

SLR 8.055 - NOTICE OF READINESS FOR DECISION

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE 22ND JUDICIAL DISTRICT CROOK/JEFFERSON COUNTIES

In the Matter of the Marriage of

Case No. _____

Petitioner,

NOTICE OF READINESS FOR
DECISION

and

Respondent.

The pending motion to show cause for temporary relief is at issue, and the moving party requests the Court decide the motion five (5) judicial days after filing this Notice.

The motion should be decided on the following documents:

1. Motion and Order to Show Cause Re: Temporary Spousal and Child Support
2. Affidavit in Support of Motion and Order to Show Cause;
3. Affidavit in Opposition to Motion and Order to Show Cause;
4. Uniform Support Declaration of Petitioner; and
5. Uniform Support Declaration of Respondent.

DATED this _____ day of _____, 20__.

Attorney for Moving Party

Bar No. _____

Appendix 3
SLR 8.075 - PARENTING PLANS

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE 22ND JUDICIAL DISTRICT CROOK/JEFFERSON COUNTIES

STANDARD PARENTING PLAN

It is the policy of this court to encourage the parties to work out their own Parenting Plan, either between themselves or through mediation. The court expects parties to participate in mediation with good faith. In the end, the only principle that should determine a Parenting Plan is what is in the child’s best interest. The following Standard Parenting Plan is intended to provide a plan to parents who have not been able to agree on their own. If the parents are unable to communicate and work together to reach a parenting plan, they will likely have many ongoing disputes about parenting time. Therefore, if the court is required to impose orders, the parties must strictly comply with these orders. This is only the option when parents cannot agree. This plan does not presume that one parent is superior or inferior to the other. Because each family’s circumstances are different, the court may make provisions for more or less parenting time than provided for in this Standard Parenting Plan. This is why the court requires parents to attend mediation when they are not able to agree on their own.

PETITIONER) STANDARD PARENTING PLAN
AND) CASE #
RESPONDENT) DATE

I. GENERAL INFORMATION

A. The parents names are _____ and _____.

B. The Parenting Plan applies to the following child(ren):

NAMES	AGE
_____	_____
_____	_____
_____	_____
_____	_____

II. RESIDENTIAL SCHEDULE

- A. For the purposes of the Standard Parenting Plan, “residential parent” means the parent who provides the primary residence for the child(ren). The “nonresidential parent” refers to the parent who has parenting time with the child(ren) according to the schedule provided in the Parenting Plan.
- B. Mother shall be considered “residential parent”.
- C. Father shall be considered “residential parent”.

III. GUIDELINES FOR PARENTING TIME WITH MINOR CHILDREN IN DOMESTIC RELATIONS CASES

- A. Vacation and Holiday Periods: These are the dates set by the public school district in which the child(ren) resides whether or not the child(ren) is attending school or enrolled in that school.
- B. If there are children who would have different parenting time schedules under this plan because they are different ages, the non residential parent will have parenting time with all the children together under the schedule that applies to the oldest child, unless a child is one year or younger. In that case, the youngest child must go by the designated age appropriate schedule.
- C. PARENTING TIME: The non residential parent shall have not less than the following parenting time with the minor child(ren) unless agreed upon by the parents.
 - 1. Children 0-1 years:
 - a) One day every other week from 9:00 a.m. to 6:00 p.m.
 - b) Mother’s Day/Father’s Day: Each year, the mother shall have the child(ren) on Mother’s Day and the father shall have the child(ren) on Father’s Day, from 9:00 a.m. to 6:00 p.m.
 - c) Christmas: Christmas Eve from 9:00 a.m. to 9:00 p.m. in odd numbered years and Christmas Day from 9:00 a.m. to 9:00 p.m. in even numbered years.
 - d) Three hours, one day per week around work and school schedules.

2. Children 1-3 years:
 - a) Saturday/Sunday: Every other Saturday from 9:00 a.m. until 9:00 a.m. Sunday or one overnight every other week, scheduled around the non residential parent's work schedule.
 - b) Mother's Day/Father's Day: Each year, the mother shall have the child(ren) on Mother's Day and the father shall have the child(ren) on Father's Day, from 9:00 a.m. to 6:00 p.m.
 - c) Christmas: Christmas Eve from 9:00 a.m. to 9:00 p.m. in odd numbered years and Christmas Day from 9:00 a.m. to 9:00 p.m. in even numbered years.
 - d) Summer: In lieu of summer parenting time, there shall be five (5) consecutive days each calendar year quarter upon thirty (30) days advance written notice to the residential parent.
 - e) Midweek: Three hours, one day per week around work and school schedules.
- A. Children 4 years and older:
 - a) Two days every other week commencing at 6:00 p.m. and ending at 6:00 p.m. on the last day.
 - b) Inservice/Conference Days: In addition to weekend parenting time, if the child(ren) has a day out of school on either or both the Monday following or the Friday preceding the non residential parent's weekend parenting time, the non residential parent shall also have visitation with the child(ren) on said extra day(s) commencing either 24 hours before or ending 24 hours after the scheduled parenting time.
 - c) When the non residential parent resides within 15 miles of the child's school or home, the non residential parent shall be entitled to one over night every other week.
 - d) Summer: Thirty-five consecutive days during the period of school summer vacation. Before May 1 of each year, the non residential parent shall select and notify the residential parent in writing of the specific dates of the thirty-five day parenting time period with the child(ren). If the non residential parent fails to

give such written notice to the residential parent before May 1 of the year of the summer parenting time, the non residential parent nevertheless shall have the right to such summer parenting time with the child(ren). If the non residential parent fails to provide such written notice prior to May 1, the residential parent shall be entitled to designate the specific days (at least two consecutive weeks) by notifying the non residential parent in writing by May 20.

- 1) When the non residential parent exercises his or her right to a summer parenting time period of more than 19 days with the child(ren), the residential parent shall have the right to a weekend of parenting time with the child(ren) on the second weekend after commencement of the extended parenting time by the non residential parent. Such interim parenting time by the residential parent shall not lengthen the thirty-five day parenting time period allowed to the non residential parent.
- 2) The residential parent may have one uninterrupted two week vacation period. This would eliminate one weekend of the non residential parents parenting time. The residential parent will notify the non residential parent of the two week block of time in writing no later than May 20.

e) Holidays:

1) Even numbered years:

- a) Christmas: From 6:00 p.m. the day school lets out for Christmas vacation until 10:00 a.m. on December 26.
- b) Child's Birthday: The birthdays of the child(ren), from 9:00 a.m. to 6:00 p.m. if the birthday falls on a weekend or from 5:00 p.m. to 8:30 p.m. if the birthday falls on a weekday.
- c) Thanksgiving holiday: Commencing on Wednesday prior to Thanksgiving at 6:00 p.m. and ending on the Sunday following Thanksgiving at 6:00 p.m.
- d) The Fourth of July: 6:00 p.m. the previous day through 6:00 p.m. on July 5th.

e) Spring Break: The school spring vacation from 9:00 a.m. the day after school adjourns to 6:00 p.m. the day before school resumes.

2) Odd-numbered years:

- a) Christmas: From 10:00 a.m. on December 26 until 6:00 p.m. on the day before school resumes.
- b) Child's Birthday: The day before the child(ren)'s birthday, from 9:00 a.m. to 6:00 p.m., if the birthday falls on a weekend, or from 5:00 p.m. to 8:30 p.m. if the birthday falls on a weekday.
- c) Memorial Day Weekend: Commencing on the Friday preceding Memorial Day at 6:00 p.m. and ending on the following Monday at 6:00 p.m.
- d) Mother's Day/Father's Day: Each year, the mother shall have the child(ren) on Mother's Day and the father shall have the child(ren) on Father's Day, from 9:00 a.m. to 6:00 p.m.
- e) Parent's Birthday: Each parent shall have parenting time with the child(ren) on that parent's birthday from 9:00 a.m. to 6:00 p.m.

IV. RULES OF PARENTING TIME:

- A. HOLIDAY AND SUMMER PARENTING TIME: Holiday and summer parenting time supersedes weekend parenting time in the event there is a conflict of dates. (In other words, there are some weekends or alternating Mondays in a year that might be lost due to conflicting vacations or holidays.)
- B. CHILD EXCHANGE: All parenting time periods shall be exercised in a prompt manner so that both parties can make their plans accordingly.

Residences 40 miles apart or less: When parents live no more than 40 miles apart, the non residential parent shall pick the child(ren) up from the front steps of the residential parent's residence no earlier than 30 minutes before and no later than 30 minutes after the parenting time period commences. The residential parent shall pick up the child(ren) from the front steps of the non residential parents residence no earlier or later than 30 minutes of when the parenting time ends. The residential parent shall have the child(ren) fed and

ready on time for parenting time with sufficient and proper clothing packed and ready for the parenting time period. The child(ren) shall be returned, fed and with their clothing in the same manner (packed and cleaned) as they were when picked up for the parenting time.

Residences more than 40 miles apart: Unless otherwise agreed between parents or ordered by the court, parents who live more than 40 miles apart shall equally participate in the cost and effort of exchanging the child from one parent to the other. If parents live more than 40 miles from each other, they shall meet half way to exchange the child.

- C. MAKEUP OR MISSED PARENTING TIME: Make-up parenting time should take place within 30 days of the missed visitation. However, if the non residential parent fails to exercise his or her parenting time, for reasons of health or for any other reason, there will be no makeup parenting time period. The child(ren) will not be permitted to determine whether they wish to visit with the non residential parent.
- a) Personal plans of either parent or of the child, school activities, church activities, and other considerations will not be reasons for failing to follow the parenting time schedule. The child will not be permitted to determine whether or not they wish to be with a parent. Only substantial medical reasons will be considered sufficient for postponement of parenting time. If a child is ill and unable to visit, a makeup parenting time shall occur within the same month. If however the non residential parent fails to exercise their parenting time, there will be no makeup parenting time.
- D. COMMUNICATIONS WITH THE CHILD: The non residential parent shall, in addition to the parenting time set forth in this order, have the unlimited right to correspond with the minor child(ren) of the parties, and to telephone the minor child(ren) during reasonable hours without interference or monitoring by the residential parent or anyone else in any way. Unless otherwise agreed to between the parties, telephone conferences between the non residential parent and the child(ren) shall be limited to no more than two per week and shall be limited, each call, to 10 minutes or less in duration. The residential parent shall have the same communication privileges with the child when they are with the non residential parent. Each parent shall notify the other parent of his or her contact phone number and address and shall notify the other parent of any change in that information within 72 hours of such a change.

- E. **AFFECTION AND RESPECT:** The child loves both parents and does not want to be disloyal to either parent. When one parent talks negatively about the other parent, or about the other parent's spouse or family, this is emotionally damaging to the child. When one parent tries to use the child as a source of information about the other parent, this is emotionally damaging to the child. Similarly, the child should NOT be used as a "go-between", to relay messages, or otherwise used as a means of communication between parents. Both parents are forbidden, under ANY circumstance from making or willfully allowing others to make derogatory comments about the other parent or in any way diminishing the love, respect and affection that the child(ren) has for the other parent.
- F. **SCHOOL INVOLVEMENT:** In addition to the parenting time specified above, the non residential parent shall have the right to visit with the child(ren) at school, attend the child(ren)'s school activities, and have full access to school teachers and administrators for complete information about the child(ren) in school. The residential parent shall notify the non residential parent of any parent-teacher conference, school events, or sports activities scheduled.
- G. **OTHER PARENTAL AUTHORITY (ORS 107.154)**

The non residential parent always has the right to:

- (a) inspect and receive school records and to consult with school staff concerning the child(ren)s welfare and education, to the same extent as the residential parent may inspect and receive such records and consult with such staff;
- (b) inspect and receive governmental agency and law enforcement records concerning the child(ren) to the same extent as the residential parent may inspect and receive such records;
- (c) consult with any person who may provide care or treatment for the child(ren) and to inspect and receive the child(ren)s medical, dental and psychological records, to the same extent as the residential parent may consult with such person and inspect and receive such records;
- (d) authorize emergency medical, dental, psychological, psychiatric or other health care for the child if the residential parent is, for practical purposes, unavailable; or
- (e) apply to be the child(ren)s conservator, guardian ad litem or both.

H. Any relocation of one parent that would disrupt the other parent's scheduled time with the child(ren) will require a modification of the new parenting plan that is mutually agreed upon or is ordered by the court prior to the relocation.