

Read Before Filling Out Exhibit B: Parenting Plan (Form 5)

Divorce can have serious long-term legal and financial consequences. Only a [lawyer](#) who agrees to represent you can tell you about your options based on your circumstances.

This Exhibit B: Parenting Plan (Form 5) is part of the *Filing for Divorce Together – With Children* forms packet. You may use this forms packet if **All** of the following are true:

- You and your spouse are currently in communication with each other.
- You and your spouse agree on **All** issues. (*Both spouses must agree in writing.*)
- The spouse listed as Plaintiff has lived in North Dakota for at least the last 6 months.
- All of the minor children of the marriage have lived in North Dakota with a spouse for at least the past 6 months (*or since birth*);

OR

Within the past 6 months, North Dakota was the home state of all of the children of the marriage and one spouse still lives in North Dakota.

- This is the only legal action in North Dakota, any other state, or tribe between you and your spouse regarding the marriage or your minor children.
- The reason for your divorce is irreconcilable differences (*no-fault by either spouse*).
- If either spouse is currently in the military, they're not deploying or deployed.
- There's **no** domestic violence protection order or disorderly conduct restraining order currently in effect regarding either spouse.

You & Your Spouse **Must** Complete and Sign the Settlement Agreement (Form 3), Exhibit A: Confidential Division of Property & Debt & Values (Form 4), and Exhibit B: Parenting Plan (Form 5).

[Consult a lawyer](#) if you're unsure how to proceed.

The Exhibit B: Parenting Plan (Form 5) must be filled out completely and signed by **Both** spouses. If this form isn't filled out completely and signed by both spouses, it may not be accepted for filing by the clerk of court.

If the form is accepted for filing, but the judge or judicial referee assigned to the divorce determines the form is incomplete, your case may be dismissed without granting a divorce.

Don't include this cover sheet when you file the completed form.

Filing for Divorce Together – With Children

Instructions for Form 5: Exhibit B: Parenting Plan

(Form 5: Exhibit B: Parenting Plan is part of the Filing for Divorce Together – With Children packet of forms. [Review the instructions for the packet of forms](#). You **must complete** the Settlement Agreement, Exhibit A, and Exhibit B **before** completing the Complaint.)

ND Legal Self Help Center Staff and Court employees can't help you fill out forms. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Center forms aren't official court forms. Judges and courts aren't required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include these instruction sheets when you serve or file the completed form.

Fill out Exhibit B (Form 5) ONLY if you and your spouse agree on ALL issues in the Settlement Agreement (Form 3), Exhibit A (Form 4), and Exhibit B (Form 5). If you haven't reached a full agreement on ALL issues, you can't use this packet of forms.

A Parenting Plan is required in every divorce involving residential responsibility (also known as custody) and parenting time (also known as visitation). If you attempt to file this packet of forms without including Exhibit B (Form 5), the Clerk of Court won't accept any of your other completed forms for filing.

The Plaintiff & Defendant Must Work Together to Complete & Sign This Form:

Exhibit B: Parenting Plan (Form 5) tells the judge or judicial referee the full parenting rights and responsibilities agreement of the spouses. North Dakota law requires the parenting plan to include, at minimum, the following 7 provisions:

1. Decision making responsibility for day to day decisions and major decisions such as education, health care and spiritual development.
2. Information sharing and access, including telephone and electronic access.
3. Legal residence of each child for school attendance.
4. Residential responsibility, parenting time, and parenting schedule for holidays, days off from school, birthdays, vacation planning, weekends, weekdays, and summers.
5. Transportation and exchange of the child, considering the safety of the parties.
6. Procedure for review and adjustment of the plan.
7. Methods for resolving disputes.

Best Interests of the Child ([N.D.C.C. Section 14-09-06.2](#))

The judge or judicial referee in your divorce case uses the 13 “Best Interests of the Child” factors to review residential responsibility (custody), parenting time (visitation), and everything else involved in the parenting plan. Best interests look at the child’s needs and who will best meet the child’s needs.

Review the 13 “Best Interests of the Child” factors at [N.D.C.C. Section 14-09-06.2](#) before completing this form. If the judge or judicial referee questions your parenting plan and schedules a hearing, you and your need to be prepared to argue how each factor applies to your parenting plan.

Definitions

Decision making responsibility – the responsibility to make decisions concerning the child. The term may refer to decisions on all issues or on specific issues, but not child support issues.

Parental rights and responsibilities – all the rights and responsibilities a parent has concerning the parent's child.

Parenting plan – a written plan describing each parent's rights and responsibilities.

Parenting schedule – the schedule of when the child is in the care of each parent.

Parenting time – (*also called visitation*) the time when the child is to be in the care of a parent.

Primary residential responsibility – a parent with more than fifty percent of the residential responsibility.

Residential responsibility – (*also called custody*) a parent's responsibility to provide a home for the child.

- Top of the Form (Caption):** Fill in the caption exactly as you filled in the caption on *Form 3: Settlement Agreement*.
- Paragraphs 1 & 2:** If the statements in Paragraphs 1 and 2 aren't true, **Stop!** You can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Paragraph 3:** Fill in the same information as Paragraph 10 of *Form 3: Settlement Agreement*.

Paragraph 4: Put a checkmark in the box indicating the legal residence of the minor child(ren) for school attendance. If you check “Other,” list the name of the person you want to have legal residency of the child(ren).

- **Legal residence** is the place at which a person has been physically present, that the person regards as home, and to where, whenever absent, the person intends to return.

Paragraph 5: Residential Responsibility and Parenting Time

- **Residential responsibility** (also known as custody) is a parent’s responsibility to provide a home for the child.
- **Parenting time** (also known as visitation) is the time when the child is to be in the care of a parent.

a. Residential Responsibility.

Put a checkmark in the box next to **equal residential responsibility** if you and your spouse believe it’s in the best interests of the minor child(ren) for the spouses to share residential responsibility of the child(ren) 50% of the time.

- Explain in detail the schedule you’re proposing the Plaintiff have.
- Explain in detail the schedule you’re proposing the Defendant have.

*Following are some examples of equal residential responsibility stated in Nolo’s Essential Guide to Divorce, by Emily Doskow, June 2016.

Fourteen Overnights:

(Split time between parents and alternate schedule each week as follows:)

Parent A/Week One: Sunday evening to Wednesday morning;

Parent B/Week One: Wednesday afternoon to Sunday evening;

Parent A/Week Two: Sunday evening to Wednesday morning;

Parent B/Week Two: Wednesday afternoon to Sunday evening.

Fourteen Overnights:

(Split midweeks and every other weekend as follows:)

Parent A: Monday evening to Wednesday evening each week, and every other weekend from Friday evening to Monday morning;

Parent B: Wednesday evening to Friday morning each week, and every other weekend from Friday evening to Monday morning.

The examples listed above aren't the only equal residential responsibility options. You may wish to review guidebooks for self-represented litigants and lawyers. Your local public or academic library may have guidebook resources available. Consult a lawyer if you need more assistance.

Put a checkmark in the box next to **Plaintiff having primary residential responsibility** if you and your spouse believe it's in the best interests of the minor child(ren) for the Plaintiff to have primary residential responsibility of the child(ren).

- Put a checkmark in the box next to any or all agreed upon parenting time options. If you have checked "Other," describe the parenting schedule for Defendant, as well as pickup times.

Put a checkmark in the box next to **Defendant having primary residential responsibility** if you and your spouse believe it's in the best interests of the minor child(ren) for the Defendant to have primary residential responsibility of the child(ren).

- Put a checkmark in the box next to any or all agreed upon parenting time options. If you have checked "Other," describe the parenting schedule for Plaintiff, as well as pickup times.

b. Alternate Schedules.

This is your alternate schedule. If you have no alternate schedule, write "*No Alternate Schedule*" on the first line of each section. If you and your spouse agree to an alternate schedule, state in detail the schedule for any or all of the following, including pickup times.

Examples of definitions include (but aren't limited to):

- Summertime – "According to the public school calendar;" "From June 1-August 15;" etc.
- School Release Days – "Days as defined by the public school calendar;" "non-holiday school breaks;" etc.
- Vacation with Parents – "two consecutive weeks in the summer time;" "two non-consecutive weeks at any time;" "to be scheduled during normal parenting time;" "only upon 30 days written notice;" etc.
- **Summer Time.** Fill in the definition of summer time to which you and your spouse agree. If you want an alternative schedule, fill in the agreed upon schedule. Otherwise, write "*No Alternate Schedule.*"

- **School Release Days.** Fill in the definition of school release days to which you and your spouse agree. If you want an alternative schedule, fill in the agreed upon schedule. Otherwise, write *“No Alternate Schedule.”*
- **Summer Time/School Release Days. (Please note** the statement about summer time and school release dates taking precedence over summer activities. If you and your spouse don’t want this, **Stop!** You can’t use this form or the *Filing for Divorce Together – With Children* packet of forms.)
- **Vacation with Parents.** Fill in the schedule to which you and your spouse agree. Otherwise, write *“No Alternate Schedule.”*
- c. Schedule for Holidays and Other Special Days.** Fill in the Holidays and Special Days schedule to which you and your spouse agree with as many specifics as possible. Include when each holiday and special day is scheduled for Plaintiff and Defendant.
 - In the space provided after the Holidays and Special Days schedule, write the beginning times and ending times for the holiday/special day. If you agree the holiday/special day will include the weekend if it falls during a weekend or on a Friday or a Monday, write that here. If there are any other special arrangements with regard to holidays/special days, write them here.
- d. Children’s Activities During Parenting Time.** Fill in details of the agreement of how the spouses will inform each other of the minor child(ren)’s extracurricular activities.
- e. Timeliness.** Fill in the agreement to handle timeliness of visits.
- f. Missing Parenting Time.** Fill in the agreement to handle missed parenting time.
 - Examples include (but aren’t limited to) *“missed parenting time isn’t made up;”* *“missed parenting time is made up the following week;”* *“a missed holiday is or isn’t made up;”* etc.
- g. Notification.** Fill in the agreement for notifying each other in advance of missed parenting time.
 - Examples include (but aren’t limited to) *“24 hours in advance;”* *“by phone;”* *“text;”* etc.
- h. Restrictions on Contact with the Child(ren).** Put a checkmark in the box to which you and your spouse agree.
 - If you put a checkmark in the box restricting a spouse’s contact with the child(ren), fill in the agreement.

- Paragraph 6. Limitations on Residential Responsibility and Parenting Time Modifications.** Read carefully. You don't need to fill out anything. If you and your spouse don't agree with this statement, **Stop!** You can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Paragraph 7. Decision Making Responsibility.** Complete all parts of Paragraph 7 (a through g). The Parenting Plan must include decision making responsibility for routine or day-to-day decisions, and major decisions such as education, health care and spiritual development.
 - a. Emergency Medical Decisions.** Read carefully. You don't need to fill out anything. If you and your spouse don't agree with this statement, **Stop!** You can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
 - b. Day-to-Day Decisions.** Read carefully. You don't need to fill out anything. If you don't agree with this statement, **Stop!** You and your spouse can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
 - c. Daycare/Afterschool Provider.** Put a checkmark in the box next to the option or options to which you and your spouse agree and fill out any blanks associated with the checkmark .
 - d. Education Decisions.** Put a checkmark in the box next to the option to which you and your spouse agree. **Don't** checkmark more than one option.
 - e. Non-Emergency Health Care Decisions.** Put a checkmark in the box next to the option to which you and your spouse agree. **Don't** checkmark more than one option.
 - f. Spiritual Development Decisions.** Put a checkmark in the box next to option to which you and your spouse agree. **Don't** checkmark more than one option.
 - g. Both parents must consent.** Fill out the agreement of what both spouses must agree to before the minor child(ren) is/are permitted to do something.
- Paragraph 8. Information Sharing and Access.**
 - a – i.** Read carefully. If you don't agree to these provisions, **Stop!** You and your spouse can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
 - j.** Fill out the agreement for telephone access to the child(ren). Examples for j, k, and l, include (but aren't limited to) "daily;" "once every 3 days;" etc.
 - k.** Fill out the agreement for electronic access to the child(ren).
 - l.** Fill out the agreement for contact with the child(ren) during long vacations with the child(ren).

- Paragraph 9. Communication Between Parents.** Read carefully. You don't need to fill out anything. If you don't agree with this paragraph, **Stop!** You and your spouse can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Paragraph 10. Children's Clothing and Personal Items.** Put a checkmark in the box next to any option or options to which you and your spouse agree. Put a checkmark in the "Other" box, if needed, and explain other agreements related to clothing and personal items.
- Paragraph 11. Transportation and Exchange Arrangements Considering the Safety of the Child(ren).** The Parenting Plan must include arrangements for transportation and exchange of the minor child(ren). Put a checkmark in the box next to the option or options to which you and your spouse agree. If an option requires additional information, fill in the information. Put a checkmark in the "Other" box, if needed, and explain other agreements related to transportation and exchange arrangements.
- Paragraph 12. Procedure for Review and Adjustment to Parenting Plan.** Read carefully. You don't need to fill out anything. If you and your spouse don't agree with this paragraph, **Stop!** You can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Paragraph 13. Changes to Residence of the Children.** Read carefully. You don't need to fill out anything. If you and your spouse don't agree with this paragraph, **Stop!** You can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Paragraph 14. Dispute Resolution.** Complete all 4 parts of Paragraph 14. The Parenting Plan must include methods for resolving disputes.
 - a.** Put a checkmark in the box next to the option to which you and your spouse agree. If the option requires details, fill in the details. **Don't** checkmark more than one option.
 - b.** Put a checkmark in the box next to the option to which you and your spouse agree. If the option requires details, fill in the details. **Don't** checkmark more than one option.
 - c.** Put a checkmark in the box next to the option, or options, to which you and your spouse agree. If the option requires details, fill in the details.
 - d.** Read carefully. If you don't agree to these provisions, **Stop!** You and your spouse can't use this form or the *Filing for Divorce Together – With Children* packet of forms.

- Paragraph 15. Compliance.** Read carefully. If you don't agree to these provisions, **Stop!** You and your spouse can't use this form or the *Filing for Divorce Together – With Children* packet of forms.
- Plaintiff Completes and Signs Page 14.** The Plaintiff must sign and date in the presence of a Notary Public or a Clerk of Court.
- Defendant Completes and Signs Page 15.** The Defendant must sign and date in the presence of a Notary Public or a Clerk of Court.

Each spouse may sign on separate dates and at separate locations, but **both spouses must sign and date BEFORE filing this completed packet of forms with the court.**

- The form doesn't have to be signed in North Dakota or signed by a North Dakota Notary Public or a North Dakota Clerk of Court.
- If you sign the form in a state other than North Dakota, sign in the presence of a Notary Public or Clerk of Court of that state.

Both Spouses Must Sign Exhibit B (Form 5)!

You can use this packet of forms **Only If** the forms are completed and signed as follows:

- Summons (Form 1)** – signed by Plaintiff and a clerk of court
- Complaint (Form 2)** – signed by Plaintiff
- Settlement Agreement (Form 3)** – signed by Plaintiff & Defendant in presence of notary public or clerk of court
- Exhibit A: Property and Debt Listing (Form 4)** – signed by Plaintiff & Defendant in presence of notary public or clerk of court
- Exhibit B: Parenting Plan (Form 5)** – signed by Plaintiff & Defendant in presence of notary public or clerk of court
- Confidential Information Form (Form 6)** – signed by Plaintiff & Defendant
- Admission of Service (Form 7)** – signed by Defendant
- Affidavit of Proof (Form 8)** – signed by Plaintiff in presence of notary public
- Findings of Fact, Conclusions of Law and Order for Judgment (Proposed) (Form 9)** – unsigned
- Judgment (Proposed) (Form 10)** – unsigned

State of North Dakota

In District Court

County Of _____

_____ Judicial District

_____)
 _____)
 Plaintiff,)
 vs.)
 _____)
 Defendant.)

Case No. _____

**Exhibit B:
Parenting Plan**

1. Plaintiff and Defendant have reached an agreement resolving the parenting rights and responsibilities in this divorce proceeding.
2. Plaintiff and Defendant's entire agreement resolving the parenting rights and responsibilities is set forth in this Exhibit B: Parenting Plan.
3. The Parenting Plan applies to the following child(ren) in this above-entitled action for divorce:

Initials: Birth Year: Age:

(Choose if applicable) Additional sheets are attached for Paragraph 3.

4. **Legal Residence: The legal residence of the minor children for school attendance shall be (choose one):**

- The Plaintiff's place of residence.
- The Defendant's place of residence.
- Other: _____.

Primary residential responsibility shall be with the Plaintiff. Defendant shall have parenting time in the following Parenting Time Schedule (*select any that apply*):

- Wednesday evenings from 6:00 p.m. to 8:00 p.m.
- Every other weekend from Friday at _____, until Sunday at _____.
- Other: _____

Primary residential responsibility shall be with the Defendant. Plaintiff shall have parenting time in the following Parenting Time Schedule (*select any that apply*):

- Wednesday evenings from 6:00 p.m. to 8:00 p.m.
- Every other weekend from Friday at _____, until Sunday at _____.
- Other: _____

b. Alternate Schedules: The above Parenting Time schedule for Paragraph 5a is the default “normal” schedule **except** as described below. The alternate schedules will be as follows (*if you don’t have an alternate schedule, write “No Alternative Schedule” on the first line of each section*):

Summer Time*: Summer time is defined as: _____

The Summer Time alternate schedule is: _____

School Release Days*: School release days are defined as: _____

The School Release Days alternate schedule is: _____

***Summer Time/School Release Days** with the other parent take precedence over summer activities, such as sports, when Parenting Time cannot be reasonably scheduled around such events.

Vacation with Parents: Each parent shall have vacation with the child(ren) as follows: _____

- c. **Schedule for Holidays and Other Special Days:** The parenting schedule for holidays and other special days applies to the residential responsibility in Paragraph 5a. The parenting schedule for the child(ren) for holidays and other special days is:

	With the Plaintiff <i>(Odd, Even, Every Year, or Regular Parenting Time)</i>	With the Defendant <i>(Odd, Even, Every Year, or Regular Parenting Time)</i>
New Year's Day		
Martin Luther King Day		
President's Day		
Spring Break		
Easter		
Mother's Day		

	With the Plaintiff <i>(Odd, Even, Every Year, or Regular Parenting Time)</i>	With the Defendant <i>(Odd, Even, Every Year, or Regular Parenting Time)</i>
Father's Day		
Independence Day		
Labor Day		
Teacher's Break (Convention)		
Halloween		
Veteran's Day		
Thanksgiving Day		
Winter Break		
Christmas Eve Day		
Christmas Day		
Plaintiff's Birthday		
Defendant's Birthday		
Child's Birthday		

For the purposes of the Holidays and Other Special Days parenting schedule, a holiday includes *(indicate whether the holiday includes the entire weekend and the time of day/night during which holiday parenting time will occur):* _____

d. Child(ren)'s Activities During Parenting Time: In order to promote the development of well-rounded healthy children, both parents will support the extracurricular activities of the child(ren). The parents will work together to ensure the child(ren)'s activities are not planned as to interfere with the relationship of either parent. The parents will inform each other of the child(ren)'s extracurricular activities by:

e. Timeliness: If a parent is more than _____ minutes late to pick up the child(ren) for a visit, that visit will be cancelled, **or:** _____

f. If either parent misses their parenting time for any reason, the parents will deal with the missed parenting time as follows: _____

g. Except in extreme emergencies, each parent must notify the other parent that they will not be able to exercise their scheduled parenting time as follows:

h. Restrictions on Contact with the Child(ren) (choose one):

- There are no restrictions on contact with the child(ren).
- Until further order of the Court, the child(ren)'s time with the
(choose one) Plaintiff / Defendant is subject to the following conditions: _____

6. Limitations On Residential Responsibility And Parenting Time Modifications:

Modifications to residential responsibility and parenting time shall be governed by North Dakota Century Code Section 14-09-06.6 and North Dakota Century Code Chapter 14-14.1, the Uniform Child Custody Jurisdiction and Enforcement Act.

7. Decision Making Responsibility:

- a. Emergency Medical Decisions:** Each parent is authorized to make emergency health care decisions while the child(ren) is/are in that parent's care.
- b. Day-to-day Decisions:** Each parent is authorized to make decisions regarding the day-to-day care and control of the child(ren) while the child(ren) reside with that parent, except as provided in 7c, 7d, 7e, 7f, and 7g below.
- c. Daycare/Afterschool provider (select any that apply; Paragraph 7c continues on next page):**
 - When the parents reside in the same community, they will use the same daycare/afterschool provider.
 - Each parent may decide to utilize the daycare/afterschool provider of their own choosing.
 - The Plaintiff will designate the daycare/afterschool provider.

- The Defendant will designate the daycare/afterschool provider.
- The child(ren)'s daycare/afterschool provider is _____.
- Other: _____.

d. Education Decisions will be made by (*choose one*):

- The Plaintiff
- The Defendant
- The Plaintiff and Defendant jointly

e. Non-Emergency Health Care Decisions will be made by (*choose one*):

- The Plaintiff
- The Defendant
- The Plaintiff and Defendant jointly

f. Spiritual Development Decisions will be made by (*choose one*):

- The Plaintiff
- The Defendant
- The Plaintiff and Defendant jointly

g. Both parents must consent before any minor child will be permitted to _____

8. Information Sharing And Access:

- a.** Both parents shall have access to educational, medical, dental, religious, insurance, and other records. Both parents have the right and shall notify and authorize the daycare, the school, and the children's doctors and other professionals to communicate directly with and outside the presence of the other parent. Each parent shall be listed as the child(ren)'s parent and as an emergency contact with the daycare, the school, and all health professionals unless directed by court order to the contrary.

- b.** Both parents have the right to attend school conferences. This right does not require any school to hold a separate conference with each parent. Each parent shall keep the other parent informed of the name and address of the school the child(ren) attend.
- c.** Each parent must communicate with the other parent with regard to grade reports, extra-curricular activities, and any other notices from the daycare, the school, and related entities regarding the child(ren). Both parents must notify the child(ren)'s daycare and school(s) of the split households and advise to send copies of the child(ren)'s school documents, notices, and related information to each parent.
- d.** Each parent must inform the other as soon as reasonably possible of serious accidents or serious illness which require health care treatment, providing the time of the accident or illness and the name of the treating health care provider. If the child is taking medications, the parents must communicate regarding instructions, dosage, and related information.
- e.** The parent who has medical insurance coverage on the children must supply to the other parent an insurance card and, as applicable, insurance forms and a list of insurer-approved or HMO-qualified health care providers in the area where the other parent is residing.
- f.** Both parents must notify the other parent in writing of any change in residence, telephone numbers, names and addresses of employers, changes in health insurance coverage for the child(ren), and changes in health insurance available through employer which could cover the child(ren).

- g. Communication between parents and children must be liberally permitted at reasonable hours and at the expense of the parent initiating contact.
- h. At all other times, the parent with whom the child is staying shall not refuse to allow contact or take any action in order to deny the other parent contact. Each parent shall facilitate the communication between the child and the other parent.
- i. Both parents shall allow reasonable access to the child by phone or other means.
- j. Telephone access to the child(ren) shall be as follows: _____

- k. Electronic access to the child(ren) shall be as follows: _____

- l. During long vacations the parent with whom the child is on vacation shall make the child available for contact as follows: _____

9. Communication Between Parents: The parents shall communicate only in positive ways.

The parents shall not make and shall not allow others to make derogatory remarks about the other parent in the child(ren)'s presence.

10. Children's Clothing And Personal Items *(select any that apply; Paragraph 10 continues on next page):*

- Each parent must supply the appropriate children's clothing with them for their scheduled time with the other parent.
- Each parent must supply appropriate clothing for the child(ren) to remain at that parent's home during parenting time.
- The clothing is considered the child(ren)'s clothes and must be returned clean, when reasonably possible, with the child(ren) by the other parent.

- The child(ren) must leave personal items at each parent’s home and must not remove those items from that home.
- The child(ren) must take personal items between each parent’s home, and it is the responsibility of each parent to ensure the personal items remain with the child(ren).
- In the cold months of the year, each parent shall ensure that the child(ren) have appropriate winter clothing to wear, regardless of parenting time.
- Other: _____
- Other: _____

11. Transportation And Exchange Arrangements Considering The Safety Of The Child(Ren)

(select any that apply):

- When Plaintiff and Defendant live in the same community, the responsibility of picking up and returning the child(ren) is shared with the *(choose one)* Plaintiff / Defendant picking up the child(ren) and *(choose one)* Plaintiff / Defendant dropping off the child(ren).
- The child(ren) shall be picked up and returned to the front entrance of the appropriate residence.
- The parent dropping off the child(ren) shall not leave the premises until the child(ren) are safely inside.
- Any change in pick up or drop off location will be determined by _____
- The person picking up or dropping off the child(ren) during times of parenting time has an obligation to be punctual, arriving at the agreed time and place, not substantially earlier or later.
- Other: _____
- Other: _____

12. Procedure For Review And Adjustment To Parenting Plan: If the parents want to make permanent changes to the Parenting Plan, those changes shall be reduced to writing and submitted to the Court for approval.

13. Changes To Residence Of The Child(ren):

- a. A parent with primary residential responsibility for a child may not change the primary residence of the child to another state except upon order of the Court or with the written consent of the other parent, if the other parent has been given parenting time by order of the Court.
- b. A parent with equal residential responsibility for a child may not change the residence of the child to another state except with the written consent of the other parent or upon order of the Court allowing the move and awarding that parent primary residential responsibility.
- c. A court order is not required if the other parent:
 - 1) Has not exercised parenting time for a period of one year; or
 - 2) Has moved to another state and is more than 50 miles (80.47 kilometers) from the residence of the parent with primary residential responsibility.

14. Dispute Resolution:

a. In the event Plaintiff and Defendant are unable to resolve their differences with regard to the Parenting Plan, disputes shall be submitted to (*choose one*):

Counseling

Mediation

Other: _____

b. The cost of this dispute resolution process will be allocated between Plaintiff and Defendant as follows (*choose one*):

Plaintiff and Defendant shall each pay one-half.

As determined in the dispute resolution process.

Other: _____

c. A parent will begin the dispute resolution process by notifying the other parent by (*select all that apply*):

Written request

Certified mail

Other: _____

d. In the dispute resolution process with regard to the parenting plan:

1) Preference will be given to carrying out this Parenting Plan.

2) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.

3) A written record will be prepared of any agreement reached in counseling or mediation and of each arbitration award and will be provided to each parent.

4) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court may award attorneys' fees and financial sanctions to the other parent.

15. Compliance: Repeated, unjustified violations of these provisions may subject the offender to court sanctions, or, if continuous and serious, may result in modification of the Parenting Plan. One parent's failure to comply with a provision of the Parenting Plan does not affect the other parent's obligation to comply with the Parenting Plan. Violation of provisions of this plan with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense. Violation of this plan may subject a violator to arrest, fines, imprisonment or sanctions or other remedies available under the law.

Plaintiff's Notarized Signature

I, _____, **Plaintiff**, swear under penalty of perjury that the information in this Exhibit B: Parenting Plan is true and correct, and that I have read, understand, and agree to be bound by this Agreement.

Dated _____.

(Plaintiff's Signature)

(Plaintiff's Printed Name)

(Plaintiff's Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)

STATE OF _____)

COUNTY OF _____)SS

Signed and sworn to before me on _____, by

(Notary Public or Clerk of Court)

If Notary, my commission expires: _____

Defendant's Notarized Signature

I, _____, **Defendant**, swear under penalty of perjury that the information in this Exhibit B: Parenting Plan is true and correct, and that I have read, understand, and agree to be bound by this Agreement.

Dated _____.

(Defendant's Signature)

(Defendant's Printed Name)

(Defendant's Address) (City, State, Zip Code)

(Telephone Number) (Email Address)

STATE OF _____)

COUNTY OF _____)SS

Signed and sworn to before me on _____, by

_____.

(Notary Public or Clerk of Court)

If Notary, my commission expires: _____