

APPENDIX THREE

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Case No: _____
Division: _____

Petitioner Father/Mother
and

Respondent Father/Mother

(SAMPLE) PARENTING PLAN

I. PARENTS

Mother

Name: _____
Address: _____
Telephone Number: _____
E-Mail: _____

____ Address Confidential: *{Please indicate here if mother's address and phone numbers are confidential pursuant to either a _____ Final Judgment for Protection Against Domestic Violence, or _____ other court order _____}*

Father

Name: _____
Address: _____
Telephone Number: _____
E-Mail: _____

____ Address Confidential: *{Please indicate here if father's address and phone numbers are confidential pursuant to either a _____ Final Judgment for Protection Against Domestic Violence, or _____ other court order _____}*

II. CHILDREN

This parenting plan is for the following child(ren) born to, or adopted by the parties:

Legal Name	Date of Birth

III. JURISDICTION

The United States is the country of habitual residence of the child(ren). The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

IV. PARENTAL RESPONSIBILITY AND DECISION MAKING

A. PARENTAL RESPONSIBILITY: {Choose only one}

1. **Shared Parental Responsibility.**

It is in the best interests of the child(ren) that the parents confer and **jointly** make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, religion and other responsibilities unique to this family.

2. **Shared parental responsibility with designation of specific responsibility.**

It is in the best interests of the child(ren) that the parents confer and **jointly** make all major decisions affecting the welfare of the child(ren) except as noted below. Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, religion and other responsibilities unique to this family.

The Mother/ Father shall have sole responsibility for decisions relating to _____.

The Mother/ Father shall have sole responsibility for decisions relating to _____.

3. **Sole Parental Responsibility:**

It is in the best interests of the child(ren) that the Mother Father shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) to have shared parental responsibility.

B. DESIGNATION FOR OTHER LEGAL PURPOSES:

The Mother Father is designated as the custodian of the child(ren) SOLELY for purposes of all other state and federal statutes which require a designation or determination of custody. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

C. DAY TO DAY DECISIONS

Unless otherwise specified in this plan, each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or

safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

D. CHILD CARE:

_____ Each parent may select appropriate childcare providers.

_____ All childcare providers must be agreed upon by both parents.

_____ Each parent must offer the other parent the opportunity to care for the child(ren) before using a childcare provider for any period exceeding _____ hours.

_____ Other: {Specify} _____

_____.

E. EDUCATION

For purposes of school boundary determination and registration, the _____ Mother's / _____ Father's address shall be designated.

_____ {If Applicable} The following provisions are made regarding private or home schooling:

_____.

The _____ Mother / _____ Father is responsible for providing a copy of this Parenting Plan with the child(ren)'s school or day care within _____ days of the entry of the Parenting Plan.

The registering parent shall ensure that the other parent has access to the child(ren) as provided below:

Both parents shall have access to educational records relating the child(ren) and shall be permitted to independently consult with any and all educational professionals involved with the child(ren). Each parent shall be responsible for obtaining records and reports directly from the school or day care.

Regarding emergency contacts, see V. INFORMATION SHARING below.

Both parents are permitted to pick up the child(ren), to attend school or daycare related functions regardless of which parent is exercising time-sharing unless there is a court order stating otherwise. School or daycare related functions include, but are not limited to, lunch, extra -curricular activities, award ceremonies, field trips, etc.

The parents shall cooperate with each other in sharing information related to the child(ren)'s education and shall sign any necessary documentation to ensure that both parents have access to educational records.

F. EXTRA-CURRICULAR ACTIVITIES {Indicate all that apply}

1. _____ Either parent may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.
2. _____ The parents must mutually agree to all extra-curricular activities.

_____ by e-mail
_____ Other:
{Specify} _____.

B. BETWEEN PARENT AND CHILD(REN):

Both parents shall keep contact information current. Telephone or other electronic communication between the child(ren) and the other parent shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The child(ren) may have _____ telephone _____ e-mail _____ other electronic communication in the form of _____ with the other parent: {Choose only **one**}

1. _____ Anytime
2. _____ Every day during the hours of _____ to _____.
3. _____ On the following days _____
during the hours of _____ to _____.
4. _____ Other: _____.

Neither parent shall speak about the other parent in a derogatory manner in the presence of the child(ren) nor permit a third party to do so.

Neither parent shall encourage a child to refer to a third party as "Mom, Mother, Dad or Father."

Both parents shall encourage a close and continuing parent-child relationship between the child(ren) and the other parent.

C. COSTS OF ELECTRONIC COMMUNICATION SHALL BE AS FOLLOWS: _____

_____.

VII. SCHEDULING

Timeshare and child support are mutually exclusive. Time-sharing cannot be refused based on failure to pay ordered support.

A. SCHOOL CALENDAR:

If necessary, on or before _____ of each year, both parents should obtain a copy of the school calendar for the next school year. The parents shall discuss the calendars and the time-sharing schedule so that any differences or questions can be resolved.

The parents shall follow the school calendar of: *{Indicate all that apply}*

1. _____ the oldest child
2. _____ the youngest child
3. _____ County
4. _____ School or day care

B. ACADEMIC BREAK DEFINITION:

When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the first day of regularly scheduled classes after the holiday or break.

C. SCHEDULE CHANGES: *{Indicate all that apply}*

1. _____ A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than _____ before the change is to occur.
2. _____ A parent requesting a change of schedule shall be responsible for any additional childcare, or transportation costs caused by the change.
3. _____ Other *{Specify}* _____

D. SCHEDULING INTERFERENCE:

Neither parent shall schedule events or activities (i.e. play dates, activities, etc.) for the child(ren) during the other parent’s scheduled time-sharing without the other parent’s consent.

E. TIME-SHARING SCHEDULE:

The Following Time-Sharing Schedule shall begin on _____ (Date and Time).

1. **TIME-SHARING.** Please indicate the overnights spent with each parent on the calendar provided by placing “M” for the Mother and placing an “F” for the Father to illustrate the timeshare rotation. Also indicate the exchange time. For example, if your exchange time is 6:00 pm on a Saturday and the child is going to the Father for an overnight, then Saturday would be marked with an “F” as the Father has the overnight, and a 6:00 pm exchange time.

Saturday
F 6:00 pm

If the overnight is with the Mother and the Father has evening (only) time-sharing from 6:00 pm until 8 pm fill in the schedule as follows:

Wednesday
M (F: 6pm -8pm)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY

2. HOLIDAY TIME-SHARING. (Choose only one)

- a. ___ No holiday time-sharing shall apply. The regular time-sharing schedule set forth above shall apply.
- b. ___ Holiday time-sharing shall be as the parties agree.
- c. ___ Holiday time-sharing shall be in accordance with the following schedule.

The Holiday schedule will preempt and take priority over the regular weekday, weekend, and summer schedules.

Even numbered years (Indicate the parent within each column)

Mother	Father	Mother	Father
Martin Luther King Weekend		Spring Break Vacation	
Memorial Day Weekend		July 4 th	
Labor Day Weekend		Thanksgiving	
Halloween			
2 nd Half of Winter Break		1 st Half of Winter Break	

Odd numbered years (This will be the reverse of the above schedule. Indicate the parent within each column)

Mother	Father	Mother	Father
Spring Break Vacation		Martin Luther King Weekend	
July 4 th		Memorial Day Weekend	
Thanksgiving		Labor Day Weekend	
		Halloween	
1 st Half of Winter Break		2 nd Half of Winter Break	

- i. MARTIN LUTHER KING JR. DAY WEEKEND, MEMORIAL WEEKEND, LABOR DAY WEEKEND: Time-sharing begins at 6:00 p.m. on Friday and ends 6:00 p.m. on Monday.
- ii. SPRING BREAK : Spring break time-sharing begins at 6:00 p.m. on the day school releases for spring break and ends at 6:00 p.m. on Sunday at the end of spring break
- iii. MOTHER’S DAY: Mother’s Day shall be spent with the mother every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Mother’s Day.
- iv. FATHER’S DAY: Father’s Day shall be spent with the father every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Father’s Day.
- v. JULY FOURTH WEEKEND:
 - If July 4th is on Monday, Tuesday, Wednesday, or Thursday, then time-sharing begins on July 3rd at 6:00 p.m. and ends at 8:30 a.m. on July 5th.
 - If July 4th is on Friday, time-sharing begins on July 3rd at 6:00 p.m. and ends at 6:00 p.m. on July 6th.
 - If July 4th is on Saturday or Sunday, time-sharing begins at 6:00 p.m. on the Friday before July 4th and ends at 8:30 a.m. the Monday after July 4th.
- vi. HALLOWEEN/OCTOBER 31ST: If the holiday falls on a weekday, time-sharing

begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the holiday falls on a Saturday or Sunday, time-sharing begins at 9:00 a.m. and ends at 8:30 p.m.

- vii. THANKSGIVING: Time-sharing begins on Wednesday before Thanksgiving at 6:00 p.m. and ends at 6:00 p.m. Sunday.
- viii. WINTER BREAK: The first half of the winter time-sharing period begins at 6:00 p.m. on the last day of school and ends (including all travel) at 8:30 p.m. December 24th. The second half of the winter time-sharing period begins at 8:30 p.m. December 24th and ends at noon January 1st (including all travel). If school resumes significantly after the January 1 holiday, the parties are encouraged to negotiate an equitable allocation of the additional time.
- ix. MOTHER'S BIRTHDAY: The mother's birthday shall be spent with the mother every year. If the mother is not scheduled to have time-sharing and the mother's birthday is on a weekday, then the time-sharing hours shall begin at 3:00 p.m. or when school releases and end at 8:30 p.m.. If the mother's birthday is on a weekend scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the mother's birthday.
- x. FATHER'S BIRTHDAY: The father's birthday shall be spent with the father every year. If the father is not scheduled to have time-sharing and the father's birthday is on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the father's birthday is on a weekend scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the father's birthday.
- xi. CHILD'S BIRTHDAY: The child's birthday shall be spent with the parent with time-sharing Block A in odd-numbered years and the other parent in even-numbered years. If the child's birthday falls on a weekday, time-sharing shall be from 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the child's birthday falls on a weekend, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the child's birthday.

Other:

Holidays	Even Years	Odd Years	Beginning Time	Ending Time

3. **SUMMER TIME-SHARING.** (Choose only one):

[Insert the name or designation of the appropriate parent in the space provided]

- a. ___ The parents shall follow the regular schedule through the summer.
- b. ___ Parent _____ shall have the entire Summer Break from _____ until _____.
- c. ___ The parents shall equally divide the Summer Break as follows: During odd-numbered years, Parent _____ shall have the child(ren) from _____ (Date) until _____ (Date). The other parent shall have the child(ren) for the second half of the Summer Break from _____

(Date) until _____ (Date). The parents shall alternate the first and second one-halves each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren)

_____.

d. ____ One parent shall have the child(ren) for one week and the other parent shall have the child(ren) for one week rotating back and forth. Exchanges shall occur on the day and at the time set forth below: _____

_____.

e. ____ Each parent shall have five weeks during summer to be exercised in a period of three weeks and a period of two weeks, not consecutive to each other. In odd numbered years the ____ Mother ____ Father shall have first choice of summer time-sharing and shall designate such choice in writing no later than April 1 of each year. In even numbered years the other parent shall have first choice and shall designate such choice in writing no later than April 1 of each year.

f. ____ Other: _____

_____.

4. **NUMBER OF OVERNIGHTS.**

[Insert the name or designation of the appropriate parent in the space provided]

Based upon the time-sharing schedule, Parent _____ has a total of ____ overnights per year and Parent _____ has a total of ____ overnights per year.

Note: The two numbers must equal 365.

VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

A. TRANSPORTATION: {Choose only one}

1. ____ The ____ Mother ____ Father shall provide all transportation.

2. ____ The parent beginning their time-sharing shall provide transportation for the child(ren).

3. ____ The parent ending their time-sharing shall provide transportation for the child(ren).

4. ____ Any non-local arrangements: _____

5. ____ Other: _____

_____.

B. EXCHANGE: {Choose only one}

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than 30 minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

1. ____ Exchanges shall be at Mother's and Father's homes unless both parents agree to a

different meeting place.

2. ___ Exchanges shall occur at _____ unless both parties agree in advance to a different meeting place.

C. FOREIGN AND OUT OF STATE TRAVEL: {Indicate all that apply}

1. ___ Either parent may travel within the United States with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least ___ days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least ___ days before traveling. Where one parent lives out of state and a non-local parenting plan is in place, the non-local parent does not have to give a notice or itinerary where the travel is to/from the parent's home state.
2. ___ Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least ___ days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip. Each parent shall timely provide whatever documentation is necessary for the other parent to take the child(ren) out of the country, including but not limited to, consent for a passport.
3. ___ If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child: _____.
4. ___ Other: _____.

IX. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

The Parties understand, and agree, that it is in the best interest of the Minor Child(ren) for both parents to have quality timeshare with their child(ren). They agree to follow this Timeshare/ Parenting Plan to the best of their abilities. They are aware that there may be times that each Party may have to make good faith adjustments to accommodate this timeshare due to their work schedules and other occurrences that may develop. Temporary changes may be made if they are confirmed in writing by text, letter, or email. **When the parties do not agree, this Parenting Plan remains in effect until further order of the court.**

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

X. RELOCATION

Any relocation is subject to and must be sought in compliance with section 61.13001, Florida Statutes. Even a parent with limited time-sharing must comply. Note: Section 61.13001, Florida Statutes, defines "parent" as "any person . . . who is entitled to access to or time-sharing with the child."

XI. DISPUTES OR CONFLICT RESOLUTION

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the

Parenting Plan. The parents may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

XII. OTHER PROVISIONS

_____.

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in all blanks] This form was prepared for the: {choose only one} Mother Father

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {zip code} _____, {telephone number} _____.

SIGNATURES OF PARENTS

(Where parenting plan was achieved by agreement of the parties)

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it effective the date signed below.

Dated: _____

Signature of Mother

Printed Name: _____

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it effective the date signed below.

Dated: _____

Signature of Father

Printed Name: _____

Judicial Enforcement: Failure to comply with the terms of this Parenting Plan may result in appropriate sanctions against the offending party, as permitted by Florida law.

DONE and ORDERED on this _____ day of _____, 20__.

Circuit Court Judge