

MODEL PARENTING PLAN FORM

DRAFT

IN THE _____ COURT OF _____ COUNTY,
ALABAMA

Case No. _____

Plaintiff,

And

Defendant,

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This parenting plan form is submitted by: **(CHOOSE ONLY ONE)**

☐ An agreement of both parties.

OR

☐ By only one parent, namely:
{Parent's Name} _____.

OR

☐ The court.

The type of parenting plan form is: **(CHOOSE ONLY ONE)**

☐ A final Parenting Plan Form established by the court.

OR

☐ A temporary Parenting Plan Form established by the court.

OR

☐ A modification of a prior final Parenting Plan Form or prior final order.

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I. PARENTS

Plaintiff

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Numbers:

Home: _____ Cell: : _____

Work: _____

E-Mail: _____

☐ Address Unknown: (Please indicate here if Plaintiff's address is unknown)

☐ Address Confidential: (Please indicate here if Plaintiff's address and phone numbers are confidential pursuant to either a:

☐ Final Judgment for A Protection Order issued pursuant to Alabama's Protection from Abuse Statute, §30-5-1 et seq.; or

☐ Other court order _____.

Defendant

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Numbers:

Home: _____ Cell: _____

Work: _____

E-Mail: _____

☐ Address Unknown: (Please indicate here if Defendant's address is unknown)

☐ Address Confidential: (Please indicate here if Defendant's address and phone numbers are confidential pursuant to either a:

☐ Final Judgment for A Protection Order issued pursuant to Alabama's Protection from Abuse Statute, §30-5-1 et seq.; or

☐ Other court order _____.

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II. CHILDREN:

This parenting plan form is for the following child(ren) born to, or adopted by the parties:
{add additional lines as needed}

Name

Date of Birth

III. CUSTODY ARRANGEMENT

1. Physical Custody: (CHOOSE ONLY ONE).

a. ☐ JOINT PHYSICAL CUSTODY

OR

b. ☐ SOLE PHYSICAL CUSTODY AND VISITATION:

It is in the best interests of the child(ren) that the ☐ Plaintiff ☐ Defendant shall have SOLE PHYSICAL CUSTODY and the ☐ Plaintiff ☐ Defendant shall have **VISITATION**.

OR

c. ☐ SOLE PHYSICAL CUSTODY and NO PHYSICAL CUSTODY:

It is in the best interests of the child(ren) that the ☐ Plaintiff ☐ Defendant shall have the SOLE PHYSICAL CUSTODY and that the ☐ Plaintiff ☐ Defendant have ☐ **No Physical Custody**.

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2. Legal Custody: (CHOOSE ONLY ONE).

a. ☐ JOINT LEGAL CUSTODY.

It is in the best interests of the child(ren) that the parents have JOINT LEGAL CUSTODY.

OR

b. ☐ JOINT LEGAL CUSTODY [with one parent having sole power to make certain decisions]:

It is in the best interests of the child(ren) that the parents have JOINT LEGAL CUSTODY. Both parents shall have equal rights and responsibilities for major decisions concerning the child, including, but not limited to, the education of the child, health care, and religious training. In the event the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic Decisions ☐ Plaintiff ☐ Defendant

Non-emergency healthcare ☐ Plaintiff ☐ Defendant

Religion ☐ Plaintiff ☐ Defendant

Other
(describe below) ☐ Plaintiff ☐ Defendant

OR

c. ☐ SOLE LEGAL CUSTODY:

It is in the best interests of the child(ren) that the ☐ Plaintiff ☐ Defendant have SOLE LEGAL CUSTODY.

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3. Day-to-Day and Emergency Decisions.

Unless otherwise specified in this plan, each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision-making in the parenting plan form, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall notify the other parent of the decision as soon as reasonably possible.

IV. GENERAL TIME-SHARING SCHEDULE

1. General Time-Sharing Schedule: **ATTACH THE SELECTED GENERAL TIME-SHARING SCHEDULE AS APPENDIX A.**

The **General Time-Sharing Schedule** [APPENDIX A] shall apply except as modified by the **Holiday and Summer Time-Sharing Scheduling**.

2. HOLIDAY AND SUMMER TIME-SHARING SCHEDULING

The **Holiday and Summer Time-Sharing Scheduling** will take priority over the **General Time-Sharing Schedule** unless otherwise specified in subsection (a) – (e) below.

a. Summer Break (CHOOSE ONLY ONE)

☐ The parents shall follow the **General Time-Sharing Schedule** throughout the summer.
OR

☐ The ☐ Plaintiff ☐ Defendant shall have physical custody of the child(ren) for the entire

Summer Break from:

_____ after school is out until
_____ before school starts.

OR

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☐ The parents shall divide the Summer Break as follows.

b. Spring Break (CHOOSE ONLY ONE)

For purposes of this subsection Spring Break is defined as starting at _____ [time] on _____ [day] and ending at _____ [time] on _____ [day].

☐ The parents shall follow the **General Time-Sharing Schedule**.

OR

☐ The parents shall alternate the entire Spring Break with the Plaintiff having the child(ren) during the ☐ odd-numbered years ☐ even numbered years.

OR

☐ The ☐ Plaintiff ☐ Defendant shall have physical custody of the child(ren) for the entire Spring Break every year.

OR

☐ The Spring Break will be evenly divided. During the first half of Spring Break, the child(ren) will be with the parent whose General Time-Sharing Schedule include that weekend. During the second half of Spring Break, the child(ren) will be with the other parent.

OR

☐ The Spring Break will be divided as agreed to by the parents as follows: _____

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c. Thanksgiving Holiday Break/ Fall Break (CHOOSE ONLY ONE)

☐ The ☐ Plaintiff ☐ Defendant shall have the child(ren) from the day and time school is dismissed until _____[day] at _____ a.m./p. m either on

☐ odd-numbered years ☐ even-numbered years ☐ every year

The other parent will have the children for the remainder portion of the Thanksgiving Holiday Break/ Fall Break.

OR

☐ The ☐ Plaintiff ☐ Defendant shall have the child(ren) for the entire Thanksgiving Holiday Break/ Fall Break during

☐ odd-numbered years ☐ even-numbered years ☐ every year. The other parent will have the child(ren) during the alternating years.

OR

☐ Other

d. Christmas Holiday Break/ Winter Break (CHOOSE ONLY ONE)

☐ The ☐ Plaintiff ☐ Defendant shall have the child(ren) from the day and time school is dismissed until December _____ at _____ a.m./p. m either on

☐ odd-numbered years ☐ even-numbered years ☐ every year. The other parent will have the child(ren) during the alternating years.

The other parent will have the children for the remainder of the Christmas/Winter Break.

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OR

☐ The ☐ Plaintiff ☐ Defendant shall have the child(ren) for the entire Christmas/Winter Break during:

☐ odd-numbered years ☐ even-numbered years ☐ every year.

OR

☐ Other

e. Additional Holiday Time-Sharing Schedule (CHOOSE ONLY ONE)

☐ No **Additional** Holiday Time-Sharing shall apply.

OR

☐ **Additional** Holiday Time-Sharing shall be in accordance with the following Schedule.

Fill in the blanks with Plaintiff or Defendant to indicate where the child(ren) will be for the specific holidays. Provide the beginning and ending times. If an **Additional** holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent *in* accordance with the **General Time-Sharing Schedule**.

<u>Holidays</u>	<u>Even Years</u>	<u>Odd Years</u>	<u>Every Year</u>	<u>Begin/End Time</u>
Martin Luther King Day	<hr/>	<hr/>	<hr/>	<hr/>
Presidents Day	<hr/>	<hr/>	<hr/>	<hr/>
Mardi Gras	<hr/>	<hr/>	<hr/>	<hr/>
Passover	<hr/>	<hr/>	<hr/>	<hr/>
Easter	<hr/>	<hr/>	<hr/>	<hr/>
Mother's Day	<hr/>	<hr/>	<hr/>	<hr/>
Memorial Day Weekend	<hr/>	<hr/>	<hr/>	<hr/>
Father's Day	<hr/>	<hr/>	<hr/>	<hr/>
4th of July	<hr/>	<hr/>	<hr/>	<hr/>
Labor Day Weekend	<hr/>	<hr/>	<hr/>	<hr/>

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Rosh Hashanah	_____	_____	_____	_____
Yom Kippur	_____	_____	_____	_____
Columbus Day Weekend	_____	_____	_____	_____
Halloween	_____	_____	_____	_____
Veterans' Day	_____	_____	_____	_____
Hanukkah	_____	_____	_____	_____
Kwanzaa	_____	_____	_____	_____
Child(ren)'s Birthday(s)	_____	_____	_____	_____

[] Other:

V. ADDITIONAL VISITATION BY MUTUAL AGREEMENT

Both parents are encouraged to allow additional visitations with the child(ren) at any reasonable time and place, upon sufficient notice, by mutual agreement.

VI. INFORMATION SHARING

Unless otherwise prohibited by law or order of the court:

1. Both parents shall be listed as "emergency contacts" for the child(ren).
2. Each parent has a continuing responsibility to provide a residential, mailing, and contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes to that information.

3. Other: _____

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VII. COMMUNICATION

1. Between Parents

The parents shall communicate with each other: **(CHOOSE ALL THAT APPLY)**

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> in person | <input type="checkbox"/> by telephone |
| <input type="checkbox"/> by letter | <input type="checkbox"/> by e-mail |
| <input type="checkbox"/> text | <input type="checkbox"/> internet |
| <input type="checkbox"/> Other: _____. | |

2. Between Parent and Child(ren)

Except as limited by statute or court order, both parents shall keep the child(ren)'s contact information current and shall have reasonable and private electronic communication access to the minor child(ren) while they are in the physical control of the other parent.

"Electronic communication" includes, but is not limited to, telephones, electronic mail or e-mail, texting, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The children may communicate with the other parent in all of the manners indicated:

☐ telephone ☐ e-mail ☐ texting ☐ other electronic:

☐ Anytime

☐ Every day during the hours of _____ to _____ .

☐ On the following days _____
during the hours of _____ to _____ .

☐ Other: _____

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VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN) BETWEEN SHARED PARENTING TIME

1. Transportation (CHOOSE ONLY ONE)

☐ The ☐ Plaintiff ☐ Defendant shall provide all transportation.

OR

☐ The ☐ Plaintiff ☐ Defendant shall pick up the child(ren) AND the ☐ Plaintiff ☐ Defendant shall return the children.

OR

☐ Other: _____

2. Location for Exchange (CHOOSE ONLY ONE):

☐ Exchanges shall be at ☐ Plaintiff and ☐ Defendant's homes unless both parents agree to a different meeting place.

OR

☐ Exchanges shall occur at _____ unless
_____ both parties agree in advance to a different meeting place.

OR

☐ Other: _____

3. Cancellations (Choose all that apply):

☐ If a child is too ill to travel, the custodial parent should give twenty-four hours notice to the other parent, or as soon as possible, so appropriate plans can be made. This canceled time ☐ shall ☐ shall not be made up.

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☐ The non-custodial parent should give twenty-four hours notice prior to canceling parenting time. If the twenty-four hours notice of the cancellation is NOT given by the non-custodial parent to the custodial parent, that parenting time will be forfeited unless the parties both agree to reschedule the time.

☐ The non-custodial parent who fails to exercise his or her shared parenting time forfeits that parenting time.

☐ Other: _____

4. Waiting (Choose all that apply):

☐ The child and the custodial parent have no duty to wait for the non-custodial parent for more than [thirty] minutes after the designated start of the parenting time.

☐ A parent who is late forfeits their visitation time for the period, unless prior arrangements have been made between the parties.

☐ Other: _____

IX. JURISDICTION

The United States is the country of habitual residence of the child(ren).

The State of Alabama is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan Form is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of

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International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

Other: _____.

X. RELOCATION

Any relocation of the child(ren) is subject to and must be sought in compliance with existing Alabama law. [Alabama Parent-Child Relationship Protection Act, §30-3-160 et seq.]

XI. OTHER PROVISIONS

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SIGNATURE OF PARENTS

Dated: _____

Signature of Plaintiff

STATE OF ALABAMA

COUNTY OF _____

Sworn to or affirmed and signed before me on the ____ day of _____ by _____, who is known to me or was properly identified by me.

NOTARY PUBLIC

Apply seal here

Dated: _____

Signature of Defendant

STATE OF ALABAMA

COUNTY OF _____

Sworn to or affirmed and signed before me on the ____ day of _____ by _____, who is known to me or was properly identified by me.

NOTARY PUBLIC

Apply seal here

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APPENDIX A

Insert Here The Selected General Time-Sharing Schedule As Appendix A

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APPENDIX B

PARENT'S ACCESS TO RECORDS OF THEIR CHILDREN AS Authorized By Alabama Law, §30-3-154

The undersigned, _____, and

_____ are the parents of the children listed below. In keeping with current Alabama law unless otherwise prohibited by court order or statute, both parents have equal access to all records and information pertaining to the child(ren), including, but not limited to, medical, physiological, psychological, dental, scholastic, athletic, extracurricular, and law enforcement records. We agree, as parents of the child(ren) listed below, that each of us is entitled to have access to review any records of our child(ren), including access to passcodes, that are not otherwise protected from view by either or both of us by federal or state law, and we do hereby give our mutual consent and express permission to the holders or providers of such records to allow each of us full and equal access to the records pertaining to our children including the right to consult with the record holders.

CHILDREN:

_____	DATE OF BIRTH: _____
_____	DATE OF BIRTH: _____
_____	DATE OF BIRTH: _____
_____	DATE OF BIRTH: _____

SIGNATURE OF PARENTS:

_____	_____
_____	_____
TYPED NAME	TYPED NAME
DATE: _____	DATE: _____

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STATE OF ALABAMA

COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by

NOTARY PUBLIC

[Print, type, or stamp commissioned
Name of notary.]

Personally known
Produced identification
Type of identification produced