



## II. BASIS FOR RESTRICTIONS

*Under certain circumstances, as outlined below, the court may limit or prohibit a parent's contact with the child(ren) and the right to make decisions for the child(ren).*

### 2.1 PARENTAL CONDUCT (RCW 26.09.191(1), (2)).

- Does not apply.
- The  mother's  father's residential time with the children shall be limited or restrained completely because  this parent  a person residing with this parent has engaged in the conduct which follows:
  - Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions (this applies only to parents, not to a person who resides with a parent).
  - Physical, sexual or a pattern of emotional abuse of a child.
  - A history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.
  - Other:

### 2.2 OTHER FACTORS (RCW 26.09.191(3)).

- Does not apply
- The  mother's  father's involvement or conduct may have an adverse effect on the child's best interests because of the existence of the factors which follow:
  - Neglect or substantial nonperformance of parenting functions.
  - A long-term emotional or physical impairment which interferes with the performance of parenting functions as defined in RCW 26.09.004.
  - A long-term impairment resulting from drug, alcohol, or other substance abuse that interferes with the performance of parenting functions.
  - The absence or substantial impairment of emotional ties between the parent and the child.
  - The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development.
  - A parent has withheld from the other parent access to the child for a protracted period without good cause.
  - Other:

### III. RESIDENTIAL SCHEDULE

*The residential schedule must set forth where the child(ren) shall reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the child(ren) shall have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the child(ren) and individual needs of their family. Paragraphs 3.1 through 3.9 are one way to write your residential schedule. If you do not use these paragraphs, write in your own schedule in Paragraph 3.13.*

#### 3.1 SCHEDULE FOR CHILDREN UNDER SCHOOL AGE.

- There are no children under school age.  
 Prior to enrollment in school, the child(ren) shall reside with the  mother  father, except for the following days and times when the child(ren) will reside with or be with the other parent:

from: \_\_\_\_\_ [day and time] to \_\_\_\_\_ [day and time]  
 every week  every other week  the first and third week of the month  the second and fourth week of the month  other:

from: \_\_\_\_\_ [day and time] to \_\_\_\_\_ [day and time]  
 every week  every other week  the first and third week of the month  the second and fourth week of the month  other:

#### 3.2 SCHOOL SCHEDULE.

Upon enrollment in school, the child(ren) shall reside with the  mother  father, except for the following days and times when the child(ren) will reside with or be with the other parent:

from \_\_\_\_\_ [day and time] to \_\_\_\_\_ [day and time]  
 every week  every other week  the first and third week of the month  
 the second and fourth week of the month  other:

from \_\_\_\_\_ [day and time] to \_\_\_\_\_ [day and time]  
 every week  every other week  the first and third week of the month  
 the second and fourth week of the month  other:

The school schedule will start when each child begins  kindergarten  first grade  
 other:

3.3 SCHEDULE FOR WINTER VACATION.

The child(ren) shall reside with the  mother  father during winter vacation, except for the following days and times when the child(ren) will reside with or be with the other parent:

3.4 SCHEDULE FOR SPRING VACATION.

The child(ren) shall reside with the  mother  father during spring vacation, except for the following days and times when the child(ren) will reside with or be with the other parent:

3.5 SUMMER SCHEDULE.

Upon completion of the school year, the child(ren) shall reside with the  mother  father, except for the following days and times when the child(ren) will reside with or be with the other parent:

Same as school year schedule.  
 Other:

3.6 VACATION WITH PARENTS.

Does not apply.  
 The schedule for vacation with parents is as follows:

3.7 SCHEDULE FOR HOLIDAYS.

The residential schedule for the child(ren) for the holidays listed below is as follows:

	With Mother (Specify Year <u>Odd/Even/Every</u> )	With Father (Specify Year <u>Odd/Even/Every</u> )
New Year's Day	_____	_____
Martin Luther King Day	_____	_____
Presidents' Day	_____	_____

Memorial Day	_____	_____
July 4th	_____	_____
Labor Day	_____	_____
Veterans' Day	_____	_____
Thanksgiving Day	_____	_____
Christmas Eve	_____	_____
Christmas Day	_____	_____
_____	_____	_____
_____	_____	_____

- For purposes of this parenting plan, a holiday shall begin and end as follows (set forth times):
- Holidays which fall on a Friday or a Monday shall include Saturday and Sunday.
- Other:

3.8 SCHEDULE FOR SPECIAL OCCASIONS.

The residential schedule for the child(ren) for the following special occasions (for example, birthdays) is as follows:

	With Mother (Specify Year <u>Odd/Even/Every</u> )	With Father (Specify Year <u>Odd/Even/Every</u> )
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- Other:

3.9 PRIORITIES UNDER THE RESIDENTIAL SCHEDULE.

- Does not apply.
- If the residential schedule, paragraphs 3.1 - 3.8, results in a conflict where the children are scheduled to be with both parents at the same time, the conflict shall be resolved by priority being given as follows:
  - Rank the order of priority, with 1 being given the highest priority:

____ school schedule (3.1, 3.2)	____ vacation with parents (3.6)
____ winter vacation (3.3)	____ holidays (3.7)

\_\_\_\_spring vacation (3.4)  
\_\_\_\_summer schedule (3.5)

\_\_\_\_special occasions (3.8)

Other:

### 3.10 RESTRICTIONS.

- Does not apply because there are no limiting factors in paragraphs 2.1 or 2.2.  
 The  mother's  father's residential time with the children shall be limited because there are limiting factors in paragraphs 2.1 and 2.2. The following restrictions shall apply when the children spend time with this parent:

- There are limiting factors in paragraph 2.2, but there are no restrictions on the  mother's  father's residential time with the children for the following reasons:

### 3.11 TRANSPORTATION ARRANGEMENTS.

Transportation costs are included in the Child Support Worksheets and/or the Order of Child Support and should not be included here.

Transportation arrangements for the child(ren) between parents shall be as follows:

### 3.12 DESIGNATION OF CUSTODIAN.

The child(ren) named in this residential schedule is/are scheduled to reside the majority of the time with the  mother  father. This parent is designated the custodian of the child(ren) solely for purposes of all other state and federal statutes which require a designation or determination of

custody. This designation shall not affect either parent's rights and responsibilities under this residential schedule.

3.13 OTHER.

3.14 SUMMARY OF RCW 26.09.430 - .480, REGARDING RELOCATION OF A CHILD.

This is a summary only. For the full text, please see RCW 26.09.430 through 26.09.480.

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child.

If the move is outside the child's school district, the relocating person must give notice by personal service or by mail requiring a return receipt. This notice must be at least 60 days before the intended move. If the relocating person could not have known about the move in time to give 60 days' notice, that person must give notice within 5 days after learning of the move. The notice must contain the information required in RCW 26.09.440. See also form DRPSCU 07.0500, (Notice of Intended Relocation of a Child).

If the move is within the same school district, the relocating person must provide actual notice by any reasonable means. A person entitled to time with the child may not object to the move but may ask for modification under RCW 26.09.260.

Notice may be delayed for 21 days if the relocating person is entering a domestic violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health and safety.

If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.

A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk.

Failure to give the required notice may be grounds for sanctions, including contempt.

**If no objection is filed within 30 days after service of the notice of intended relocation, the relocation will be permitted and the proposed revised residential schedule may be confirmed.**

A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice.

An objection may be filed by using the mandatory pattern form WPF DRPSCU 07.0700, (Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule). The objection must be served on all persons entitled to time with the child.

The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

If the objecting person schedules a hearing for a date within 15 days of timely service of the objection, the relocating person shall not move the child before the hearing unless there is a clear, immediate and unreasonable risk to the health or safety of a person or a child.

IV. OTHER PROVISIONS

- [ ] There are no other provisions.
[ ] There are the following other provisions:

V. DECLARATION FOR PROPOSED RESIDENTIAL SCHEDULE

- [ ] Does not apply.
[ ] (Only sign if this is a proposed residential schedule.) I declare under penalty of perjury under the laws of the state of Washington that this residential schedule has been proposed in good faith and that the statements in Part II of this Schedule are true and correct.

Mother Date and Place [City and State] of Signature
Father Date and Place [City and State] of Signature

VI. ORDER BY THE COURT

- [ ] Does not apply.
[ ] It is ordered, adjudged and decreed that the parenting plan set forth above is adopted and approved as an order of this court.

WARNING: Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or RCW 9A.40.070(2). Violation of this order may subject a violator to arrest.

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Dated: JUDGE/COMMISSIONER

Presented by: Approved for entry:

Signature Signature

Print or Type Name Print or Type Name