

Parenting Plan Checklist with Sample Clauses

1. **Statement of the form of legal custody and physical custody.** (note statutory definitions of the different types of custody). Procedures for decision making consistent with the legal custodian making major decisions. Preferred legal and physical custody language:

Example of Joint Legal Custody:

The parents agree to joint legal custody (decision making). Joint Legal Custody of the child/ren requires that they exercise mutual authority and responsibility of making fundamental decisions regarding each child's welfare and mutually participate in the responsibility of providing the parenting functions necessary for raising each child.

Example of Sole Legal Custody:

_____ shall have legal custody of the child/ren and shall maintain the legal responsibility and authority to make final fundamental decisions concerning each child's welfare and parenting functions necessary for raising the child.

Example of Physical Custody (primary residence):

The principal residence of the child/ren shall be with _____ subject to _____'s parenting time provisions set out in this plan.

2. **Specific pick up and return times for regular weekday and weekend parenting time** including place for exchange and any limits on communication or contact between parents and transportation duties. (a default structure the parents agree to follow unless they mutually decide otherwise).

Example of weekends:

_____ shall have parenting time with the child/ren starting at _____ (Add day and time) and ending at _____ (Add day and time). _____ will transport the child/ren and the place for exchange will be _____.

Example of weekdays:

_____ shall have parenting time with the child/ren starting at _____ (Add day and time) and ending at _____ (Add day and time). _____ will transport the child/ren and the place for exchange will be _____.

3. **Specific pick up and return times and definition of the time frames for holidays** so the parents know what constitutes the time structure for each holiday including place for exchange and any limits on communication or contact between the parents and transportation duties.

Note: Holidays to be included are: Memorial Day; Independence Day; Labor Day; Halloween; Thanksgiving; Christmas Eve; Christmas Day or Hanukkah; New Year's Eve; New Year's Day; Passover and Easter; Mother's Day; Father's Day; and Birthdays (Mother's birthday; Father's birthday; Child/ren's birthday).

Example of holiday time:

_____ (*Enter holiday*): The holiday begins _____
(*Add day and time*) and ends at _____ (*Add day and time*).
_____ will spend time in odd numbered years. _____ will
spend time in even numbered years. The parent commencing parenting
time shall pickup the child/ren.

4. **Specific amounts of vacation time for both parents.** Provisions for the amount of notice to be given for intended vacation dates, emergency phone numbers where the vacationing parent may be reached, and frequency of phone calls to the non-vacationing parent by the child/ren.

Note: Vacation time supersedes regular parenting time; it does not supersede holiday time.

Example of Vacation time with the child/ren:

Each parent shall have _____ days uninterrupted parenting time.
Each parent shall inform the other _____ (*Number of days*).
Vacation time shall not infringe upon the other parent's holiday
parenting time dates. Vacation time may not be tacked onto weekend or
holiday parenting time without prior consent of the other parent.
When vacation time includes leaving Nebraska for out of state travel,
telephone and address information shall be provided to the other
parent.

5. **Medical and school records access and notification:** Provisions for the name of each parent to appear on all medical and school records and that each parent shall have access to all records without assistance from the other parent. Both parents may initiate emergency medical or dental treatment for the children, and both shall notify the other of any significant illness, injury or emergency treatment of a child. Each parent is responsible for notifying the school that s/he wishes to be included on the mailing list of conferences and events, as well as receiving copies of report cards, progress reports, and all other pertinent information.

Preferred provision language:

All school, medical, dental, counseling, and other records will be reasonably available and accessible to both the Mother and the Father. The names of both parents shall appear on all medical and school records. Each parent is responsible for notifying the school that he or she is to be included on mailing lists and be notified of conferences and events, provided report cards, progress notes and other pertinent information.
Either Mother or Father may authorize emergency medical procedures in situations affecting the immediate health of the child.

6. **Provisions for safety and transition plan** when a preponderance of evidence establishes child abuse or neglect, domestic intimate partner abuse, unresolved parental conflict, or criminal activity which is directly harmful to a child.

Note: Provisions for safety and a transition plan are needed when a case is determined to be Specialized Alternative Dispute Resolution, by the presence of a protection order, history – unreported or reported –

of domestic violence, child abuse, domestic intimate partner abuse, unresolved parental conflict, or criminal activity which is directly harmful to a child.

7. **Provisions requiring regular and continuous school attendance** and progress for school-age children.

Preferred provision language:

Mother and Father acknowledge the statutory responsibility to provide the child/ren with regular and continuous school attendance and progress and will each assist the child/ren to the maximum extent possible to assure a quality education. Each parent will provide the other parent with information related to educational achievements and deficiencies of the child/ren. Mother and Father will provide each other reasonable advance notice of any events, occurrences or decisions relevant to the child/ren's education, to include without limitation: content of curricula or curricula changes, changes of school, testing related to post-high school education, and events related to the decision or selection of college education.

8. **A provision may encourage mutual discussion of major decisions** only when safe and appropriate for the child's best interest and one parent may not plan or schedule activities for a child during the parenting time of the other parent without consent of the other parent. Preferred provision language:

Example of Activities:

One parent may not plan or schedule activities during the parenting time of the other parent, without reasonable notice and consent of the other parent.

Example of Decision Making:

The parents *shall (if joint legal)* discuss matters concerning the child/ren, such as health and medical, school related problems and decisions, and any behavioral or disciplinary issues which could impact both households, etc. Mutual discussions of major decisions may be encouraged only when safe and appropriate for the children's best interest.

Note: If the parents do not agree to joint legal custody they *may* discuss matters concerning the child/ren, such as health and medical, school related problems and decisions, and any behavioral or disciplinary issues which could impact both households, etc. It is up to the parents' discretion, if in a safe manner, these issues may be discussed.

9. **Remediation provision** for further conflicts on parenting functions and future modifications of the plan.

Preferred remediation provision language:

To resolve future changes or conflicts regarding parenting functions, parenting time or this plan, the parents shall first seek solutions through mutual agreement by identifying the issues, providing an opportunity for exchange of information, and providing an opportunity for the consideration of proposed solutions to the issues in a way which minimizes the exposure of each child to parental conflict. The

parents shall attempt to minimize repeated litigation and utilize judicial intervention as a last resort by use of the mediation process outlined in the Nebraska Parenting Act, prior to resorting to the court system.

10. **When a parent moves**, the new address shall be provided to the other parent prior to the move.

Note: A parent may not move a child from Nebraska without court permission.

Preferred provision language:

The parents will keep each other informed at all times of current addresses and phone numbers. When a parent moves, the new address shall be provided to the other parent prior to the move.

A parent may not move a child from Nebraska without court permission.