

Rule 19. STANDARD COMPANIONSHIP ORDER

A. The following standard companionship guidelines will be applied in all cases unless otherwise ordered:

1. Presumptions:
 - a. Shared parenting is in the best interest of the children;
 - b. Equal division of the available companionship time is in the best interest of the children;
 - c. Whenever possible, it is in the best interest of the children that they be 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.
3. In the event the parties cannot agree upon a companionship schedule, they shall participate in mediation.
4. If the parties cannot develop their own companionship schedule through mediation, both parties shall provide the court with verification of their work schedules and available companionship times. The court will then assign companionship time, based upon the presumptions.

B. In the absence of an agreement by the parties, the court has wide discretion in determining what companionship schedule is reasonable and in the best interests of the children, and each judge may develop a uniform fixed schedule of companionship time.

C. Unless the court finds that companionship time should be restricted, the minimum time afforded to the nonresidential parent shall be as follows:

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

1. Weekends: Alternate weekends from Friday at 6:00 P.M. until Sunday at 6:00 P.M., commencing _____.
2. Weekdays: On Wednesday evening, prior to the weekend the non-residential parent has companionship, from 4:00 P.M. to 8:00 P.M. On Tuesday and Thursday evenings, prior to the weekend the non-residential parent does not have companionship, from 4:00 P.M. to 8:00 P.M.

The starting time for weekday companionship must be flexible and will depend upon the work schedule of the non-residential parent and the activity schedule of the child(ren).

3. Holidays: For companionship there are eight holidays:

- (1) New Year's Day;
- (2) Easter;
- (3) Memorial Day;
- (4) July Fourth;
- (5) Labor Day;
- (6) Thanksgiving;
- (7) Christmas Eve;
- (8) Christmas Day.

In the odd-numbered years, the mother shall have the child(ren) on the odd-numbered holidays and the father shall have them on the even-numbered holidays. In the even-numbered years, the father shall have the odd-numbered holidays and the mother the even-numbered holidays. Hours for holiday companionship for the non-residential parent shall be from 9:00 A.M. to 8:00 P.M., except for Christmas Day, which shall be from 8:00 P.M. Christmas Eve to noon Christmas Day. Except for Christmas Eve and Christmas Day, when a holiday companionship time falls on a Monday following that parent's regular weekend companionship, the companionship time will be continuous.

4. Precedence: Holiday companionship times take precedence over every other scheduled companionship times. Vacation and school break companionship shall take precedence over regular companionship.

5. Mother's Day, Father's Day: Mother's Day shall be spent with the mother and Father's Day spent with the father, regardless of which parent is entitled to the weekend. Hours for companionship shall be from 9:00 A.M. to 8:00 P.M.

6. Child's Birthday: A child's birthday shall always be spent with the mother in odd numbered years, and with the father in even numbered years. Hours shall be from 9:00 A.M. to 8 P.M.

7. Extended Summer Companionship: The non-residential parent shall be entitled to five weeks companionship during the child(ren)'s summer vacation from school. If the parties cannot agree on the times, the five weeks for the non-residential parent shall be the last two weeks of June, beginning at 9 A.M. on June 17, and the first three weeks of July, ending at 8 P.M. on July 21. During the extended period of companionship with the non-residential parent, the residential parent shall have companionship with the child(ren) on alternating weekends and weekday evenings, in accordance with the same schedule the non-residential parent has at other times.

During the child(ren)'s summer vacation from school, and as part of the five weeks available to the non-residential parent, the non-residential parent is entitled to two weeks exclusive possessory vacation time, provided that not less than 30 days prior written notice is given to the residential parent. Likewise, the residential parent shall also be entitled to two weeks exclusive possessory vacation time, provided that not less than 30 days prior written notice is given to the non-residential parent.

8. School Breaks: If the non-residential parent has companionship on Christmas Day, he/she shall have companionship from 9 A.M. on December 19, until 8 P.M. on December 23. If the non-residential parent has companionship on Christmas Eve, he/she shall have companionship from 9 A.M. on December 26, until 8 P.M. on December 30.

Each parent shall have companionship for one-half of the days the child(ren) are off school for spring break, which shall alternate according to the Easter Day schedule. When the non-residential parent has companionship on Easter Day, he/she shall have the half that includes Easter Day.

9. Cancellation: The non-residential parent shall give the residential parent at least 48 hours notice if visitation is to be canceled, unless there is an emergency. Visitation time canceled by the non-residential parent is forfeited and shall not be made up. Visitation canceled by the residential parent is not forfeited and shall be made up at the earliest possible time. (For example, if weekend visitation is canceled by the residential parent due to illness of a child, it shall be made up on the next weekend.)

10. Waiting: The child(ren) and residential parent have no duty to await the visiting parent for more than thirty (30) minutes of the visitation time. A parent who is late forfeits companionship for that period, unless there is an emergency.

11. Address and Phone Numbers: Each parent must keep the other informed of his or her current address and telephone number and an alternate telephone number in the event of an emergency.

12. Clothing: The residential parent is responsible for providing sufficient appropriate clothing for every visitation period. All clothing sent by the residential parent must be returned immediately after the visitation period.

13. Transportation: The non-residential parent has responsibility for picking up and returning the child(ren). No person transporting the child(ren) may be under the influence of drugs or alcohol.

14. Illness or Injury of Child: If a child becomes ill or injured, warranting the giving of medication or consultation with a doctor or dentist, each parent must notify the other parent as soon as reasonably possible.

15. Telephone Access: Both the child(ren) and the parents must be allowed reasonable communication by telephone at reasonable times, regardless of with whom the child(ren) are currently residing. If it is the child(ren) calling a parent, the party with whom the child(ren) are residing at the time of the call shall bear the expense, unless the child(ren) are permitted to telephone the other parent collect. If the parties' cannot agree, telephone access shall be at least twice a week during the hours that the child(ren) are normally awake.

16. Moving: The residential parent shall not be permitted to move his or her residence from the jurisdiction of the court, without the prior written consent of the non-residential parent, or permission of the court.