

INSTRUCTIONS FOR PROPOSED PARENTING PLAN

State law requires parties to file a parenting plan with all divorces involving minor children filed after August 1, 2009. The law changes some of the terminology with which parties may be familiar. The new terms are identified below:

“Parenting time” is the new term for the time when a child is to be in the care of a parent – formerly known as visitation.

“Residential responsibility” is the new term for custody. Primary residential responsibility means a parent with more than fifty percent of the residential responsibility.

“Parenting Plan” is a written plan required in any proceeding to establish or modify a judgment providing parenting time.

Fill in the names of the parties and include the case number on the top of the form.

- 1-3. Read these items which contain important information regarding your children, decision making, and information sharing and access.
4. Circle the appropriate party for designation of legal residence of the child for school attendance purposes.
5. Complete the appropriate designation of residential responsibility (custody).
6. Clarify Parenting times and parenting schedule (visitation) as clearly as possible.
7. Discuss who will be responsible for transportation and exchange of the children, including timing and locations. It is important that these discussions be ongoing and consider the best interests of the children.
8. Discuss how you will handle adjustments to the parenting time schedule.
9. Discuss which types of third parties you will use to resolve various types of disputes and how the costs of hiring a professional mediator will be shared.
10. If the parties have developed a parenting plan agreement that includes more detail than space allows on this form, additional pages may be attached.

STATE OF NORTH DAKOTA
_____ COUNTY

IN DISTRICT COURT
Case No. _____

_____,
Plaintiff,

vs.

PARENTING PLAN

_____,
Defendant.

Pursuant to NDCC 14-09-30, the Court enters the following plan dealing with parenting time and hereby incorporates the same into the Judgment.

1. Both parents shall not criticize the other in the presence of the child and shall take all reasonable steps necessary to minimize the child's involvement in any future dispute that may arise between them. Neither parenting time nor child support may be withheld because of either parent's failure to comply with this plan. Parties must apply to the court for sanctions related to violations of the plan.
2. Decision making. Each parent is authorized to make routine day-to-day decisions while the children reside with that parent. Major decisions such as education, health care, and spiritual development shall be made jointly.
3. Information Sharing and Access. Both parents shall have access to educational, medical, dental, religious, insurance, and other records. Both parents have the right to attend school conferences. This right does not require any school to hold a separate conference with each parent. Both parents shall allow reasonable access to the child by phone or other means. Each parent shall inform the other as soon as reasonably possible of serious accidents or illness which require health care treatment, providing the time of the accident or illness and the name of the treating health care provider. Parents shall inform each other of address and phone number changes immediately. Parties shall keep each other informed of the name and address of the school the child(ren) attend.
4. Legal residence of the children for school attendance shall be with Mom / Dad.
5. Primary residential responsibility shall be
____ with Mom ____ with Dad ____ shared jointly ____ other _____

6. Parents intend the following guideline to provide ongoing consistent parenting time for the children. Parties recognize that there will be times that the schedule requires adaptation for the best interest of the children. Parties agree to negotiate changes to the schedule in the best interest of the children.

Parenting time, and parenting schedule shall be as follows:

Weekends: ___ alternating ___ Other: _____

Weekdays: ___ One night per week(___) Other: _____

Holidays: _____

Days off from school: _____

Birthdays: _____ alternating the child(ren)'s birthdays

_____ Parties' birthdays ___ Other: _____

Summers: _____

Vacations: _____

Parenting time (visitation) beginning date: _____

7. Transportation and exchange of the children shall be made with the safety of the parties in consideration.

8. Review and adjustments to the parenting plan will be made through discussion by the parties and in the best interests of the children.

9. Disputes arising as a result of this plan shall be resolved by consulting a qualified third party appropriate to the decision. Parties shall share in the cost of these services.

BY THE COURT:

Judge / Judicial Referee of the District Court

Case No. _____