

JC-3

**IN THE COURT OF COMMON PLEAS
OF OTTAWA COUNTY OHIO
JUVENILE DIVISION**

COMPANIONSHIP SCHEDULE

(EFFECTIVE: January 2, 2019)

Companionship is a time for children to be with the non-residential parent. It is vitally important that a child have a continuing and regular involvement with that parent. It is helpful to schedule activities and to teach the child skills during visitation. Assisting the children in finding friends within the neighborhood is beneficial in creating a home-like atmosphere for the child(ren).

It is important that each parent be flexible, willing to change times and/or dates by mutual cooperation and agreement based upon the changing needs of a child as he or she grows older, in addition to the parent's own schedules and interests.

Each parent shall make every effort for child to attend or participate in significant life events such as weddings, funerals and etc. Child should be permitted to attend such events regardless of whose parenting time it is when the event occurs.

Companionship may always be as parties agree and arrange. If parties do not agree to a specific companionship schedule then the written Judgment/Order shall govern the companionship schedule, rights and duties of each party. If your Judgment is silent to a specific item or holiday, then JC-3 as attached to your Judgment/Order shall apply and govern. Specific items in your Judgment Entry take precedence over this schedule. Changes or modifications to this schedule may be made by the Court if the need for such is shown.

COMPANIONSHIP SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES CAN AGREE. This shall not normally be less than the following (When there are children in multiple age categories, the age group for the oldest child shall be used, unless one of the children is over the age of 16, in which case the age group for the oldest child under the age of 16 shall be used for all children 15 years or younger).

Ages 0 – 24 months: (For children under the age of 24 months, the Court must consider the prior relationship established between the parties and the child. Sufficient time must be allowed for establishing a bond between the parent and child(ren). Once the Court determines that the parental bond has been established, parenting time will be as follows.)

1. Weekends

Visitation shall be each Friday at 6:00 p.m. until Saturday at 6:00 p.m.

2. Mid-Week

The child(ren) shall spend two (2) mid-week visitations each week for two and one-half (2 ½) hours at such time as the parties may agree. If they cannot agree, then the visitations shall be each Tuesday and Thursday from 6:00 p.m. to 8:30 p.m.

Ages 2 – 5 years:

3. Weekends

Visitation shall be on alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

4. Mid-Week

The child(ren) shall spend one (1) mid-week visitation each week from Wednesday at 6:00 p.m. until Thursday at 8:00 a.m. (or the beginning of day care/pre-school).

Ages 5-16 years:

5. Weekends

Visitation shall be on alternate weekends from Friday at 6:00 p.m. until Monday at 8:00 a.m. (or beginning of the school day).

6. Mid-Week

The child(ren) shall spend one (1) mid-week visitation each week from Wednesday at 6:00 p.m. until Thursday at 8:00 a.m. (or the beginning of the school day/day care).

Ages 16 – 18:

7. Weekends

On alternate weekends, visitation shall be from Saturday at 6:00 p.m. until Sunday at 6:00 p.m.

8. Mid-Week

The child(ren) shall spend one (1) mid-week visitation each week from Wednesday at 6:00 p.m. until Thursday at 8:00 a.m. (or the beginning of the school day).

9. Holidays (for all ages)

(a) If not changed by agreement, holiday times are as follows:

	<u>Even Numbered</u> <u>Years</u>	<u>Odd Numbered</u> <u>Years</u>
Easter	Father	Mother
Memorial Day	Mother	Father
July 4 th	Father	Mother
Labor Day	Mother	Father
Thanksgiving	Father	Mother
Christmas Eve	Mother	Father
Christmas Day	Father	Mother
New Year's Eve/Day	Mother	Father

(b) If the parties cannot agree on hours for holiday visitation, it shall be as follows:

Easter	Saturday at 6:00 p.m. to Sunday at 6:00 p.m.
Memorial Day	Sunday at 6:00 p.m. to Monday at 6:00 p.m.
July 4 th	July 3 rd at 6:00 p.m. to July 5 th at 8:00 a.m.
Labor Day	Sunday at 6:00 p.m. to Monday at 6:00 p.m.
Thanksgiving	Wednesday at 6:00 p.m. to Friday at 8:00 a.m.
Christmas Eve	December 23 rd at 6:00 p.m. to December 25 th at 8:00 a.m.
Christmas Day & Vacation	December 25 th at 8:00 a.m. to December 27 th at 6:00 p.m.
New Year's Eve/Day	December 31 st at 6:00 p.m. to January 2 nd at 8:00 a.m.

(c) Holidays will take priority over any other visitation except days of special meaning and birthdays. A holiday that falls on a weekend shall be spent with the parent who is designated to have the child(ren) for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend. This time does not have to be made up.

(d) In addition to the holiday schedule above, the Christmas/New Year's holiday vacation (typically governed by the local district in which the child(ren) attend school) shall be split such that the parent exercising visitation on Christmas Day will have the child(ren) for the first half of

the scheduled school break/vacation, except for the Christmas Eve visitation period scheduled with the other parent, and the other parent, parent scheduled for the New Years Eve/Day holiday will have the second half of the school break/vacation.

- (e) The annual spring break, if it is scheduled, shall be rotated on an annual basis such that Mother shall exercise visitation and companionship with the child(ren) in the odd numbered years and the father shall exercise visitation and companionship in the even numbered years.

10. Summer Vacation

Four (4) weeks of companionship shall be granted to the non-residential parent and residential parent each summer. The residential parent shall provide written notice of the summer visitation plans to the non-residential parent by April 1st of each year. The non-residential parent shall then provide written notice of the summer vacation plans to the residential parent by May 1st of each year. Said summer visitation shall be taken in two (2) two-week intervals (unless otherwise agreed by the parties).

- (a) During summer visitation periods, routine week-end and mid-week visitation shall not occur (these periods do not need to be made up).
- (b) There shall be no abatement of child support during summer visitation.
- (c) For children ages 0 – 24 months, vacation periods shall not exceed one (1) week intervals.
- (d) Vacations shall be scheduled with consideration for child's job or sport schedules.

11. Days of Special Meaning

- (a) The child's birthday shall be spent with the mother in the even-numbered years and shall be spent with the father in the odd-numbered years. The non-residential parent must provide one-week's notice of his or her intent to have companionship for a birthday.
- (b) Mother's Day and Mother's birthday shall always be spent with the mother and Father's Day and Father's birthday shall always be spent with the father, regardless of which parent is entitled to the weekend. If

the parties cannot agree on times, the time shall be from 10:00 a.m. to 7:00 p.m.

12. Priority of Parenting Time Periods

In the event of any conflict between the parenting time allocated to each parent under this Rule, the following order of priority shall be followed, with 1 being the highest priority and 5 being the lowest priority unless your specific order states otherwise.

1. Days of Special Meaning including birthdays
2. Holidays
3. Extended Parenting Time
4. Weekends
5. Mid-week Parenting Time

13. Promptness

Each parent shall be prompt for pickup and return of the child(ren), and the residential parent shall ready the child(ren) emotionally and physically for the companionship. The residential parent has no duty to wait for the non-residential parent to pick up the child(ren) longer than thirty (30) minutes, unless the non-residential parent has notified the residential parent that (s)he will be late, and the residential parent agrees to remain available after the thirty-minute waiting period. A parent who is more than thirty (30) minutes late loses the companionship period. A parent who has a pattern of lateness is subject to penalties under the law.

14. Transportation

Unless the parties agree otherwise, it shall be the responsibility of the parent who is coming into possession of child(ren) to provide transportation. Each parent shall be permitted to use a designee to transport the child(ren) if he or she is unavailable to transport. The Designee must be an adult driver well known to the child(ren) with a valid driver's license and proper car insurance. All child restraint laws, including the use of proper car seats, must be complied with by any person driving with the child(ren). No person transporting the child(ren) may be under the influence of drugs or alcohol.

15. Children's Meals/Homework/Activities

The non-residential parent exercising companionship time with the child(ren) shall be responsible for providing the meals on Friday evenings and midweek evenings as well as the following morning

breakfasts before returning the child(ren) to school/day care or to the residential parent. During the periods of companionship, the non-residential parent shall ensure that the child(ren)'s homework is properly completed, ready to be turned in before the scheduled due date, and assist (or find someone who can assist) the child(ren) when needed. The non-residential parent shall promptly transport the child(ren) to any scheduled activities (i.e. school functions, sports activities, church activities, etc.) that may occur during the period of companionship.

16. Cancellation of Companionship by Non-Residential Parent.

If a non-residential parent is unable to attend visitation, said parent shall give the residential parent at least twenty-four (24) hours advance notice when practical. A parent who does not exercise companionship forfeits that time.

17. Child's Response to Companionship

- (a) Children of parents whom are not married grow up to be as normal and healthy as children whose parents are married or living together if the parents communicate well and both parents continue regular contact with their child(ren).

It is normal when parent's first separate that a child may have a strong emotional reaction at companionship times saying good-bye to one parent. Parents need to know that the emotional response is quite natural, and that each parent needs to calmly reassure the child that he or she will see the other parent soon. Parents should understand that this response by the child does not mean that the child does not love the other parent, or wishes not to spend time with the other parent. The length of the adjustment time will vary.

If a child indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking with the child as to the child's best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parents should seek immediate assistance of a mental health professional, a mediator, or file a motion with the court. As uncomfortable as this issue may be for a parent, ***this issue should not go unresolved.***

- (b) The residential parent shall encourage free communications between the children and the non-residential parent, and both parties shall encourage the children to love, honor and obey the other parent and

refrain from criticizing or making disparaging comments about the other parent.

18. Returning the child(ren) After Exercising Companionship.

The non-residential parent shall not return the child(ren) before the end of the companionship period stated (not early, not late, not on a different day), unless the parents agree in advance. The residential parent or other responsible adult well known to the child(ren) shall be present when the child(ren) is/are returned.

19. Schoolwork

A parent must provide time for any child to study, complete homework assignments, papers or other school assigned projects, even if the completion of this work interferes with the parent's plans with the children. If the schoolwork is assigned by the school prior to the companionship, the residential parent must inform the other parent of the work to be done and it must be completed before the assigned due date/time.

20. Address and Telephone Number

Each parent must, unless the Court orders otherwise, keep the other informed of his or her current address and telephone number, and an alternate telephone number in the event of an emergency.

21. Relocation Notice

Pursuant to R.C. 3109.051(G), the parties are hereby notified that if either of them intends to relocate their residence, that parent shall file a notice of intent to relocate with the Court; and that, except as provided in R.C. 3109.051(G)(2), (3) & (4), a copy of such notice shall be mailed by the court to the other parent. Upon receipt of the notice, the court, on its own motion or the motion of the other parent, may schedule a hearing, with notice to both parties, to determine whether it is in the best interests of the children to revise the parenting schedule.

22. Children's Activities

Scheduled companionship periods shall not be delayed or denied because a child has other scheduled activities (work, lessons, sports, etc.). It is the responsibility of the parents to discuss activities important to the child in advance, including time, dates, and transportation needs, so that the child is not deprived of activities.

Both parents are encouraged to attend all their child's activities. Each parent is entitled by law to equal access to the student activities of their child, unless limited by Court order.

23. Appearance of the Child(ren)

The non-residential parent shall not alter or allow the child(ren) to alter or allow any other person to alter child's physical appearance, including haircuts/styles, hair color, tattoos, body piercings, etc. without the consent of the residential parent.

24. Communication Between Parents

IT IS THE RESPONSIBILITY OF THE PARENTS, NOT THE CHILDREN, TO MAKE ALL COMPANIONSHIP ARRANGEMENTS. Neither parent should communicate with a child about the issue of companionship, or future events or activities which conflict with the other parent's allotted times. It is not the responsibility of a child to mediate or become involved in parental differences over companionship times, dates or activities. If the parents have temporary difficulty communicating about either companionship or the needs of their child(ren), parents should not enlist the child to resolve the parents' inability to talk to each other.

25. Communication Between Parent and Child

Each parent has the right to talk over the telephone with the children as often as the parents agree. If the parents do not agree, then the non-residential parent shall have privileges twice per week. Telephone calls shall be during the normal hours the child is awake and unless the parties agree otherwise, between 7:00 p.m. and 8:00 p.m. If the child is unavailable for conversation, each parent shall take the responsibility of seeing that a child timely returns the call. A child is permitted to call a parent at any time which does not conflict with the rules of the school or either parent's home. During extended periods of vacation visitation and companionship with the non-residential parent, the residential parent shall have telephone privileges twice per week and the remaining above-cited rules shall be applicable to the residential parent. The calling party shall bear the expense, if any, and the parties shall alternate placing the call.

26. Step-parent name

A parent should not, nor permit any other person to, suggest, encourage or require a child to refer to any person other than the child's parents as "mom" or "dad", etc.

27. School Records

Both parents are entitled by law to equal access of their children's records, unless otherwise limited by Court order.

28. Medical Records/Consultation

The residential parent shall, upon request by the non-residential parent, immediately comply with whatever action is required, including the signing of a full release, to provide access to any medical, dental, hospital, surgical, optometric or mental health records of the minor child(ren). Both parents are entitled to equal access to their children's records, unless limited by Court order.

29. Mediation of Companionship Disputes

In the event a dispute shall arise between the parties concerning any provision of this schedule, the parties shall attempt to discuss and resolve any such dispute between themselves. If they are unable to do so, then

(a) either or both parties may file a request of the Court to set the matter for mediation; or

(b) move the Court to resolve the dispute.

30. Penalties for the Parent Who Willfully Fails to Comply with the Companionship Schedule

A parent who willfully fails to comply with this companionship schedule may be found in contempt of Court, which may include a fine and/or jail sentence. The Court may also assess attorney fees and court costs, order the appointment of a Guardian *Ad Litem* and payment of the Guardian *Ad Litem*'s fee. The Court may order the reimbursement of transportation costs, and make-up companionship, in addition to any other remedy available by law.



JUDGE KATHLEEN L. GIESLER