

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FL

IN RE: The Marriage/Matter of:

\_\_\_\_\_,  
Petitioner/\_\_\_\_\_,  
and

FAMILY LAW DIVISION  
CASE NUMBER: 05-20\_\_\_\_-DR-\_\_\_\_\_

\_\_\_\_\_,  
Respondent/\_\_\_\_\_.  
\_\_\_\_\_ /

PARENTING PLAN

This is a proposed Parenting Plan submitted by \_\_\_\_\_.

1. PARENTS:

\_\_\_\_\_, Father

\_\_\_\_\_, Mother

2. CHILDREN: This Parenting Plan is for the following child(ren) born to the parties:

\_\_\_\_\_, born on \_\_\_\_\_

\_\_\_\_\_, born on \_\_\_\_\_

3. JURISDICTION: This Court has subject matter jurisdiction of this action, personal jurisdiction over the parties and Florida is the home state of the minor child.

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, 1950, and for all other state and federal laws.

4. SHARED PARENTAL RESPONSIBILITY:

a. It is in the best interest of the child that the parents confer and attempt to

agree on the major decisions involving the child. Major decisions include, but are not limited to, decisions about the child's education, healthcare, and other responsibilities unique to this family. If the parents are unable to agree on an issue in the best interest of the child after good faith negotiation, the matter should be presented to the Court by motion for an evidentiary hearing and the Court should determine which parent should have the right to decide the issue

- b. The parent who has actual physical custody of the child at any particular time (the custodial parent) should make DAY TO DAY regular and ordinary decisions for the child's control and discipline, emergency medical and dental care, other routine daily care, and any emergency decision if there is insufficient time to contact the other parent.
- c. **GOOD FAITH EFFORTS OF THE PARTIES EXPECTED:** Both parents should exercise, in the utmost good faith, his and her best efforts at all times to encourage and foster the maximum relations of love and affection between the minor child and the child's parents. When the child is with one parent, the other parent should have open but reasonable rights of telephonic communication with the child, in private, at least one (1) time per day. Both parents must recognize that the child has the right to be treated as interested and affected persons and not as pawns or possessions of either parent; the right to grow to maturity in home environments which should best guarantee opportunities for the child to become mature and responsible citizens; the right to the love, care, discipline, and protection of both parents; the right to know both parents and to have the benefit of both parents' love and guidance through time-sharing; the right to positive and constructive relationships with both parents; the right to the most adequate level of economic support that can be provided by both

parents; and the right to be regarded as persons within the family. In return, the child has the moral duty to honor and respect their Mother and Father.

5. CHILD’S EDUCATION:

- a. The child should be enrolled in \_\_\_\_\_
- b. If necessary, on or before \_\_\_\_\_ of each year, both parents should obtain a copy of the school calendar for the school year and discuss the calendars and time sharing schedule to resolve difference or questions.
- c. When defining academic break periods, the period should begin at the end of the last scheduled day of classes before the holiday or break and should start on the first day of regularly scheduled classes after the holiday or break.
- d. Both parties should be allowed to submit their own pick-up list from school.

6. LOCAL TIME-SHARING SCHEDULE: The word custodial parent or non-custodial parent does not convey on either parent more or less rights as a parent, but indicates whom the child may be with at any particular time.

- a. Regular Time-sharing: The parties should have the following time-sharing with their minor child provided that the parents reside within 50 miles of each other:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Above, "D" represents an overnight with Dad and "M" represents an overnight with Mom unless otherwise indicated. The custodial parent should have time sharing from the time school recesses, or at \_\_\_\_\_p.m. if there is no school, until \_\_\_\_\_ p.m. when the exchange takes place for the other parent's time sharing schedule.

b. Holidays, Special Occasions and Academic Break Schedule: Holidays, special occasions and academic breaks should take precedence over the regular time-sharing schedule. However, if either parent's ongoing weekend is disrupted by the other parent's holiday timesharing, then the parent who did not have the child on his/her regular weekend due to the holiday, should have the weekend immediately following the holiday, and the parties should continue alternating the weekends from that point forward as if the ongoing weekend schedule is "reset". The parties should be entitled to the following time-sharing for holidays, special occasions, and academic breaks through:

i. Thanksgiving: In even numbered years, the \_\_\_\_\_ should have time-sharing from the time school recesses for the Thanksgiving break until school resumes on Monday; in odd numbered years, the \_\_\_\_\_ should have time sharing from the time school recesses for the Thanksgiving break until school resumes on Monday.

ii. Christmas/New Year's/Winter School Break:

( ) In even-numbered years, the \_\_\_\_\_ should have time-sharing from 3:00 pm on December 24 until noon on December 25; in odd-numbered years, the \_\_\_\_\_ should have time-sharing from 3:00 pm on December 24 until noon on December 25. In odd numbered years, the \_\_\_\_\_ should have time-sharing from

5:00 pm on December 30, until 5:00 pm on January 1. In even numbered years, the \_\_\_\_\_ should have time-sharing from 5:00 pm on December 30, until 5:00 pm on January 1. The remainder of Winter Break should follow the regular time-sharing schedule.

OR

( ) In even numbered years the \_\_\_\_\_ should have time sharing on Christmas Eve and Christmas day, with the \_\_\_\_\_ having time sharing on Christmas Eve and Christmas day in odd numbered years.

iii. Spring Break:

( ) The Spring Break should be evenly divided. The first half of the Spring Break should go to the parent whose regularly scheduled time-sharing weekend falls on the first half with the second half going to the parent whose weekend falls during the second half.

OR

( ) Should follow the regular time sharing schedule.

iv. Easter: If Easter coincides with Spring Break, then the parent with Spring Break should have time-sharing on Easter. If it does not, then the parent entitled to weekend time-sharing, according to the regular weekly time-sharing schedule, should have time-sharing on Easter Day.

v. Memorial Day Weekend:

( ) The parent with time-sharing that weekend should be entitled to time-sharing on that Friday (from the time school lets out for the long weekend), or on that Monday (until school resumes on Tuesday.)

- ( ) Should follow the regular time sharing schedule.
- vi. Fourth of July: The parent with time-sharing on the day of the week in which the holiday occurs should be entitled to time-sharing from the time school lets out the day prior to the Fourth of July until school resumes.
  - vii. Labor Day Weekend: The parent with time-sharing that weekend should be entitled to time-sharing on that Friday (from the time school lets out for the long weekend), or on that Monday (until school resumes in Tuesday).
  - viii. Mother's Day: If the child is not already with the appropriate parent, the Mother should have time sharing for the weekend of Mother's Day from the time school recesses on the Friday before Mother's Day until the following Monday after Mother's Day. The Monday following Mother's day should then be a time-sharing day for the Father, and the weekly time-sharing schedule should "reset" as if the weekend of Mother's Day was the Mother's regularly Scheduled Weekend.
  - ix. Father's Day: The Father should have time-sharing for the weekend of Father's Day from the Friday before Father's Day at 5:00 pm until the Monday after Father's Day at 9:00 am. The Monday following Father's Day should then be a time-sharing day for the Mother, and the weekly time-sharing schedule should "reset" as if the weekend of Father's Day was the Father's regularly scheduled weekend.
  - x. Child's Birthday: The parties should celebrate the child's birthday during their regular time-sharing, unless otherwise agreed upon by

the parties.

- xi. Parent's Birthday: the parties should celebrate their individual birthdays with the minor child during their regular time-sharing unless otherwise agreed upon by the parties.
- xii. Summer Break: The parties should follow the regular weekly time-sharing schedule, except that:
  1. Each Party Should be entitled to exercise up to two (2) weeks of exclusive time-sharing during the break
  2. The period of exclusive time-sharing should be exercised over consecutive days up to a maximum of fourteen (14) days; a parent should not spread their exclusive time-sharing over the course of the entire break.
  3. In even-numbered years, the \_\_\_\_\_ should have the first option to select her period of exclusive time-sharing; the \_\_\_\_\_ should have the first option in odd-numbered years; the parent with the first option should provide notice to the other parent of their intent to exercise an exclusive period of time-sharing no fewer than thirty (30) days before school lets out for the summer break. The other parent should provide notice of their intent to exercise exclusive time-sharing no fewer than fourteen (14) days before school lets out for the break. If the parent with the first option does not provide timely notice, then the other parent may exercise their option within the thirty (30) day period before school lets out.
  4. The mother should not be entitled to exercise her option for exclusive time-sharing during the time specified for the

Father for Father's Day.

xiii. Additional Holiday's/Academic Breaks: All other holidays and academic breaks should follow the regular time-sharing schedule.

c. According to this time sharing schedule, the Mother should have \_\_\_\_ # of overnights, and the Father should have \_\_\_\_ # of overnights. (Both numbers should add up to 365.)

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

( ) Exchanges should be at the Child's school during the week, and at the Mother's and Father's homes unless both parents agree to a different place.

OR

( ) Exchanges should be at the Child's school during the week, and at \_\_\_\_\_ unless both parents agree to a different place.

8. FIRST RIGHT OF REFUSAL: In the event either parent requires a third person to care for the child during that parent's time-sharing for a period of more than four (4) hours, that parent should offer the first option to care for the child to the other parent.

9. EXTRACURRICULAR ACTIVITIES:

a. The parents should mutually agree to all extracurricular activities before the child is enrolled in any activity that should impact the other parents' time-sharing with the child. For any such mutually agreed upon extracurricular activities, the parents should equally share in the cost of same, including registration, uniform, and/or necessary equipment costs. Neither parent should unreasonably withhold their consent. The parents

who has the child should transport them to and/or from all mutually agreed upon activities unless otherwise agreed upon by the parties. The parents should provide all necessary uniforms and equipment in their possession necessary from the activity

- b. Either parent may register the child and allow them to participate in activities of their choosing during that parent's time-sharing. If not mutually agreed upon, the parent enrolling the child should be solely responsible for the cost of same.

10. TRANSPOTATION ARRANGEMENTS AND EXPENSES:

- a. Both parents should be equally responsible for their own transportation expenses, unless otherwise agreed upon by the parties.

11. FOREIGN AND OUT-OF-STATE TRAVEL: Either parent may travel within the United States with the minor child during his/her time-sharing. If either parent plans to remove the child out of the state for more than three (3) days, the parent traveling with the child should give the other parent at least sixty (60) days written notice before traveling out of the state unless there is an emergency, and should provide the other parent with a detailed itinerary, including locations and telephone numbers where the child and parent can be reached at least ten (10) days before traveling.

Either may travel out of the Country with the minor child during his/her time-sharing. The parent traveling with the child should give the other parent at least ninety (90) days written notice and provide a detailed itinerary, including locations and telephone numbers where the child and parent may be reached during the trip.

Each party should have reasonable telephone contact with the child during the other parent's travel, if possible.

## 12. COMMUNICATION:

- a. Between Parents: All communications regarding the child should be between the parents. The parents should not use the child as a messenger to convey information, ask questions, or set up schedule changes. The parties may communicate through letters, in person, by telephone, through email, via text message and/or Facebook emails
- b. Between Parent and Child: Both parents should keep contact information current. Telephone or other electronic communication between the child and the other parent should not be monitored by or interrupted by the other parent. At no time should either parent be placed on speakerphone without their consent during conversations with the child. "Electronic Communication" includes telephones, e-mail, skype, 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 may have contact with the other parent every day during the hours of 5:00 pm to 8:00 pm and voicemails to or from the minor child are to be returned within one (1) hour of the receiving parent becoming aware that a message has been left. The parent not exercising time-sharing with the child should have the right to contact the child by telephone at least one (1) time per day for a brief conversation not to exceed fifteen (15) minutes. The child should be allowed to talk with the other parent in private. If the parent that the child is with does not answer the telephone or is not at home and a message is left on an answering machine, then that parent should cause the child to return the call to the non-custodial parent when the child returns. The child should be allowed to call and speak in private with the non-custodial parent at all reasonable

times that they desire to talk with that parent. The fifteen (15) minute time limitation set forth above should not apply to telephone calls initiated by the child.

13. COSTS OF ELECTRONIC COMMUNICATION: Each parent should be responsible for their own separate communication costs. Each parent should be required to have a form of electronic or telephonic communication to contact the child and/or the other parent.

14. OTHER PROVISIONS REGARDING THE CHILD:

- a. Neither parent should at any time discuss the litigation or any of its problems with the child.
- b. Neither parent should in any way impede, obstruct, or interfere with the exercise by the other of his or her right of companionship with the minor child or by use of third parties. A parent should not ignore or fail to respond when the child mentions the other parent, as this portrays a negative attitude and discourages mention of the other parent. Each parent should respond with positive statements and positive non-verbal communication, even if it is believed that the other parent does not deserve them.
- c. Neither parent should directly, or by use of third parties, interrogate or question the child about the activities of the other parent. Neither parent should use the child to send messages to the other. Each parent should affirmatively foster love and respect for the other parent in all dealings with the child.
- d. Neither parent should argue or participate in altercations or adversarial behavior in the presence of the child at any time. Their relationship in front of the child should be businesslike, courteous, and non-adversarial. Each parent should demonstrate respect for the other parent, even if he or

she does not believe that the other deserves it.

- e. The parents may not encourage the child to call a new spouse or companion “Father”, “Dad”, “Mother”, “Mom” or similar names, as such is detrimental to the relationship between the parents and may confuse and adversely affect the child. A substitute name such as “Step-dad,” etc. should be suggested and encouraged. A new spouse or companion should not confront or attempt to interfere with the other parent’s contacts or visitation with the child and each parent is expected to prevent any such confrontation or interferences. The parents are expected to converse directly with each other concerning ALL MATTERS in a businesslike, courteous and non-adversarial way. The child should not be allowed to use the last name of a new spouse or companion at school or otherwise without written consent of the other parent or court order.
- f. Each parent should immediately deliver to the child all letters, cards, correspondence, gifts, toys and other items sent to the child from the other parent. Neither parent should without, return, destroy, give away, sell or otherwise dispose of any such items, nor permit the child to do so, but should deliver them to the child.
- g. Each parent should notify the other by telephone or other direct communication of any serious accident, illness, or other emergency occurrence which affects the child as quickly as possible; and in no case more than two (2) hours after the custodial parent becomes aware of it. The non-custodial parent should have the right to be fully informed of all aspects of the matter, should have an equal right to visit or to be with the child, and should have an equal right to receive all information from doctors, health care providers, and hospitals pertaining to the child.
- h. Both parents should be entitled to participate in and attend special

activities in which the minor child is engaged, such as school programs and graduation, recitals, sports and other extracurricular activities and programs. The parent initially receiving the information should advise the other parent of the details of the activity within twenty-four (24) hours after receipt of same. In addition, each parent should provide the other parent detailed information within that parent's knowledge of any activities of the child and a complete copy of all doctor or health care provider reports, school report cards and notices or any other information concerning the child, including notice of disciplinary or other problems.

- i. Each parent should authorize, in writing if necessary, schools, health care providers, and other persons and /or entities having records relating to the minor child to furnish the other parent complete and detailed information upon request unless a court order is entered restricting access to such information. The information should be promptly furnished to the other parent within twenty-four (24) hours of the receipt of the information, and this should be a continuing duty on the part of each parent.
- j. Both parents have full rights to access all information regarding the child and if any information is withheld by a school, health care provider, doctor, or other person, the other parent should affirmatively take whatever action is necessary to allow those persons to provide the information directly to the other parent. Both parents have equal rights to participation in all contact with teachers or school administrators. If any opportunity for conferences or other interaction is given, the parent receiving the information should notify the other immediately so that they may participate. Both parents can communicate with teachers, doctors, or any other persons dealing with the child by telephone, email or otherwise.
- k. Both parents agree that the minor child should sleep in his own bed.

15. CHILD SUPPORT:

( ) Child support should be calculated pursuant to the State of Florida Child Support Guidelines.

OR

( ) The Father's net income is \$\_\_\_\_\_ per month; the Mother's net income is \_\_\_\_\_ per month; based on the time sharing indicated above, the Father should have \_\_\_\_\_ overnights per year and the Mother should have \_\_\_\_\_ overnights per year. Accordingly, the \_\_\_\_\_ should pay \_\_\_\_\_ per month to the \_\_\_\_\_ as child support for the benefit of the minor child. Payments should be made through the Clerk of the Court, Disbursement Unit. The \_\_\_\_\_ should also pay the amount of \$5.25 per month administrative fee.

The child support obligation should continue until that time that the child reaches eighteen (18) years of age, dies or is otherwise emancipated or beyond the age of 18, if the child is between the ages of 18 and 19 and is still in high school, performing in good faith with a reasonable expectation of graduation before the age of 19 years.

16. HEALTH INSURANCE/EXPENSES: The \_\_\_\_\_ should be responsible for obtaining/maintaining medical and dental insurance for the benefit of the minor child so long as it is reasonably available to him/her. In the event the \_\_\_\_\_ does not have medical insurance reasonably available to him/her, he/she may apply for alternate health insurance. The \_\_\_\_\_ should be responsible for the medical and dental insurance premiums and same should be calculated into child support pursuant to Florida child support guidelines. The parties should equally share all uncovered mutually agreed upon expenses incurred on behalf of the minor child, including deductibles, co-pays, prescription costs, orthodontic costs, etc.

The parties should use the following procedure to handle payments due

from or to either of party. Each party should provide the other with an identification card and claim forms for that party's use, and whoever incurs the health care expense should file the claim forms. Each parent should pay his/her share of uncovered expenses within fifteen (15) days after receipt of the billing statement (or receipt, if paid in advance by the submitting parent). The other party may not be held responsible for payment unless given a copy of the bill or receipt. The billing statements and receipts should be provided to the other who owes the duty to pay within fifteen (15) days after the bills are received. The party having insurance coverage should also inform the other party in writing of the amount which should be paid by insurance. Any miscalculations should be adjusted between the parties after the final insurance claim is determined. The responsible party should promptly pay the other party. If the bill was paid in advance by the serving party, the responsible party should directly reimburse the paying party.

Medical/Dental or any other Healthcare related appointments may be made by either parent. Any sick days for the child should be the responsibility of the parent who has the child in their custody.

17. TAX DEPENDENCY:

( ) The parties should rotate the tax dependency exemptions for the minor child every year. The \_\_\_\_\_ should claim the minor child in even number years and the \_\_\_\_\_ should claim the minor child in odd number years.

OR

( ) The \_\_\_\_\_ should claim the minor child for the tax dependency exemptions for the minor child every year. The child support stated above is calculated bas on the \_\_\_\_\_ claiming the child as dependent for income tax purposes.

18. DESIGNATION FOR OTHER LEGAL PUPOSE: For all legal purposes wherein

the minor child should need a legal residential address, that address should be the address of the \_\_\_\_\_. This designation is SOLELY for purposes of all other state and federal laws which require such a designation. This designation does not affect either parent's rights and responsibilities under this Parenting Plan.

19. CHANGES OR MODIFICATION OF THE PARENTING PLAN: This Parenting Plan may be modified or varied when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further Order of the Court. Any substantial change to the Parenting Plan must be by written agreement of the parties or sought through the filing of a Supplemental Petition for Modification or by Stipulation of the Parties.

20. DISPUTES OR CONFLICT RESOLUTION: Parents should attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parents should not be required to submit a dispute to mediation before filing a Court action.

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SIGNATURE OF PARENT

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.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, who produced \_\_\_\_\_ as identification and who did take an oath.

\_\_\_\_\_  
Notary Public, State of Florida