

EXHIBIT A

RULE 19
STANDARD PARENTING ORDER
ASHTABULA COUNTY, OHIO

- A.** The following standard parenting guidelines will be applied in all cases unless otherwise ordered:
1. Presumptions:
 - a. Shared parenting is in the best interests of the child(ren);
 - b. Equal division of the available parenting time is in the best interests of the child(ren);
 - c. Whenever possible, it is in the best interests of the child(ren) that they are in the care and supervision of a parent, rather than third persons.
 2. The presumptions are rebuttable and may be rebutted by competent credible evidence, such as, without limitation, evidence of domestic violence, abuse, neglect, and/or one or more criminal convictions.
 3. This rule does not create a presumption of a deviation in child support. It is for parenting time purposes only and child support shall be considered on a case by case basis.
- B.** In the absence of an agreement by the parties, the court has wide discretion in determining what parenting schedule is reasonable and in the best interests of the child(ren), and each judge may develop a uniform fixed schedule of parenting time.
1. In the event the parties cannot agree upon a parenting schedule, they shall participate in mediation.
 2. If the parties cannot develop their own parenting schedule through mediation, both parties shall provide the court with verification of their work schedules and available parenting times. The court will then assign parenting time, based upon the presumptions.
 3. Primary residential parent refers to the parent from whose home the child(ren) attends/will attend school. Unless otherwise noted, this is the parent designated the Residential Parent for School Purposes.
 4. Secondary residential parent refers to the other parent.

- C. Unless the court finds that parenting time should be restricted, the minimum time afforded to the secondary residential parent shall be as follows:

Parenting between the child(ren) and the secondary residential parent may take place at such times as the parties may agree, but shall not be less than:

1. Infants: Birth – Age 2

- (A) From Birth – Age 1, the secondary residential parent shall spend time with the child(ren) as follows: every Tuesday and Thursday from 5:30 P.M. to 8:30 P.M., and alternating weekends, from Saturday at 10:00 A.M. to Sunday at 6:00 P.M.
- (B) From Age 1 – Age 2, the secondary residential parent shall spend time with the child(ren) as follows: every Tuesday and Thursday from 5:30 P.M. to 8:30 P.M., and on alternating weekends, from Friday at 6:00 P.M. to Sunday at 6:00 P.M.
- (C) **Holidays:** In even-numbered years, Mother shall spend time with the child(ren) from 6:00 P.M. the day before Memorial Day until 8:00 P.M. on Memorial Day, 9:00 A.M. on July 4th until 9:00 A.M. on July 5th, Mother’s Local Trick-or-Treating (plus an hour on either side of the trick-or-treat schedule), and 8:00 P.M. Christmas Eve until 9:00 A.M. on December 26th and Father shall spend time with the child(ren) from 9:00 A.M. to 6:00 P.M. on Easter, 6:00 P.M. the day before Labor Day until 8:00 P.M. on Labor Day, Father’s Local Trick-or-Treating (plus an hour on either side of the trick-or-treat schedule) if it does not interfere with Mother’s Local Trick-or-Treating, 6:00 P.M. the day before Thanksgiving Day until 6:00 P.M. on Thanksgiving Day, 6:00 P.M. on December 23rd until Christmas Eve at 8:00 P.M. and New Year’s Eve at 6:00 P.M. until 6:00 P.M. on New Year’s Day.

In odd-numbered years, Father shall spend time with the child(ren) from 6:00 P.M. the day before Memorial Day until 8:00 P.M. on Memorial Day, 9:00 A.M. on July 4th until 9:00 A.M. on July 5th, Father’s Local Trick-or-Treating (plus an hour on either side of the trick-or-treat schedule), and 8:00 P.M. Christmas Eve until 9:00 A.M. on December 26th and Mother shall spend time with the child(ren) from 9:00 A.M. to 6:00 P.M. on Easter, 6:00 P.M. the day before Labor Day until 8:00 P.M. on Labor Day, Mother’s Local Trick-or-Treating (plus an hour on either side of the trick-or-treat schedule) if it does not interfere with Father’s Local Trick-or-Treating, 6:00 P.M. the day before Thanksgiving Day until 6:00 P.M. on Thanksgiving Day, 6:00 P.M. on December 23rd until Christmas Eve at 8:00 P.M. and New Year’s Eve at 6:00 P.M. until 6:00 P.M. on New Year’s Day.

- (D) **Older Siblings:** If there are older brothers and sisters of an infant child, the parenting time, including holidays, set forth below for children ages two years through 12 years shall govern infant visitation, once the infant is two months old.

2. Child(ren): Ages 2 -13

A. The parents shall exercise a “2-2-5-5” schedule, with Mother’s parenting time beginning on Mondays at 9:00 A.M. Here is an example of the 2-2-5-5 schedule:

Sun	Mon	Tue	Wed	Thu	Fri	Sat
DAD	MOM	MOM	DAD	DAD	MOM	MOM
MOM	MOM	MOM	DAD	DAD	DAD	DAD
DAD	MOM	MOM	DAD	DAD	MOM	MOM
MOM	MOM	MOM	DAD	DAD	DAD	DAD

B. Holidays and days of special meaning shall take precedence over the “2-2-5-5” schedule.

(1) Holiday Parenting Time:

<u>Holiday</u>	<u>Even-Numbered Years</u>	<u>Odd-Numbered Years</u>	<u>Time Period</u>
Easter	Father	Mother	6:00 P.M. the day before until 6:00 P.M. on Easter
Memorial Day	Mother	Father	6:00 P.M. the day before until 8:00 P.M. Memorial Day
July 4 th	Mother	Father	July 3rd at 6:00 P.M. until July 5 th at 9:00 A.M.
Labor Day	Father	Mother	6:00 P.M. the day before until 8:00 P.M. Labor Day
Trick-or-Treat	Mother-Priority	Father-Priority	Local Trick-or-Treat hours + 1 hour before & after
Thanksgiving	Father	Mother	Wednesday after school until 6:00 P.M. Thanksgiving*
Christmas Eve	Father	Mother	6:00 P.M. on 12/23 until 9:00 P.M. on 12/24
Christmas Day	Mother	Father	9:00 P.M. on 12/24 until 9:00 A.M. on 12/26
New Year’s Eve/Day	Father	Mother	6:00 P.M. on 12/31 until 6:00 P.M. on 1/1

*Unless the weekend following is that parent’s regularly-scheduled weekend, in which case the parenting time shall continue through that parent’s regularly-scheduled weekend.

- (2) **Spring Break:** In even-numbered years, Mother shall have parenting time during Spring Break, and in odd-numbered years Father shall have parenting time during Spring Break.
- (3) **Winter Break:** Winter Break shall be divided equally between the parents. In even-numbered years, Father shall have parenting time with the child(ren) during the first half, and the Mother shall have parenting time with the child(ren) during the second half of Winter Break. In odd-numbered years, Mother shall have parenting time with the child(ren) during the first half and the Father shall have parenting time during the second half of Winter Break. Winter Break begins at 6:00 P.M. on the last day of school and ends at the drop-off of the child(ren) at school after the last day of Winter Break. Christmas Eve, Christmas Day, New Year's Eve and New Year's Day shall not be included in calculating the equal number of days to which each parent is entitled.
- (4) **Days of Special Meaning:** Father's Day shall be spent with Father; Mother's Day shall be spent with Mother. Parenting time shall be from 6:00 P.M. the day before until 6:00 P.M. on the day of Mother's Day or Father's Day, or as otherwise agreed.

The child's birthday shall be spent with the Mother in even-numbered years and the Father in odd-numbered years. Parenting time shall be from 10:00 A.M. to 8:00 P.M., or as otherwise agreed. Siblings shall be permitted to participate if the exercising parent desires.

- (5) **Extended Summer Parenting Time, Summer Vacations, and Travel:** Each parent shall have half of the child(ren)'s summer vacation. Parenting time shall occur on a one week on, one week off basis, beginning at 6:00 P.M. on Sunday and extending until the following Sunday at 6:00 P.M. Parenting time with the secondary residential parent shall begin on the first full week following the last day of school. Parenting time with the primary parent shall end the last full week of summer. The "2-2-5-5" schedule can be used in place of the week on/week off schedule if the parties prefer.

Each parent is entitled to a two week period of uninterrupted parenting time with the minor child(ren) each summer. In even-numbered years, Mother shall have the first choice and shall choose her two week uninterrupted parenting time by advising Father of that time period on or before May 1st of that year. In odd-numbered years, Father shall have the first choice and shall choose his two week uninterrupted parenting time by advising Mother of that time period on or before May 1st of that year. Neither parent shall have more than a two week, or fourteen day, period of uninterrupted parenting time during the summer without the consent of the other parent.

For any vacation or holiday travel, each parent must provide the other parent with information about the destination, times of arrival and departure, and methods of travel. If there are children in different age brackets, the provisions for the oldest age bracket shall apply to all children, except that there shall be no extended parenting time or vacation time for a child under two months of age.

If summer school is necessary for a child to pass to the next grade, the child is required to attend summer school classes. Parents may schedule summer extended parenting time during a mandatory summer school period, but the child must attend all classes.

3. **Teenagers: Ages 13 – 18**

The schedule above is used with the following considerations:

- (A) Parents are urged to understand a child's normal social development during these sensitive years, when the teenager normally spends less time with either parent.
- (B) In exercising parenting time with a teenager, parents shall make reasonable efforts to accommodate a teenager's participation in the teenager's academic, athletic, extracurricular, and social activities.

D. **Rules Regarding Parenting Time**

- (1) **Conflicting Schedules:** In the event of any conflict between parenting time schedules, the following is the order of priority:

- Holidays and Days of Special Meaning;
- Vacation periods or extended parenting times; and,
- Weekends and mid-week days.

For example, one parent may not schedule his or her summer vacation to include July 4th if July 4th is the other parent's holiday that year. As another example, the primary residential parent may be entitled to have the child(ren) on the Easter holiday even though it falls on the secondary residential parent's alternating weekend. In this case, the secondary residential parent's weekend shall conclude at 6:00 P.M. on the day before Easter (ages 2-18).

- (2) **Illness:** It is expected that the parents will follow the parenting time schedule despite any illness of the child(ren), unless both parents agree that this would not be advisable due to the child(ren)'s condition or contagiousness.

Both parents should use common sense as to a sick child and be sensitive to the child's needs. In the event that a child is ill, medications and instructions for special care shall travel with the child. Each parent should notify the other, as soon as reasonably possible,

of any diagnosis, injury or treatment, as well as the name, address and phone number of all treatment facilities and medical professionals involved.

Any weekend parenting time that is missed due to the illness of a child shall be made up the following weekend or as the parents may mutually agree. The primary residential parent shall promptly notify the secondary residential parent of the child's illness prior to the exercise of parenting time. The Court does not expect parents to abuse the intent of this Rule and interfere with the secondary residential parent's time with the child(ren).

- (3) **Telephone and Mail:** Each parent may have reasonable telephone contact with the child(ren) during the other parent's parenting time, not to exceed once a day between the hours of 9:00 A.M. and 8:00 P.M. If the child(ren) is/are not available, the child(ren) should return the telephone call.

Each parent shall encourage free communication between the child(ren) and the other parent, and shall not do anything to impede or restrict reasonable communication by telephone, mail or e-mail between the child(ren) and the other parent, whether initiated by the child(ren) or the other parent. Parents need to be aware that older children and teens text rather than having telephone conversations. Any mail or e-mail between the child(ren) and either parent shall be strictly confidential and shall not be opened or read by the other parent.

- (4) **Cooperation:** Both parents shall refrain from criticizing the other parent or arguing with the other parent in the presence of the child(ren) or where the child(ren) can overhear.

- (5) **Exchange of Phone Numbers:** Each parent must, unless the Court orders otherwise, keep the other parent informed of his or her current telephone number and a telephone number where the child(ren) may be reached. This includes the parents' cell phone numbers.

- (6) **Grace Period:** The transporting parent for parenting time shall have a grace period of 30 minutes for pick-up and delivery, if the parents live within 30 miles of each other. If the one-way distance to be traveled is more than 30 miles, the grace period shall be one hour. In the event that one parent exceeds the grace period, that period of parenting time is forfeited, unless prior notification and arrangements have been made. This rule does not apply in cases where the one parent lives in excess of 30 miles away and suffers an unavoidable breakdown or delay en route, and the parent promptly notifies the other parent by telephone of the delay.

Repeated violations by either parent shall be cause for granting a modification of the parenting order. Parents are to exercise common sense as to weather conditions, traffic accidents and other unforeseen circumstances.

- (7) **Transportation:** In the event that the parents are unable to reach an agreement regarding transportation, the parent receiving the child(ren) shall arrange transportation.

- (8) **Clothing and Supplies for Child(ren):** Each parent is expected to maintain suitable clothing for the child(ren) during their periods of parenting time.

Each parent shall return all items that are sent with the child(ren) at the end of the parenting time.

- (9) **Child(ren)'s Activities:** A parent shall not unilaterally enroll a child in an activity that infringes on the other parent's parenting time. Written consent is required for enrollment of a child in an activity that encompasses parenting time of both parents. Scheduled periods of parenting time shall not be delayed or denied because a child has other activities (with friends, work, lessons, sports, etc.). Parents need to realize the significance of these activities in their child(ren)'s lives, and flexibility is encouraged. It is the responsibility of the parents to discuss the child(ren)'s extracurricular activities in advance, including times, dates and transportation needs, so that the child(ren) is/are not deprived of activities and maintaining friends. Each parent shall provide the other with copies of any written material (i.e. activity schedules, maps, instructions) that are distributed in connection with the child(ren)'s activities. The parent who has the child(ren) during the time of scheduled activities is responsible for transportation, attendance, or other arrangements. Both parents are encouraged to attend all of their child(ren)'s activities.
- (10) **Right of First Refusal:** In the event a parent needs childcare during a scheduled work day, that parent shall first inquire as to the availability of the other parent.

E. Designations when Parenting Time Schedule in Section C is used.

Because the parenting time schedule set forth in Section C. above provides for equal time between the parents, the Court shall make the following designations when Section C is used.

Designate which of the parent's residences is to serve as the child(ren)'s home for

1. purposes of receiving public assistance and public benefits;
2. Designate which parent is head of household for purposes of claiming the earned income credit. The parties shall adjust the parenting time schedule set forth in Section C to ensure that the designated parent has the child(ren) for at least 183 days each calendar year;
3. Designate which parent may claim the child(ren) for dependency tax exemptions;
4. Designate which parent shall be the custodian of the child(ren)'s important papers such as social security cards, birth certificates, and passports;
5. Designate which of the parent's residences is to serve as the child(ren)'s home for school purposes. The Residential parent for school purposes shall not change the school placement of the child(ren) without written agreement of the other parent or a court order.

F. Deviation from Existing Parenting Time Schedule Order.

Parents are encouraged to allow for flexibility to meet the changing needs of the child(ren) and the employment schedules of the parents. The parents shall follow the parenting time schedule set forth in a temporary or final order, unless there is a clear, mutual understanding between parents to deviate. Any such deviation shall be in writing to document the parents' mutual understanding.