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Superior Court of Washington
County of KING

In re the Marriage of:
DAVID J. PETERSMITH

And
ELLEN T. PETERSMITH

Petitioner,

Respondent

No. 15-3-09999-9 SEA

Parenting Plan

Temporary Order (PP)

This parenting plan is a final parenting plan signed by the court on this date.

It Is Ordered, Adjudged and Decreed:

I. General Information

This parenting plan applies to the following children:

Children's Names	Age
Rebecca Petersmith	4
Aaron Petersmith	3

II. Basis for Restrictions

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

2.1 Parental Conduct (RCW 26.09.191(1), (2))

Does not apply.

1 **2.2 Other Factors (RCW 26.09.191(3))**

2 Does not apply.

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4 **III. Residential Schedule**

5 *The residential schedule must set forth where the children shall reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the children shall have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the children 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.*

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9 **3.1 Schedule for Children Under School Age**

10 Prior to enrollment in school, the children shall reside with the parents as follows:

11 Alternate 1: This is a 50/50 parenting plan. On a two week rotation: Children will be with the mother Monday afternoon through Wednesday morning; then with the father after work (or 5 PM) Wednesday afternoon, until Friday morning, return to daycare or school. (Mother's home if mother is not working.) Mother has the first weekend, from Friday after work (or 5 PM) to Wednesday morning, return to daycare or school; Father then has Wednesday after work (or 5 PM) to Monday morning. This results in 2 days with Mother, 2 days with Father, 5 days with Mother, 5 days with Father.

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16 Alternate 2: This is a 50/50 parenting plan. On a two week rotation: Children will be with the mother the first week, from Sunday night at 7 PM, to Sunday night at 7 PM. The father will have the second week on the same schedule.

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18 **3.2 School Schedule**

19 Upon enrollment in school, the children shall reside with the petitioner, except for the following days and times when the children will reside with or be with the other parent:

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21 Alternate 1: This is a 50/50 parenting plan. On a two week rotation: Children will be with the mother Monday afternoon through Wednesday morning; then with the father after work (or 5 PM) Wednesday afternoon, until Friday morning, return to daycare or school. (Mother's home if mother is not working.) Mother has the first weekend, from Friday after work (or 5 PM) to Wednesday morning, return to daycare or school; Father then has Wednesday after work (or 5 PM) to Monday morning. This results in 2 days with Mother, 2 days with Father, 5 days with Mother, 5 days with Father.

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2 Alternate 2: This is a 50/50 parenting plan. On a two week rotation: Children will be with
3 the mother the first week, from Sunday night at 7 PM, to Sunday night at 7 PM. The father will
4 have the second week on the same schedule.

5 The school schedule will start when each child begins kindergarten

6 **3.3 Schedule for Winter Vacation**

7 The child shall reside with the parents during winter vacation as follows:

8 Split between parents. Mother shall have first part in even years, and second part in odd
9 years. Vacation shall run from the afternoon, on the day school lets out, to Christmas Eve at 9
10 PM. The second half runs from 9 PM Christmas Eve to the 6 PM two days before school starts.
11 If this is New Year's Day, this includes New Year's Day.

12 **3.4 Schedule for Other School Breaks**

13 The child shall reside with the parents during other school breaks as follows:

14 Split between parents. Mother shall have first vacation in even years, and second vacation in
15 odd years. Vacation shall run from Friday afternoon, on the day school lets out, to Sunday night
16 at 6 PM, the day before school starts. If there is only one vacation, mother shall have first half
17 of vacation in odd years and second half in even years.

18 **3.5 Summer Schedule**

19 Upon completion of the school year, the child shall reside with the parents as follows:

20 Same as school year schedule, except that the children will be returned to daycare.

21 **3.6 Vacation With Parents**

22 The schedule for vacation with parents is as follows:

23 Each parent will have up to two weeks vacation with the children during the summer.
24 Mother has first choice of two weeks in even years, as long as she lets father know by
May 1st. Father has the same first choice in odd years.

3.7 Schedule for Holidays

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

<u>Holiday</u>	<u>With Mother</u>	<u>With Father</u>
New Year's Day	Goes with winter vacation.	
Martin Luther King Day	Goes with whatever parent has the week.	
Presidents' Day	Goes with whatever parent has the week.	
Memorial Day	Goes with whatever parent has the week.	
July 4th	Even	Odd
Labor Day	Goes with whatever parent has the week.	
Veterans' Day	Goes with whatever parent has the week.	
Thanksgiving Day	Odd	Even
Christmas Eve	Goes with winter vacation.	
Christmas Day	Goes with winter vacation.	

For purposes of this parenting plan, a holiday shall begin and end as follows (set forth times):

4th of July: from 9 AM 7/4 to 9 AM 7/5.

Thanksgiving: from Wednesday after school to Sunday 5 PM.

Holidays which fall on a Friday or a Monday shall include Saturday and Sunday.

3.8 Schedule for Special Occasions

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

	<u>With Petitioner (Specify Year Odd/Even/Every)</u>	<u>With Respondent (Specify Year Odd/Even/Every)</u>
Mother's Day	Every	
Father's Day		Every
Mother's Birthday	Every	
Father's Birthday		Every
Children's Birthday	Odd	Even

Special occasions run from 9 AM to 9 PM.

3.9 Priorities Under the Residential Schedule

Paragraphs 3.3 - 3.8, have priority over paragraphs 3.1 and 3.2, in the following order:

Rank the order of priority, with 1 being given the highest priority:

- 5 School schedule (3.1, 3.2)
- 4 Winter vacation (3.3)
- 4 Spring vacation (3.4)
- 3 Summer schedule (3.5)
- 6 Vacation with parents (3.6)
- 2 Holidays (3.7)
- 1 Special occasions (3.8)

3.10 Restrictions

Does not apply because there are no limiting factors in paragraphs 2.1 or 2.2.

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 children between parents shall be as follows:

Split between parties. Parent with the child drops off at the other parent's house, unless otherwise agreed.

3.12 Designation of Custodian

The children named in this parenting plan are scheduled to reside half the time with each parents. Both parents are designated the custodian of the children 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 parenting plan.

3.13 Other

- a. Either parent may vary the parenting plan by written or email agreement. Parents expect and agree that the schedule with each parent will vary depending on the children's needs and their schedule. Parents agree to revisit the parenting plan in three years' time.
- b. For all holidays and vacations that follow a school day, children shall be picked up after school by the receiving parent or their designee. The children shall be returned by 7 PM on the day the vacation or holiday ends.
- c. Either parent shall refrain from interfering with the other parent's decisions as to how and where the children will spend time while in the other parent's care. In addition, both parents shall refrain from obstructing or otherwise interfering with the other's relationship with both children, including without limitation plans for vacations and holidays.

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- d. Each parent desires to remain responsible and active in the growth and development of the children consistent with the best interests of the children. The parents shall make mutual efforts to maintain open, ongoing communication concerning the development, needs and interests of the children and discuss together the major decisions which have to be made about or for the children.
- e. Each parent shall have equal and independent authority to confer with school, day care, and other programs with regard to the children's progress, and each shall have free access to school, daycare, and other records. Each parent shall have authority to give parental consent or permission, as may be required, concerning school, daycare, or other programs for the children while the children are in his or her care.
- f. Each parent shall exert every reasonable effort to maintain free access and unhampered contact and communication between the children and the other parent, and promote the affections of affection, love, and respect between the children and the other parent. Neither parent shall make derogatory comments about the other parent or allow anyone else to do the same in the children's presence. Neither parent shall allow or encourage the children to make derogatory comments about the other parent.
- g. Each parent shall be empowered to obtain emergency health care for the children without the consent of the other parent. Each parent is to notify the other parent as soon as reasonably possible of any illness requiring medical attention or of any emergency involving the children.
- h. Each parent shall have equal and independent authority to arrange routine and emergency medical and dental services for the children while the children are in his or her care and residence.
- i. If the father has the children, mother has right of first refusal to provide babysitting if father will not have children for more than a four hour block. This does not apply to the children having overnight sleepovers with friends or grandparents.
- j. Each child shall have reasonable telephone privileges with the parent with whom the children are not then residing without interference by the residential parent. Either parent may/may not buy the children a cell phone for the express purpose of communicating with the children.
- k. Each child shall be accompanied by the parent with whom the child is residing at the time of a given social event. The other parent shall not limited from attendance at that event, providing such attendance by the non-residential parent is not disruptive to the other parties.
- l. All coordination with regard to children's schedules, visitation, extra curricular activities, medical or dental care, shall be done directly between the parents, and not by third parties. Parents shall coordinate directly with each other with regard to the children's activities and medical care.

- 1 m. Each parent shall make every effort to keep themselves apprised of school, athletic, and
2 social events in which the children participate. Both parents may participate in school
3 activities for the children, such as open houses, attendance at athletic events, etc.
- 4 n. Each parent shall provide the other parent promptly with receipt of any significant
5 information regarding the welfare of the children, including physical and mental health,
6 performance in school, extracurricular activities, etc.
- 7 o. Each parent agrees to honor the other parent's parenting style, privacy, and authority.
8 Neither will interfere in the parenting style of the other, nor will either parent make plans
9 and arrangements which impinge on the other parent's authority or time with the children
10 without the express agreement of the other parent. Each parent agrees to encourage the
11 children to discuss his or her grievance with a parent, directly with that parent. It is the
12 intent of both parents to encourage a direct parent-child bond.
- 13 p. Each parent shall be encouraged to have the children participate in their religious
14 activities. Neither parent shall disparage the other parent's religious activities or attempt
15 to sway the children to his or her respective religious or philosophical viewpoint.
- 16 q. Neither parent shall ask the children to make decisions or requests involving the
17 residential schedule. Neither parent shall discuss the residential schedule with the
18 children except for plans which have already been agreed to by both parents in advance.
19 Neither parent shall encourage the children to change their primary residence or
20 encourage the children to believe it is their right or choice to do so.
- 21 r. Neither parent shall advise the children of the status of child support payments or other
22 legal matters regarding the parent's relationship.
- 23 s. Neither parent shall use the children directly or indirectly to gather information about the
24 other parent or take messages to the other parent.

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
Parenting Plan (PPP, PPT, PP) Page 7 of 10
WPF DR 01.0400 Mandatory (6/2008) - RCW 26.09.181; .187; .194

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1 notice by any reasonable means. A person entitled to time with the child may not object
2 to the move but may ask for modification under RCW 26.09.260.

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

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

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

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

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

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

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

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

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

IV. Decision Making

4.1 Day-to-Day Decisions

Each parent shall make decisions regarding the day-to-day care and control of each child while the children are residing with that parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

4.2 Major Decisions

Major decisions regarding each child shall be made as follows:

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2 Education decisions: joint

3 Non-emergency health care: joint

4 Religious upbringing: joint

5 **4.3 Restrictions in Decision Making**

6 Does not apply because there are no limiting factors in paragraphs 2.1 and 2.2 above.

7
8 **V. Dispute Resolution**

9 *The purpose of this dispute resolution process is to resolve disagreements about carrying out*
10 *this parenting plan. This dispute resolution process may, and under some local court rules or*
11 *the provisions of this plan must, be used before filing a petition to modify the plan or a motion for*
12 *contempt for failing to follow the plan.*

13 Disputes between the parties, other than child support disputes, shall be submitted to
14 (list person or agency):

15 mediation by Cheryll Russell, if this box is checked and issues of domestic
16 violence or child abuse are present, then the court finds that the victim requested
17 mediation, that mediation is appropriate and that the victim is permitted to have a
18 supporting person present during the mediation proceedings, or

19 The cost of this process shall be allocated between the parties as follows:

20 50% petitioner 50% respondent.

21 The dispute resolution process shall be commenced by notifying the other party by
22 written request or email.

23 In the dispute resolution process:

- 24
- (a) Preference shall be given to carrying out this Parenting Plan.
 - (b) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.
 - (c) A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration award and shall be provided to each party.
 - (d) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court shall award attorneys' fees and financial

1 sanctions to the other parent.

- 2 (e) The parties have the right of review from the dispute resolution process to the
3 superior court.

4 **VII Order by the Court**

5 It is ordered, adjudged and decreed that the parenting plan set forth above is adopted and
6 approved as an order of this court.

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

10 When mutual decision making is designated but cannot be achieved, the parties shall make a
11 good faith effort to resolve the issue through the dispute resolution process.

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

14 Dated: _____
15 **Judge/Commissioner**

16 Presented by: _____ Approved for entry: _____

17 Petitioner or petitioner's attorney: _____ Respondent or respondent's attorney:
18 A signature below is actual notice of this order. A signature below is actual notice of this order
19 Presented by: _____

20 Approved for Entry:
21 Notice for presentation waived:

22 _____
23 Craig Jonathan Hansen/WSB 24060
24 Attorney for Petitioner

_____ Ellen J. Petersmith/ Pro Se
Respondent

_____ David J. Petersmith/Petitioner