**11TH JUDICIAL CIRCUIT COURT**

**STANDARD PARENTING TIME GUIDELINES**

**(2019 UPDATED VERSION. THIS VERSION SHALL CONTROL**

**JUDGMENTS ENTERED AFTER JANUARY 1, 2019. IF YOUR**

**JUDGMENT CONTAINS DIFFERENT LANGUAGE THE LANGUAGE**

**IN YOUR JUDGMENT WILL CONTINUE TO CONTROL UNLESS**

**SPECIFICALLY CHANGED BY COURT ORDER.)**

**DEFINITIONS**

**REASONABLE PARENTING TIME:** If your judgment contains the statement “reasonable parenting time” that means any parenting time upon which the parents can agree. The Friend of the Court will not be able to enforce parenting time because the order does not contain a specific schedule. If either parent wishes to have a specific schedule that parent must petition the Court.

**WEEKENDS AND WEEKDAY EVENINGS:** If your judgment contains the language “weekend” or “weekday evenings” these shall be defined as follows: weekends shall start at 6:00 p.m. Friday and end at 6:00 p.m. Sunday. A weekday evening shall start at 5:00 p.m. and end at 8:00 p.m. The Friend of the Court will enforce this parenting time.

**STANDARD PARENTING TIME GUIDELLINES**

The following is the default parenting time for the 11th Judicial Circuit. That is, if your judgment contains language such as “standard parenting time” or “normal parenting time” [note this is different from “reasonable parenting time”] and you live within two hours driving time from each other, one way, this schedule of parenting time will apply. The Friend of the Court will enforce this parenting time. In addition, this schedule is suggested for parents who reside within two hours driving time from each other, one way.

**Alternating Weekends**

The non-custodial parent shall be entitled to parenting time every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday.

**Midweek Parenting Time**

The non-custodial parent shall have parenting time every Wednesday evening from 5:00 p.m. to 8:00 p.m.

**Transportation**

The parent exercising parenting time is responsible to pick up and transport the child at the beginning of parenting time and the other parent is responsible to pick up and transport the child at the end of parenting time. Transportation of the child is a part of the parenting time. Transportation should be generally provided by the parent. However, on occasion, a responsible adult, known to the child, can assist with transportation.

**Late Pickup**

If the parents reside within 50 miles of each other there shall be a 15-minute waiting period. If the parents reside more than 50 miles from each other there shall be a 30-minute waiting period. If the parent whose parenting time it is, without good cause, fails to arrive within the waiting period, the parenting time is forfeited. If it is a weekend it shall be the entire weekend and if it is a holiday it shall be the entire holiday. There will be no makeup and the Friend of the Court will take no enforcement action. The waiting period does not change the parenting time exchange times. A complaint for late pickup will be processed and a party considered late if a party arrives after the pickup time but within the waiting period.

**Advance Notice of an Inability to Exercise Parenting Time**

Parenting time is ordered because it is considered to be in the best interests of the child. It is expected both parents will assure that all scheduled parenting time occurs. The non-custodial parent shall arrange his/her schedule so parenting time will occur. In the event the non-custodial parent is unable to exercise scheduled parenting time, he/she shall give the custodial parent twenty-four (24) hours advance notice.

There are very few instances when the custodial parent can choose not to make the child available for parenting time. If, for example, the child is ill, the Friend of the Court will enforce a parenting time order unless the custodial parent produces a statement from a doctor that the child is too ill to exercise the parenting time. In the rare event the custodial parent cannot make the child available for parenting time he/she shall give the other party twenty-four (24) hours advance notice.

**Standard Parenting Time Offsets**

Children Six Years of Age and Older: Non-custodial Parent 97 Overnights

 Custodial Parent 268 Overnights

Children Younger than Six Years of Age: Non-Custodial Parent 87 Overnights

 Custodial Parent 278 Overnights

**HOLIDAY PARENTING TIME**

The mother shall have parenting time in years ending in even numbers and the father in years ending in odd numbers on the following holidays:

 New Years Day

 Memorial day

 Labor Day

 Thanksgiving

 Christmas Day

The father shall have parenting time in years ending in even numbers and the mother in years ending in odd numbers on the following holidays:

 Easter

 Independence Day [4th of July]

 Halloween

 Christmas Eve

Parenting time begins at 8:00 a.m. and ends at 8:00 p.m. on the holiday, except if the holiday is an “Eve” and except Halloween. If the holiday is an eve it begins at noon and ends at 8:00 a.m. the following morning. If the holiday is Halloween it begins at 5:00 p.m. and ends at 8:00 p.m.

**Christmas Break**

The parties shall divide equally the Christmas break from school. The mother shall have the first half of Christmas Break in years ending in in odd numbers and the father shall have the first half in years ending in even numbers. The parties shall exchange the child at a time as the parties can agree upon. If the parties cannot agree on the time for the Christmas break exchange it shall be at 6:00 p.m.

**Spring Break**

The parties shall alternate spring break from school. The mother shall have parenting time during the Spring Break in years ending in odd numbers and the father shall have parenting time during Spring Break in years ending in even numbers.

Parenting time on Christmas and Spring Break shall begin one hour after school recesses for the vacation and end at 6:00 p.m. the day before school resumes. The dates are determined by the school schedule.

**Father’s Day and Mother’s Day**

The father shall have parenting time on every Father’s Day and the mother parenting time on every Mother’s Day. The parenting time shall begin at 8:00 a.m. on the holiday and shall end at 8:00 p.m.

**Birthdays of the Children**

The mother shall have parenting time on the child’s birthday in years ending in even numbers and the father shall have parenting time in years ending in odd numbers. If there is more than one child, the parenting time shall include all children. The parenting time shall begin at 8:00 a.m. and end at 8:00 p.m., except when the child celebrating the birthday is in school. In that case, the parenting time shall begin one hour after school recesses for the day and end at 8:00 p.m.

**Birthday of the Parents**

The father shall have parenting time on his birthday and the mother her birthday. The parenting time shall begin at 8:00 a.m. and end at 8:00 p.m., except when the child is in school. In that case, the parenting time shall begin one hour after school recesses for the day and end at 8:00 p.m.

**Priority in the case of Conflict**

Specific parenting time provisions shall take precedent over general parenting provisions.

**SUMMER PARENTING TIME**

Prior to the child’s sixth birthday, summer parenting time for the non-custodial parent shall consist of four, nonconsecutive one-week blocks. The one-week blocks will begin at 6:00 p.m. Friday on the non-custodial parent’s weekend and will end at 6:00 p.m. the next Friday when the custodial parent’s weekend begins.

The four one-week blocks for summer parenting time shall be determined by the school schedule for the school district in which the child resides, even if the child is too young to attend school. The four one-week blocks will begin Friday at 6:00 p.m. on the non-custodial parent’s first weekend after school adjourns for the summer in June, the non-custodial parent’s first and third weekends in July, and the non-custodial parent’s first weekend in August, if that is not contiguous to the second week of parenting time in July, and if it is, then the non-custodial parent’s second weekend in August.

After the child’s sixth birthday the summer break shall be divided equally between the parents. The parents may do this by alternating weeks, two-week blocks, or other periods suited to the needs of the parents and the child. No matter how it is exercised Summer Parenting time will end on the Sunday one full week before school reconvenes for the fall. In the event the parties cannot agree on the summer parenting time schedule, the parties shall alternate two week blocks with the non-custodial parent exercising the first block commencing the first Sunday after school adjourns for the summer.

If there is more than one child the parenting time schedule shall be based on the schedule applicable to the eldest child.

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 William W. Carmody

 Chief Circuit Court Judge