

STATE OF VERMONT

SUPERIOR COURT
Unit

FAMILY DIVISION
Case No.

| | | | | |
|------|-----|----|------|-----|
| Name | DOB | V. | Name | DOB |
|------|-----|----|------|-----|

**AGREEMENT ON PARENTAL RIGHTS AND RESPONSIBILITIES,
PARENT CHILD CONTACT and PROVISIONS RELATING TO CHILDREN**

This Parenting Plan is: *(Choose only one)*

- ☐ Agreed upon by the parties.
- ☐ Proposed by: _____.
(Name of Parent)

This Parenting Plan is: *(Choose only one)*

- ☐ Temporary.
We request that the agreed upon provisions be made part of a temporary order and remain in effect until a final order on parental rights and responsibilities and parent child contact is issued by the Court.
- ☐ Final.
All completed paragraphs shall be incorporated into a final order.
- ☐ Modification.
A modification of a prior final order on parental rights and responsibilities and parent child contact. The date of the prior order or plan is _____.

This Parenting Plan is for the following children of the parties:

| Name of Child | Date of Birth | Name of Child | Date of Birth |
|---------------|---------------|---------------|---------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

A relief from abuse order involving the parties and/or these children:

- ☐ Is not in effect.
- ☐ Is in effect.

Starting date for the plan: _____

1. Legal Responsibility

a) Major Decisions:

A parent with legal responsibility for a child has the responsibility to make decisions about various matters affecting a child's welfare including decisions about education, medical and dental care, religion, and travel arrangements. ***Shared legal responsibility can only be ordered by the court if both parents agree.***

Decision making for the children shall be: *(Check only one box)*

- ☐ 1. Shared.

Both parents share in the responsibility for making major decisions.

Unless emergency circumstances exist (see day to day decisions below), the parents will consult with each other and reach a decision that they both agree to before taking action on a major issue. (Note: If you decide to share decision making, you must also agree to a method for resolving disputes in paragraph 10.)

- ☐ 2. Primary.

_____ shall have primary legal responsibility and therefore the right and responsibility to make major decision for the child(ren)

Optional provision for primary decision-making responsibility:

- ☐ The parent with primary legal responsibility shall consult with the other parent before making a major decision. He/she shall advise the other parent in advance of the decision and the options he/she is considering. He/she shall give the other parent a meaningful opportunity to have input regarding the options prior to making a final decision.

- ☐ 3. Divided.

Decision making is divided between the parents.

_____ shall make decisions concerning:

_____ shall make all other decisions.

b) Day to Day Decisions:

- ☐ Each parent shall make day-to-day decisions for the child(ren) during the time he/she is caring for the child(ren). This includes any emergency decisions affecting the health or safety of the child(ren). A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

- ☐ Other: *(explain)*

2. Physical Responsibility

Physical Responsibility is the responsibility to provide the routine daily care of a child. Physical responsibility can be held solely by one parent or may be shared by both parents. If physical responsibility is held primarily by one parent, it is subject to the other parent's right to parent child contact. ***Shared physical responsibility can only be ordered by the court if both parents agree.***

Physical responsibility for the children who are subject to this order shall be: *(Check only one box)*

- ☐ Shared by both parents.

- ☐ Primary.

_____ shall have primary physical responsibility for the child(ren).

3. Parenting Schedule (Parent Child Contact)

a) Routine Schedule:

- ☐ Describe the routine weekly schedule for the child by inserting the initials or name of the parent with who the child(ren) will spend the night. For days on which there is a transition, indicate the time of transition from one household to another.

| | Mon | Tues | Wed | Thurs | Fri | Sat | Sun |
|--------|-----|------|-----|-------|-----|-----|-----|
| Week 1 | | | | | | | |
| Week 2 | | | | | | | |

- ☐ Schedule is based on a plan that is longer than two weeks. An appropriate calendar in similar format is attached

- ☐ Other: *(please describe)*

b) Holiday and Birthday Plan *(Check appropriate box)*

- ☐ No holiday/birthday schedule. Routine schedule applies regardless.
- ☐ Holiday and birthday parenting time shall be as parties agree.
- ☐ Holidays/birthdays that are checked below shall be shared. If a holiday/birthday is not checked, the routine schedule shall apply. For each holiday/birthday, please describe the arrangement and the start and end times *(For example: Thanksgiving: Alternating schedule: Mother even years; Father odd years; starting after school on Wednesday prior to Thanksgiving and ending Friday after Thanksgiving at 6 p.m.)*.

- ☐ Thanksgiving:

Mother's Day:

Father's Day:

Child(ren)'s birthdays:

Plaintiff's birthday:

Defendant's birthday:

July 4th Holiday:

Other religious, civil and family celebrated special occasions *(examples: Christmas, Hanukkah, Kwanzaa, Halloween)*:

c) Three Day Weekends

- ☐ No three-day weekend schedule. Routine schedule or vacation schedule (for summer holidays) applies.
- ☐ The parent exercising parenting time on the weekend before a Monday holiday shall have parenting time on that Monday holiday.
- ☐ Three-day weekends checked below shall be shared or alternated as described. If a three-day weekend is not checked the routine schedule applies.
 - ☐ M. L. King Day _____
 - ☐ Presidents' Day _____
 - ☐ Memorial Day _____
 - ☐ Labor Day _____
 - ☐ Other _____

d) School Vacation Schedule

i) December or Christmas Vacation

- ☐ No December vacation schedule. Routine schedule and/or Christmas holiday schedule applies.
- ☐ Beginning in the year 20____, the December vacation shall be divided between the parents as follows:

The parent who has the child(ren) on Christmas Eve (as indicated in the Holiday schedule above) shall have the following additional parenting time:

The parent who has the child(ren) on Christmas Day (as indicated in the Holiday schedule above) shall have the following additional parenting time:

- ☐ Beginning in the year 20____, the December vacation shall be alternated as follows:
Even numbered years with _____
Odd numbered years with _____
- ☐ The choices above do not fit this parenting situation. Instead, the schedule for the child(ren)'s December vacation shall be

ii) February and April School Vacations

- ☐ No special schedule for mid-year school vacations. Routine schedule applies.
- ☐ Beginning in the year 20____, the parents shall divide the vacations. The children shall be with:
_____ for the February vacation.
_____ for the April vacation.
- ☐ Beginning in the year 20____, the parents shall alternate the vacations:
February vacation: Even numbered years with _____
Odd numbered years with _____
April vacation: Even numbered years with _____
Odd numbered years with _____

- ☐ The choices above do not fit this parenting situation. Instead, the schedule for the child(ren) during any midyear school vacations other than Christmas shall be:

e) Summer Vacation

- ☐ No special schedule for summer vacations. Routine schedule applies.
- ☐ Beginning 20____, the child(ren) shall be with each parent for ____ weeks of uninterrupted vacation time as follows:

- ☐ Beginning 20____, the child(ren)'s schedule during the summer shall be as follows:

4) Transportation and Exchange of Child(ren): *(Check all that apply)*

- ☐ Transportation arrangements person responsible for transporting the child(ren) shall be as follows:

- ☐ Unless both parents agree upon a different meeting place, the exchange of the child(ren) shall be at:

- ☐ Transportation costs shall be shared as follows:

- ☐ Other:

5) Parent Child Telephone Contact:

The child(ren) shall be given privacy during their conversations with either parent. While the child(ren) are with one parent, the other parent shall be permitted to speak by telephone with the child(ren):

- ☐ At reasonable times.

- ☐ At the following times only: _____

- ☐ Other: _____

6) Parent Child Written Communication:

- ☐ Both parents and child(ren) shall have the right to communicate in writing, including by e-mail or phone texting, during reasonable hours without interference or monitoring by the other parent.

- ☐ Written communications are subject to the following restrictions/conditions:

7) Parent to Parent Communication:

- ☐ The parents shall communicate with each other about the child(ren) as follows:

- ☐ Parents are free to communicate by any method or at any time as agreed upon.

8) Information Sharing and Access

Unless there is a Court order stating otherwise:

- a. Both parents shall have equal rights to inspect and receive the child(ren)'s school records. Both parents may consult with school staff concerning the child(ren)'s welfare and education. Both parents may participate in and attend the child(ren)'s school events.

- ☐ The parents agree that they will sign any releases required by a school to allow the other parent to review records and consult with school staff.

- b. Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the children.

- c. Both parents have equal rights to consult with any person who may provide medical, dental or psychological care or treatment for the child(ren)'s, subject to HIPPA and other statutory regulations.

- ☐ The parents agree that they will sign any releases required by a medical provider for the child(ren) to allow the other parent to review records and consult with the provider.

- d. Each parent shall notify the other parent of any change in residential or mailing address and any change in his/her telephone number.

- e. Each parent has a continuing responsibility to notify the other parent of any emergency circumstances or substantial changes or decisions affecting the child(ren), including the child(ren)'s medical needs, as close in time to the emergency circumstances as possible.

9) Plans to Relocate a Parent's Residence:

- ☐ If either parent plans to relocate to a residence that will impact the child(ren)'s school enrollment or increase the distance between the parents' homes by more than _____ miles, the parent who relocates shall provide the other parent with reasonable advance written notice.

In addition, the following provisions shall apply:

10) Procedure for Review and Adjustment of Parenting Plan: *(Choose only one)*

- ☐ The parents shall meet to review the parenting plan and make any changes that are appropriate as follows *(fill in appropriate month)*:

☐ Twice a year in _____ and _____

☐ Once a year in _____

☐ Every two years in _____

☐ Meetings shall not be on a set schedule, but shall be as often as necessary for the benefit of the child(ren).

☐ Other: _____

10) Procedure for Resolving Disputes

- ☐ In the future, if the parents have a disagreement about parenting issues, the parents shall try to work out their disagreement in the best interests of the child(ren). If the parents are unable to work out their disagreement on their own, they will attempt to resolve the dispute through mediation before coming back to Court.
- ☐ The parties agree to use the following procedure to resolve disputes instead of mediation:

11) Other Parental Responsibilities

- a) Each parent shall promote a healthy beneficial relationship between the child(ren) and the other parent and shall not speak negatively about the other parent in any manner that would damage the relationship between the other parent and the child or permit anyone- else to do so in the presence of the child(ren).
- b) Neither parent will abuse alcohol or drugs when the child(ren) are with them or permit anyone else to do so.
- c) The parents also agree to the following: *(Check all that apply)*
 - ☐ A parent requesting a temporary change to the parenting schedule shall act in good faith and ask the other parent about such change as soon as possible. The parents are expected to fairly adjust parenting schedules when family situations, illnesses, or other commitments make modification reasonable.
 - ☐ Each parent shall supply the appropriate child(ren)'s clothing for their scheduled time with the other parent. These clothes shall be considered the child(ren)'s clothes and shall be returned with the child(ren).
 - ☐ Each parent shall be responsible for ensuring that the child(ren) attend regularly scheduled activities, including but not limited to extra-curricular activities, while the child(ren) are with that parent.
 - ☐ Other:

12) Other Parenting Agreements

Other agreements related to the children are described below or are set forth in the attached pages number _____ through _____

We, the undersigned, agree that the provisions set forth above may be incorporated into a parental rights and responsibilities order of this Court.

Approved as to Form

| | | |
|-------------------------------|--------------------|---------------|
| _____ Plaintiff's Attorney | _____ Plaintiff | _____ Date |
| _____ Defendant's Attorney | _____ Defendant | _____ Date |
| | _____ GAL | _____ Date |

A PERSON WHO FAILS TO COMPLY WITH ALL TERMS OF THE CURRENT ORDER GOVERNING PARENT CHILD CONTACT MAY BE SUBJECT TO CONTEMPT OF COURT CHARGES. THE COURT MAY IMPOSE ADDITIONAL REMEDIES INCLUDING A MODIFICATION OF THE CURRENT PARENT CHILD CONTACT ORDER IF FOUND TO BE IN THE BEST INTERESTS OF THE CHILD.

Dated _____

Superior Court Judge