

STATE OF MICHIGAN
27TH JUDICIAL CIRCUIT COURT - NEWAYGO COUNTY

Policy No.: 01-2002	Policy Title: REASONABLE PARENTING TIME POLICY				
Date Written: 5-7-02 Date Revised: 3-15-07				Page 1 of 11	
Application: <small>(Check boxes below applicable groups)</small>	All Circuit Court Services	Juvenile Division	Friend of the Court	Supervisors	Other: _____
			X		

POLICY & PROCEDURE

Michigan law recognizes that it is in the best interest of children that parenting time occur in a frequency, duration, and type reasonably calculated to promote a strong relationship between children and parents. Ideally, parents develop their own parenting time schedules that take into consideration the unique circumstances of their family. The following policy and procedures have been developed for those situations when parents cannot reach an agreement, and a parenting time schedule is not otherwise addressed through an order.

These policies have been developed based upon the assumption that parents have lived together with their child for a period of time and that there is a normal degree of familiarity between the non-custodial parent and a child. A parenting time schedule will have to be considered on a case-by-case basis when this is not the situation, or, if there has been an extended absence by the non-custodial parent.

Parenting time and child support are separate issues and are not dependent upon each other. As a rule, parenting time should continue whether support is being paid or not, and likewise, support must be paid whether or not parenting time is occurring.

PARENTING TIME SCHEDULE

Children Age 0 to 18 Months

Parenting time shall occur every Wednesday from 6:00 p.m. to 8:30 p.m., and, every Sunday from 12:00 p.m. to 6:00 p.m.

Children Age 19 to 48 Months

Parenting time shall occur alternating weekends beginning from 9:00 a.m. Saturday morning until 6:00 p.m. Sunday evening, and, every Wednesday from 6:00 p.m. to 8:30 p.m.

Children Age 49 Months and Older

Parenting time shall occur alternating weekends from 6:00 p.m. Friday evening until 6:00 p.m. Sunday evening, and, every Wednesday from 6:00 p.m. to 8:30 p.m.

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HOLIDAY PARENTING TIME SCHEDULE

The father shall have parenting time in years ending in an odd number and the mother shall have parenting time in years ending in an even number for the following holidays:

MEMORIAL DAY weekend beginning 6:00 p.m. the Friday of the weekend and ending 6:00 p.m. Memorial Day. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on Memorial Day Monday.

LABOR DAY weekend beginning 6:00 p.m. the Friday of the weekend and ending 6:00 p.m. Labor Day. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on Labor Day Monday.

HALLOWEEN beginning 5:00 p.m. and ending 8:30 p.m. on October 31st.

CHILD(REN)'S BIRTHDAY: Birthday parenting time during summer break and on weekends shall be from 9:00 a.m. until 6:00 p.m. If the child's Birthday falls on a school day, birthday parenting time shall be from 6:00 p.m. until 8:30 p.m. If the child's Birthday falls on a holiday, the holiday takes precedence over the Birthday. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m.

The father shall have parenting time in years ending in an even number and the mother shall have parenting time in years ending in an odd number for the following holidays:

EASTER weekend beginning 6:00 p.m. the Friday (Good Friday) of the weekend and ending 6:00 p.m. Easter. If a child is school age and Good Friday is not a school day, parenting time will commence 6:00 p.m. the Thursday prior to Easter weekend and end 6:00 p.m. Easter. This holiday time coincides with the spring break holiday parenting time for purposes of convenience in relevant years. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on Easter Sunday.

FOURTH OF JULY beginning 6:00 P.M. on July 3rd and ending 9:00 a.m. July 5th. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on the 4th.

THANKSGIVING weekend beginning 6:00 p.m. the Wednesday evening before Thanksgiving and ending 6:00 p.m. the Sunday evening following Thanksgiving. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on Thanksgiving Day.

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MOTHER’S DAY AND FATHER’S DAY

A child shall be with the mother the entire weekend of Mother’s Day and with the Father the entire weekend of Father’s Day from 6:00 p.m. Friday until 6:00 p.m. Sunday. For children age 0-18 months, the parent shall receive parenting time from 12:00 p.m. to 6:00 p.m. on Sunday holiday.

PARENT BIRTHDAYS

Each parent is to receive 2 ½ hours of parenting time on the specific date of his or her birthday, said parenting time to commence at 6:00 p.m. and conclude at 8:30 p.m., regardless of the day of the week. Any other holiday parenting time will take precedence over Parent Birthday parenting time and no make up will be provided.

HOLIDAY PARENTING TIME PREFERENCE OVER OTHER SCHEDULED TIME

Whenever a holiday conflicts with other parenting time it shall be given preference over the regularly scheduled parenting time. When the holiday concludes, the alternating weekend schedule shall be resumed according to the pre-existing schedule as if it had not been interrupted.

SPRING AND WINTER (CHRISTMAS BREAK) PARENTING TIME SCHEDULE

SPRING BREAK

The father shall have parenting time in years ending in an even number and the mother shall have parenting time in years ending in an odd number for the Spring break. Spring break parenting time shall occur during the spring break of the school district in which the child resides from 6:00 p.m. the day school is scheduled to recess until 6:00 p.m. the day before school is scheduled to resume. This does not apply to children 0-18 months.

WINTER (CHRISTMAS) BREAK

In years ending in an odd number, the father shall have parenting time from 6:00 p.m. on the date that the school district in which the child resides recesses for winter break until 9:00 p.m. December 24 and the mother shall have parenting time from 9:00 p.m. December 24 until 6:00 p.m. the day before school resumes again in the school district in which the child resides. Thereafter the normal parenting time schedule shall resume. This does not apply to children 0-18 months. For children 0-18 months of age, the father shall have parenting time from 12 p.m. to 6p.m. Christmas eve and the mother shall have parenting time 12 p.m. to 6 p.m. Christmas day.

In years ending in an even number, the mother shall have parenting time from 6:00 p.m. on the date that the school district in which the child resides recesses for winter break until 9:00 p.m. December 24 and the father shall have parenting time from 9:00 p.m. December 24 until 6:00 p.m. the day before school resumes again in the school district in which the child resides. Thereafter the normal parenting time schedule shall resume. This does not apply to children 0-18 months. For children 0-18 months of

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age, the mother shall have parenting time from 12 p.m. to 6p.m. Christmas eve and the father shall have parenting time 12 p.m. to 6 p.m. Christmas day.

TABLE FOR PARENTING TIME SCHEDULE

HOLIDAY or BREAK	EVEN YEARS	ODD YEARS
Easter	Father	Mother
Spring Break	Father	Mother
Mother's Day	Mother	Mother
Memorial Day	Mother	Father
Father's Day	Father	Father
Fourth of July	Father	Mother
Labor Day	Mother	Father
Halloween	Mother	Father
Thanksgiving	Father	Mother
Winter Break	Mother (*1 st split)	Father (*1 st split)
Child(ren)'s Birthday	Mother	Father
Parent Birthday (Mother)	Mother	Mother
Parent Birthday (Father)	Father	Father

SUMMER BREAK PARENTING TIME SCHEDULE & SUMMER SCHOOL POLICY
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In scheduling the summer break parenting time schedule, the age of a child as of June 1st shall determine which of the following schedules shall be observed. Note that no weekend parenting time is exercised during summer months for children 19 months and older, except that specifically outlined in the Summer Break Parenting Time section.

Children Age 0 to 18 Months

Regular schedule will be observed all year until the child attains the age of 18 months.

Children Age 19 to 48 Months

The non-custodial parent shall have parenting time for a total of three weeks in one-week blocks of time, and on the third weekend of each month.

- The first one-week block of parenting time shall commence at 6:00 p.m. on June 17 and conclude at 6:00 p.m. on June 24.
- The second one-week block of parenting time shall commence at 6:00 p.m. on July 15 and conclude at 6:00 p.m. on July 22.
- The third one-week block of parenting time shall commence at 6:00 p.m. on August 12 and conclude at 6:00 p.m. on August 19.

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- Weekend parenting time shall take place on the third weekend of each month, to commence at 6:00 p.m. Friday and conclude at 6:00 p.m. Sunday. If the third weekend falls during the week of summer parenting time, it is still to be observed and the child would not be returned until Sunday 6:00 p.m.

Children Age 49 Months and Older

The non-custodial parent shall have parenting time for a total of six weeks in two-week blocks of time.

- The first two-week block of parenting time shall commence at 6:00 p.m. on June 17 and conclude at 6:00 p.m. on July 1.
- The second two-week block of parenting time shall commence at 6:00 p.m. on July 15 and conclude at 6:00 p.m. on July 29.
- The third two-week block of parenting time shall commence at 6:00 p.m. on August 12 and conclude at 6:00 p.m. on August 26.

SUMMER SCHOOL POLICY

In the event summer school is anticipated for any minor child who is subject of the Reasonable Parenting time policy of the Court, the following guidelines shall be adopted:

1. That the custodial parent shall notify the non-custodial parent of the intent to enroll the child in summer school no later than May 1st of that year.
2. That it shall be determined and confirmed by a representative of the school that summer school is an academic necessity for the child.
3. That if the parties live in the same school district the non-custodial parent shall be entitled to enjoy parenting time as scheduled, but will transport or make suitable arrangements for the transportation of the child to and from summer school.
4. That if the non-custodial parent lives outside of the school district of the proposed summer school location, the parent shall choose one of the following three options:
 - a. exercise parenting time as scheduled and arrange for summer school locally;
 - b. exercise parenting time as scheduled and arrange for transportation to the proposed summer school location; or
 - c. re-arrange summer parenting time schedule, allowing for make-up parenting time for any time missed, but shall allow the minor child to stay with the custodial parent for the time period covered by summer school.
5. That the non-custodial parent shall be allowed make-up parenting time for any lost parenting time as determined to be appropriate by the Newaygo County Friend of the Court.

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RECOMMENCING SCHOOL YEAR PARENTING TIME

Parenting time occurring on alternating weekends throughout the school year will commence the weekend after Labor Day for the non-custodial parent, regardless of which parent has exercised Labor Day weekend parenting time.

OUT OF STATE/LONG DISTANCE PARENTING TIME SCHEDULE

The following suggested parenting time schedule shall apply to cases where the parties live in excess of 250 miles from each other. This is a guide that is to be considered by the court for parenting time in these situations and this schedule may be impacted by the ability of the parties to arrange travel or travel costs, driving time between the residences, other expenses associated with parenting time, age of the child and any other issue the court feels is relevant.

This schedule is designed to allow the non-custodial parent the opportunity to see the child on a regular basis, taking into consideration the time and costs of travel, while not losing sight of the importance of the relationship between the non-custodial parent and the child.

Unless otherwise specifically stated in the court order, this schedule would apply every year regardless of other holiday schedules, although the parties may amend the schedule if they both agree, with the provision that any verbal agreement between the parties may not be enforced by the Friend of the Court if a party violates the verbal agreement. Only amendments to the court order will be recognized and enforced by the Friend of the Court.

The miscellaneous provisions beginning on page 8 of this policy may be applied to this parenting time schedule to the extent that application is possible due to the distance and time between the residences. For example only, the provision regarding inherent rights of the child shall apply, but the provision regarding the four hour rule shall not.

If one party has continuously lived within 100 miles of the child’s residence at the time the case was filed, the party who has moved out of state or further than 250 miles away shall be responsible for all travel and costs associated with same.

If both parties have moved more than 100 miles from the child’s residence at the time the case was filed, the parties shall equally split the transportation of the child and costs of same. If transportation is by automobile, the parties shall meet to exchange the minor child at a mutually agreeable location approximately equidistant between their residences. If another form of transportation is necessary due to the distance between the residences, the parties shall strive to agree on the form of transportation and shall alternate purchasing transportation for each visit.

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Other parenting time, outside of the parameters set forth below, shall be allowed on a liberal basis when the non-custodial parent is in close proximity (within State of Michigan if parties live in different states OR within 50 miles if parties both reside in Michigan) to the child and provides the custodial parent with 48 hours notice, or when the custodial parent and child are in close proximity to the non-custodial parent the custodial parent shall give the non-custodial parent 48 hours notice of the opportunity to visit with the child.

January - Friday preceding Martin Luther King Holiday 6 p.m. to following Monday 6 p.m.

February - Friday preceding President's Day Holiday 6 p.m. to following Monday 6 p.m.

March – Any weekend at the option of the non-custodial parent (with one months notice) Friday 6 p.m. to Sunday 6 p.m. or spring break if it falls in March, 6 p.m. of the day school recesses to 6 p.m. of the day before school reconvenes.

April - Any weekend at the option of the non-custodial parent (with one months notice) Friday 6 p.m. to Sunday 6 p.m. or spring break if it falls in April, 6 p.m. of the day school recesses to 6 p.m. of the day before school reconvenes.

May - Friday preceding Memorial Day 6 p.m. to following Monday 6 p.m.

June, July, August – Seven consecutive weeks commencing at noon on June 22 and concluding at noon on August 10.

September - Any weekend at the option of the non-custodial parent (with one months notice) Friday 6 p.m. to Sunday 6 p.m.

October - Friday preceding Columbus Day 6 p.m. to following Monday 6 p.m.

November – Wednesday preceding Thanksgiving Day 6 p.m. to following Sunday 6 p.m.

December – Up to 10 consecutive days during holiday school break at the option of the non-custodial parent (with one months notice) commencing noon the first day and concluding at 6 p.m. on the final day. This provision shall not allow the non-custodial parent to monopolize the Christmas holiday. The non-custodial parent shall not pick dates that prevent the custodial parent from having the child with them on Christmas Day for consecutive years.

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MISCELLANEOUS PROVISIONS

CLOTHING

Each parent shall be responsible for providing adequate clothing for the child sufficient for the weather and events in which the child engages. When occasional need or cost issues favor having only one item, such as seasonal clothing, snow boots or swim wear, these items shall be transported back and forth with the child. Any clothing that is with the child at the beginning of parenting time shall be cleaned and returned with the child.

NECESSITIES OF CHILDREN

That unless otherwise agreed or ordered by the Court, the party who has the minor child, pursuant to custody or parenting time orders, shall be responsible for the provision of day to day necessities of the minor child, including but not limited to: food or meals (at appropriate times), toiletries (toothbrush, soap, etc.), and infant or baby items, including diapers, bottles, etc.

TRANSPORTATION

Unless otherwise agreed, ordered by the court or provided for in this policy, the parent who is exercising parenting time shall be responsible for all transportation, and shall be present at the exchange and transporting of the child. A properly licensed individual, who has a properly licensed and registered vehicle, shall provide all transportation. All legally required restraints must be present and used.

CHILD CARE EXPENSES

Child Care is the responsibility of the non-custodial parent when they have the child for parenting time. **EXCEPTION:** If the non-custodial parent is ordered by the court to pay child care expenses to the custodial parent the non-custodial parent may seek reimbursement of the expenses incurred during parenting time by filing a Motion Regarding Support, if child care expenses are of the type anticipated by the Michigan Child Support Formula as able to be reimbursed. The non-custodial parent may use the same child care provider as the custodial parent, in which case the custodial parent would pay for the child care and be reimbursed through payment of the non-custodial parent's monthly child care obligation.

CONTAMINATION OF PARENTING TIME

Neither parent shall use the parenting time exchange as an opportunity to exchange bills, discuss support issues, discuss parenting time, or to behave disrespectfully toward the other parent.

CHILD'S MEDICAL NEEDS

A parent shall provide all necessary medication and doctor's written instructions to the parent exercising parenting time. The parent exercising parenting time shall administer all medications

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according to the doctor's written instructions. If a child requires medical attention during parenting time, the non-custodial parent shall obtain treatment for the child and notify the custodial parent immediately.

In the event special equipment is necessary for a child's health, the parent exercising parenting time shall become familiar with the equipment and arrange for the equipment's transfer.

Parents need to discuss the general health care needs of the child and advise each other of illness and treatment requirements. It is imperative that information regarding medical treatment be shared between the parents regardless of which parent initially sought treatment.

SICK CHILD

When a child is sick, the non-custodial parent shall still have the opportunity to have the child unless a licensed physician recommends, in writing, that the child not visit the non-custodial parent. The custodial parent shall immediately notify the non-custodial parent any time a child is hospitalized. The non-custodial parent shall be entitled to any hospital visitation as the standard policy of the hospital allows. Missed parenting time due to a doctor's request or hospitalization is not subject to make-up.

PREPARING A CHILD FOR PARENTING TIME

The custodial parent should offer encouragement to prepare a child emotionally for parenting time. Neither parent should use the parenting time as an occasion to cause concern or anxiety to a child. The custodial parent should use all reasonable means to ensure that the parenting time occurs provided that no excessive force is used. In general, the following **ARE NOT** appropriate reasons for denying parenting time.

- ❖ A child has a minor illness.
- ❖ A child had to go somewhere else.
- ❖ A child was not home.
- ❖ The custodial parent did not want the child to go.
- ❖ The non-custodial party is behind in support.
- ❖ The weather was bad.
- ❖ A child had no clothes to wear.
- ❖ A child refused to go.
- ❖ The other party failed to meet preconditions unilaterally established by the party allegedly denying parenting time.
- ❖ Religious reasons.

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EXTRACURRICULAR ACTIVITIES

The parties shall cooperate with each other when enrolling a child in extracurricular activities to ensure that the activities do not interfere with the ability of a child to exercise parenting time. Neither the custodial parent nor the non-custodial parent should enroll a child in excessive activities that serve to interfere with the other’s ability to spend time with a child.

Parents shall keep one another informed of all activities so the other parent has the opportunity to attend or participate in the activity, even if the activity occurs when the non-custodial parent does not otherwise have scheduled parenting time.

TIME FOR PARENTING TIME EXCHANGE

Neither parent shall do anything to inconvenience the other during the exchange of the child. Arriving late by no more than thirty (30) minutes may be acceptable in exceptional circumstances, but should never become the norm. A parent should be late, only when a legitimate, unavoidable, reason exists for being late. A parent who anticipates being late shall contact the other parent as soon as possible.

Additionally, a parent shall not be early for parenting time as this may cause undue disruption for the child and the other parent.

The non-custodial parent shall notify the custodial parent twenty-four (24) hours in advance if he/she is unable to take advantage of specified parenting time.

FOUR-HOUR RULE REGARDING DAY CARE

If the custodial or non-custodial parent is put in a situation where they are forced to obtain child care for four hours or more for the supervision of a minor child of the parties, in the absence of an order denying, restricting or requiring supervised parenting time, the other parent shall first be contacted and offered that time with the minor child. This provision shall be deemed to be in addition to any previously ordered parenting time, and not in lieu of same.

PERSONAL PROTECTION ORDERS

If either party has a Personal Protection Order against the other, parenting time exchanges shall occur (if permitted by the order) in a manner which ensures the order is not violated. In order to provide appropriate safety when a Personal Protection Order is in place, all exchanges shall occur in a public place, at a designated neutral exchange site. If the parties are unable to determine a neutral exchange site, the Friend of the Court shall make the determination.

ALCOHOL AND DRUGS

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Neither parent shall indulge excessively in alcoholic beverages nor take any drugs or controlled substances during parenting time without said drugs or controlled substances having been prescribed by a licensed physician.

INHERENT RIGHTS OF THE CHILD

All minor children have an inherent right to the affection and love of both parents and to a relationship with them. Neither parent shall take any action that might estrange a minor child from the other parent or tend to discredit, cause disrespect to, or diminish the quality of the relationship with the other parent.

PARENTING TIME ABATEMENT

In cases with of an ongoing child support obligation, a fifty percent (50%) abatement in weekly child support shall be allowed if a child spends six or more consecutive overnight periods with the non-custodial parent. This abatement is not automatic and must be requested in writing, by filling out the proper paperwork, with the Newaygo County Friend of the Court.

OMISSIONS AND OVERSIGHTS

In the event a situation arises that is not provided for in this policy, the office of the Newaygo County Friend of the Court shall have authority to render an opinion. The personnel of the Friend of the Court office, in reaching an opinion, shall rely on the Michigan Parenting Time Guideline, as published by the Michigan Supreme Court and/or the usual past practices of the Newaygo County Circuit Court.

APPROVED AND ADOPTED

DATE: _____

Honorable Anthony A. Monton
Chief Circuit Judge of the 27th Circuit Court

DATE: _____

Honorable Terrence R. Thomas
Circuit Judge of the 27th Circuit Court

DATE: _____

Honorable Graydon W. Dimkoff
Newaygo County Probate Judge, *assigned to the*
Newaygo County Circuit Court Family Division