST COMMON CHILD IS 1 – 3 YRS OLD See “A” on Page 4 for specific times. | | FAMILIES WHERE THE OLDEST COMMON CHILD IS AT LEAST 3 YRS OLD See “A” and “B” on Page 4 for specific times. | |
|--|--|--|------------------|---|-------------------------------|
| | | <u>EVEN YEARS</u> | <u>ODD YEARS</u> | <u>EVEN YEARS</u> | <u>ODD YEARS</u> |
| Memorial Day | N/A | Mother | Father | Mother | Father |
| 4 th of July Weekend | N/A | Father | Mother | Father | Mother |
| Labor Day Weekend | N/A | Mother | Father | Mother | Father |
| Halloween | N/A | Father | Mother | Father | Mother |
| Child’s Birthday | 5 hours – based upon the work schedules of the parties. | Mother | Father | Mother | Father |
| Thanksgiving Weekend | 12:00 p.m. – 5:00 p.m. Thanksgiving Day, only | Father | Mother | Father | Mother |
| Christmas/Holiday Break | N/A | N/A | N/A | See “B” Below on Page 4 | See “B” Below on Page 4 |
| • Christmas Eve | N/A | Mother | Father | | |
| • Christmas Day | 12:00 p.m. – 5:00 p.m. | Father | Mother | | |
| • New Year’s Eve | N/A | Mother | Father | | |
| • New Year’s Day | N/A | Father | Mother | | |
| Spring Break | N/A | N/A | N/A | Father | Mother |
| Easter Weekend (if not included in Spring Break) | 12:00 p.m. – 5:00 p.m. Easter Sunday, only | Mother | Father | Mother | Father |
| Mid-Winter Break | N/A | N/A | N/A | Father | Mother |

OTHER RELIGIOUS HOLIDAYS: The above holiday parenting time schedule includes the most common government and religious holidays recognized by most school districts. If your family practices additional religious holidays (listed or otherwise) such as Islamic, Jewish, Hindu, Buddhist, Baha’, Jain, Pagan, Shinto, or Sikh parenting time shall alternate from year to year, and the time for those holidays shall be from 7:30AM – 7:30PM unless the parents agree otherwise.

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If the holiday and/or school break parenting time falls next to a parent's regularly scheduled parenting time, the parenting time shall be continuous. Holiday and school break parenting time shall take precedence over regularly scheduled parenting time and may result in one parent having two or more weekends in a row.

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A. HOLIDAY PARENTING TIME WHEN THE OLDEST CHILD IS AT LEAST 1 YEAR OLD

- **Memorial Day Weekend** begins at 6PM the Friday before Memorial Day and ends at 6PM Memorial Day.
- **Fourth of July** begins at 6PM on July 3rd and ends at 6PM on July 5th.
- **Labor Day Weekend** begins at 6PM the Friday before Labor Day and ends at 6PM Labor Day.
- **Halloween:** Parenting time begins at 6PM and ends at 8PM.
- **Thanksgiving Weekend** begins at 6PM the Wednesday before Thanksgiving Day and ends at 6PM the following Sunday at 6PM.
- **Christmas Eve:** Begins December 23 at 6PM and ends December 24 at 6PM
- **Christmas Day:** Begins December 24 at 6PM and ends December 25 at 6PM
- **New Years Eve:** Begins December 30 at 6PM and ends December 31 at 6PM
- **New Years Day:** Begins December 31 at 6PM and ends January 1 at 6PM
- **Child's Birthday:** If the child's birthday falls on a scheduled school day, parenting time shall be from 6PM until 8:30PM. If the child's birthday falls on a non-school day, parenting time shall be from 9AM to 6PM. If the child's birthday takes place on the same date as a recognized holiday, the holiday parenting time will take precedence over the birthday parenting time.
- **Easter:** If the children's Spring Break does not include Easter, Easter shall be exercised from Friday before Easter at 6PM until Easter Sunday at 6PM.
- **Mother's Day/Father's Day:** The child(ren) shall be with their mother on Mother's Day from 9AM until 6PM, and with their father on Father's Day from 9AM until 6PM.

B. SUMMER AND SCHOOL BREAK PARENTING TIME WHEN THE OLDEST COMMON CHILD REACHES THE AGE OF 3 YEARS AND THE YOUNGEST COMMON CHILD IS OLDER THAN 1 YEAR.

- **Summer Break:** Summer Break is defined as the period between the last day of school at the end of the school year until the day school starts again in the Fall. Each parent shall have one week (7 consecutive overnights) of uninterrupted parenting time each month in July and August. If the parents do not agree in writing (signed by both parents) on their summer parenting time, it shall be exercised as follows:
 - **July/August summer parenting time.** The parenting time for the noncustodial parent shall begin the second Sunday in July and August at 6PM and continue until the following Sunday at 6PM. The parenting time for the custodial parent shall begin the third Sunday in July and August at 6PM and continue until the following Sunday at 6PM.
- **Spring and/or Mid-Winter Break:** The parents shall defer to the Spring and/or Mid-Winter Break schedule of the school district in which the eldest child in common primarily resides, is enrolled, or will attend. Spring and/or Mid-Winter Break parenting time shall be from 6PM on the day school is recessed until 6PM the day before school is scheduled to resume.
- **Christmas/Holiday Break:** The parents shall defer to the Christmas/Holiday Break schedule of the school district in which the eldest child in common primarily resides, is enrolled, or will attend.
 - **In Odd Numbered Years:** Father shall have parenting time from 6PM on the day that the school recesses for holiday (Christmas) Break until 6PM December 24th. Mother shall have parenting time from 6PM December 24th until 6PM December 31st. Father shall have parenting time from December 31st at 6PM until 6PM the day before school is scheduled to resume. Thereafter the normal parenting time schedule shall resume.

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- **In Even Numbered Years:** Mother shall have parenting time from 6PM on the day that school recesses for winter (Christmas) Break until 6PM December 24th. Father shall have parenting time from 6PM December 24th until 6PM December 31st. Mother shall have parenting time from December 31st at 6PM until 6PM the day before school is scheduled to resume. Thereafter the normal parenting time schedule shall resume.

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Other Issues:

- **Transportation:** Each party is responsible for picking up the children at the start of his/her parenting time. An adult that is familiar to the children may provide transportation. The child(ren) shall be secured in an appropriate child safety seat at all times while being transported in a vehicle. **NEITHER PARTY NOR ANY THIRD PARTY SHALL TRANSPORT THE MINOR CHILD(REN) WITHOUT A VALID DRIVER'S LICENSE.**
- The parenting time schedule shall be exercised in a prompt manner. In the event of unforeseen circumstances, a 30 minute delay in collecting or returning the children is considered allowable, but notice of a delay is always to be given where possible. This is to be used on rare occasions and should not become routine. The custodial parent shall not withhold the non-custodial parent's parenting time due to illness of the child unless transporting the child to/from parenting time would be detrimental to the child's health/welfare and the same is documented by the child's physician.
- The custodial parent must inform the other parent of necessary medication and possible illness. The custodial parent must provide prescriptions to the non-custodial parent during his or her parenting time.
- The custodial parent shall not interfere with the non-custodial parent's right to access school and medical information in accordance with MCL 722.30, unless prohibited by a Personal Protection Order.
- The parents shall cooperate when making plans for the child(ren) or enrolling the child(ren) in extracurricular activities to ensure that the activities do not interfere with the other parent's regularly scheduled parenting time, unless otherwise agreed. Violations of this provision may result in an enforcement action.
- All schedules for the child(ren)'s activities shall be exchanged with the other parent immediately upon receipt (i.e, sports, music, academics, etc.). Both parents are required to transport the child(ren) to the activity during his/her parenting time. Parents may attend a child(ren)'s extracurricular activities that occur during the other parent's scheduled parenting time, unless barred by a Court Order, Personal Protection Order, or No Contact Order.
- When you are taking your child(ren) on vacation, you must give the other parent at least one month advance written notice, unless otherwise ordered. The other parent shall be provided with an itinerary including your destination, inclusive dates of travel and a telephone number where you can be reached.
- Parents exercising parenting time need to be certain homework is completed.
- Pursuant to Public Act 600 of 2012 amended MCL 722.27a, commencing January 9, 2013 parenting time is prohibited in a nation that is not a party to the Hague Convention on the Civil Aspects of International Child Abduction unless both parents provide the court with written consent to allow parenting time in a nation that is not a party to this convention.

INTERIM ORDER

NOTICE OF RIGHT TO JUDICIAL HEARING. See Attached NOTICE OF RIGHT TO JUDICIAL HEARING that is incorporated with this Referee Recommendation and Order by reference.

Referee recommendation date _____ P-
 Referee's signature _____ Ref. Bar No. _____

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CONSENT AND WAIVER: BY SIGNATURE BELOW, THE PARTIES/ATTORNEYS AGREE WITH THE REFEREE RECOMMENDATION AND WAIVE ANY RIGHT TO A JUDICIAL HEARING.

Plaintiff / Plaintiff's attorney

Defendant / Defendant's attorney

Certificate of Delivery/Mailing. A true copy of this **Recommendation** was delivered in court or mailed to the addresses of record for both parties/attorneys on (date): _____. (Signature): _____

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ORDER

- The Referee Recommendation is adopted as an **Interim Order** without further action. If no Objections are filed within 21 days of service of the referee recommendation, the Interim Order will be FINAL.
- NO WRITTEN OBJECTIONS** to the above referee recommendation were filed with this court within 21 days of service of the referee recommendation, or the parties/attorneys have signed the Consent and Waiver. The referee recommendation is ORDERED.
- WRITTEN OBJECTIONS** to the above referee recommendation were filed with this court within 21 days of service of the referee recommendation and after judicial hearing:
 - Objections were withdrawn and/or the referee recommendation is ORDERED.
 - Separate order is/will be presented for entry by Attorney for Plaintiff Defendant.
 - Separate order will be entered by the Court.
- This Order is entered after judicial hearing.

Date

Judge's signature

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PARENTING TIME SCHEDULE WORKSHEET

| <u>WEEK NUMBER</u> | <u>SUNDAY</u> | <u>MONDAY</u> | <u>TUESDAY</u> | <u>WEDNESDAY</u> | <u>THURSDAY</u> | <u>FRIDAY</u> | <u>SATURDAY</u> |
|---------------------------|----------------------|----------------------|-----------------------|-------------------------|------------------------|----------------------|------------------------|
| Week No. 1 | | | | | | | |
| Week No. 2 | | | | | | | |
| Week No. 3 | | | | | | | |
| Week No. 4 | | | | | | | |
| Week No. 5 | | | | | | | |

We hereby agree to adopt the above parenting time schedule:

Plaintiff

Defendant

Attorney for Plaintiff P-Number

Attorney for Defendant P-Number

Dated: _____

Dated: _____

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