**Superior Court of Washington**, **County Snohomish**

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| --- | --- |
| In re:  Petitioner(s):  JANE SMITH  And Respondent:  JOHN SMITH | No. 55-5-55555-5  Parenting Plan  (PPP/PPT/PP) |

#### Parenting Plan

**1.** This parenting plan is a final parenting plan signed by the court.

**2.** **Children** - This parenting plan is for the following children:

|  |  |  |
| --- | --- | --- |
| Child’s name | | Age |
| 1. | Molly Smith | 6 |

**3.** **Reasons for putting limitations on a parent** (under RCW 26.09.191)

None.

**4.** **Limitations on a parent**

None.

5. Decision-making

When the child is with you, you are responsible for them. You can make day-to-day decisions for the child when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows.

**a. Who can make major decisions about the children?**

|  |  |  |
| --- | --- | --- |
| Type of Major Decision | Joint  *(parents make these decisions together)* | Limited  *(only the parent named below has  authority to make these decisions)* |
| School / Educational |  | *(Name):* |
| Health care (not emergency) |  | *(Name):* |
| Work-Related Daycare |  | *(Name):* Each parent shall have the freedom to select the work-related daycare provider for the time when the child is in the parent’s care. |

**b. Reasons for limits on major decision-making, if any:**

There are no reasons to limit major decision-making.

**6. Dispute Resolution** - If you and the other parent disagree

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean.

**a.** To solve disagreements about this parenting plan, the parents will go to the dispute resolution provider below:

Mediation: Volunteers of America Dispute Resolution Center

*If there are domestic violence issues, you may only use mediation if the victim asks for mediation, mediation is a good fit for the situation, and the victim can bring a support person to mediation.*

**b.** If mediation, arbitration, or counseling is required, one parent must notify the other parent by certified mail. The parents will pay for the mediation, arbitration, or counseling services as follows: The parties will divide the mediator’s fee based upon their proportionate percentages listed in line 6 of the parties’ child support worksheets.

**What to expect in the dispute resolution process**

* Preference shall be given to carrying out the parenting plan.
* If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
* If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
* You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

7. Custodian

The custodian is Jane Smith solely for the purpose of all state and federal statutes which require a designation of determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

*(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to spend more of their time.)*

***Parenting Time Schedule*** *(Residential Provisions)*

***Complete*** *the parenting time schedule in sections 8 - 11.*

8. School Schedule

**a. Children under School-Age**

Does not apply. All children are school-age.

**b.** **School-Age Children**

This schedule will apply when each child begins: Kindergarten.

The child is scheduled to live equally with both parents on a week on, week off basis. Exchanges shall occur Thursday evenings at 5 pm.

9. Summer Schedule

Summer begins and ends according to the school calendar.

The Summer Schedule is the **same** as the School Schedule **except** that:

The summer schedule includes one week of uninterrupted vacation time for each parent. The parents will exchange vacation schedules by May 15th each year. In cases of conflict, the petitioner’s schedule will have precedence in even numbered years and the respondent’s schedule will have precedence in odd numbered years.

* + - * 10. Holiday Schedule (includes school breaks)

This is the Holiday Schedule for all children:

| **Holiday** | **Children with*:* Jane Smith** | | **Children with*:* John Smith** | |
| --- | --- | --- | --- | --- |
| Martin Luther King Jr. Day |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| With the parent who has the children for the attached weekend | | | |
| Presidents’ Day |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| With the parent who has the children for the attached weekend. But if Presidents’ Day falls within mid-winter break, then President’s Day goes to the parent who has the child during mid-winter break. This is an exception to the rules of prioritization in section 11 below. | | | |
| Mid-winter Break | Even Years | | Odd Years | |
| Begin day/time: | After school lets out for mid-winter break | Begin day/time: | After school lets out for mid-winter break |
| End day/time: | Sunday 5 pm | End day/time: | Sunday 5 pm |
|  | | | |
| Spring Break | Odd Years | | Even Years | |
| Begin day/time: | After school lets out for Spring Break | Begin day/time: | After school lets out for Spring Break |
| End day/time: | 5 pm the day before the child returns to school | End day/time: | 5 pm the day before the child returns to school |
|  | | | |
| Mother’s Day | Every Yr. | |  | |
| Begin day/time: | 9 am | Begin day/time: |  |
| End day/time: | 5 pm | End day/time: |  |
|  | | | |
| Memorial Day |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| With the parent who has the children for the attached weekend | | | |
| Father’s Day |  | | Every Yr. | |
| Begin day/time: |  | Begin day/time: | 9 am |
| End day/time: |  | End day/time: | 5 pm |
|  | | | |
| Fourth of July | Even Years | | Odd Years | |
| Begin day/time: | 9 am the day of | Begin day/time: | 9 am the day of |
| End day/time: | 9 am the following day | End day/time: | 9 am the following day |
|  | | | |
| Labor Day |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| With the parent who has the children for the attached weekend | | | |
| Thanksgiving Day / Break | Even Years | | Odd Years | |
| Begin day/time: | Wednesday 5 pm | Begin day/time: | Wednesday 5 pm |
| End day/time: | Sunday 5 pm | End day/time: | Sunday 5 pm |
|  | | | |
| Winter Break |
| (a) *Even Years*. The child shall reside with the petitioner from the moment school lets out until 9 pm December 24th, at which time the child shall be picked up by the respondent for the remainder of the winter vacation.  (b) *Odd Years*. The child shall reside with the respondent from the moment school lets out until 9 pm December 24th, at which time the child shall be picked up by the petitioner for the remainder of the winter vacation.  For purposes of this provision, winter vacation begins when school lets out and ends 5 pm the day before the child return(s) to school. The following is an example of the deadline for the end of winter vacation: if the child begin(s) school on a Wednesday, winter break ends 5 pm of the preceding Tuesday. | | | |
| Christmas Eve |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| Follow the Winter Break schedule above. | | | |
| Christmas Day |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| Follow the Winter Break schedule above. | | | |
| New Year’s Eve / New Year’s Day  *(odd/even is based on New Year’s Day)* |  | |  | |
| Begin day/time: |  | Begin day/time: |  |
| End day/time: |  | End day/time: |  |
| Follow the Winter Break schedule above. | | | |
| Child’s Birthday | Even Years | | Odd Years | |
| Begin day/time: | 9 am | Begin day/time: | 9 am |
| End day/time: | 5 pm | End day/time: | 5 pm |
|  | | | |

11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule:

Named holidays shall be followed before school breaks.

12. Transportation Arrangements

The children will be exchanged for parenting time (picked up and dropped off) at each parent's home.

The **picking up** parent - the parent who is about to **start** parenting time with the children - must arrange to have the children picked up.

If a parent expects to be late for a child exchange, he or she will contact the other party soon as he or she is reasonably able. If the receiving parent is more than 15 minutes late for an exchange without contacting the other parent, the child may leave the exchange location and the receiving parent must pick up the child from wherever the child goes.

* + - * 13. Moving with the Children (Relocation)

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

***Move to a different school district***

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

*Exceptions:*

* If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days’ notice, s/he must give notice within **5 days** after learning the information.
* If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
* If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
* A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice.*

***Move within the same school district***

If the move is within the *same* school district, the relocating person still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

***Warning! If you do not notify...***

A relocating person who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

***Right to object***

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your Objection with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of intent to Move with Children* was received.

***Right to move***

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

* The other party gets a court order saying the children cannot move, or
* The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)
* the court may make a different decision about the move at a final hearing on the *Objection*.

***Parenting Plan after move***

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

* Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
* Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

***Forms***

You can find forms about moving with children at:

* The Washington State Courts' website: *www.courts.wa.gov/forms*,
* The Administrative Office of the Courts - call: (360) 705-5328,
* Washington LawHelp: *www.washingtonlawhelp.org*, or
* The Superior Court Clerk’s office or county law library (for a fee).

*(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)*

14. Other

**14.1 Flexibility in Residential Schedule.** The parties are encouraged to implement the residential schedule flexibly.

**14.2 Telephone Access.** The child(ren) shall have liberal telephone privileges with the parent with whom the child(ren) is/are not then residing (or vacationing), without interference of the other parent. Both parents shall make all reasonable efforts to ensure the child(ren) understand how to make phone calls to the other parent. Neither parent may monitor the other parent's phone conversations with the child(ren).

**14.3** Neither parent shall make derogatory comments about the other parent or allow anyone else to do the same in the child(ren)'s presence. Neither parent shall allow or encourage the child(ren) to make derogatory comments about the other parent. Each parent agrees to exert every reasonable effort to promote the emotions of affection, love, and respect between the child(ren) and the other parent. Each parent agrees to refrain from words or conduct, and both parents agree to discourage other persons from uttering words or engaging in conduct, which would have a tendency to estrange the child(ren) from the other parent, to damage the opinion of the child(ren) as to the other parent, or which would impair the natural development of the child(ren)'s love and respect for the other parent.

**14.4 Religion.** Each parent shall be entitled to have the child(ren) participate with him/her in his/her religious activities. Neither parent shall disparage the other parent’s religious activities or attempt to sway the child(ren) to his/her respective religious or philosophical viewpoint.

**14.5** Acceptance or waiver of any deviations from the provisions of the Parenting Plan shall not constitute acceptance or waiver of subsequent deviations. The provisions of this plan shall remain in effect until modified by an appropriate written order entered by a court of competent jurisdiction.

**14.6 Emergency Contact Number and Address.** Each parent will keep the other informed at all times of emergency telephone contact numbers and the residential address of the child(ren).

**14.7 Child(ren) Away from Residence**. Each parent will inform the other when that parent plans to be away from his or her residence with the child(ren) for more than two nights. The information to be provided should include duration of the period, and the name(s), address(es), and telephone number(s) of the destination(s).

**14.8 Conditioning Performance of Parenting Plan.** Pursuant to RCW 26.09.160, an attempt by any parent, in any negotiation for the performance of this Parenting Plan, to condition one aspect of the Parenting Plan upon another, may be deemed to be in bad faith. If the court finds that a parent acted in bad faith in an attempt to condition parental functions, in a refusal to perform the duties provided in the Parenting Plan, or in the hindrance of performance of the other parent, the court may punish that conduct by a private award or other remedies including criminal or civil contempt and attorney’s fees.

**14.9** Each parent agrees to honor one another’s parenting style, privacy and authority. Neither parent shall interfere in the parenting style of the other nor shall either parent make plans or arrangements that would impinge upon the other parent’s authority or time with the child(ren) without the express agreement of the other. Each parent shall encourage the child(ren) to discuss her grievance against a parent directly with the parent in question. It is the intent of both parents to encourage direct parent-child bonding and communication.

15. Proposal

Does not apply. This is not a proposed parenting plan – it is a final parenting plan signed by the court.

16. Court Order

It is ordered, adjudged and decreed that the parenting plan set forth above is adopted and approved as an order of this court.

**WARNING:** Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

When mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process.

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Dated:

**Judge/Commissioner**

**If this is a court order, the parties and/or their lawyers (and any GAL) sign below.**

|  |  |
| --- | --- |
| This order: | This order: |
| Is presented by me. |  |

*Petitioner signs here* ***or*** *lawyer signs here + WSBA # Respondent signs here* ***or*** *lawyer signs here + WSBA #*

*Print Name Date Print Name Date*

|  |  |
| --- | --- |
| This order: | This order: |
|  |  |

*Other party signs here* ***or*** *lawyer signs here + WSBA # Other party* ***or*** *Guardian ad Litem signs here*

##### Print Name Date Print Name Date