

STATE OF TENNESSEE	CHANCERY COURT	WILLIAMSON COUNTY
PERMANENT PARENTING PLAN ORDER <input type="checkbox"/> PROPOSED <input checked="" type="checkbox"/> AGREED <input type="checkbox"/> ORDERED BY THE COURT		FILE NO. 12345
PLAINTIFF PARENT 1 <input type="checkbox"/> Mother <input checked="" type="checkbox"/> Father		DEFENDANT PARENT 2 <input checked="" type="checkbox"/> Mother <input type="checkbox"/> Father

The mother and father will behave with each other and each child so as to provide a loving, stable, consistent and nurturing relationship with the child even though they are divorced. They will not speak badly of each other or the members of the family of the other parent. They will encourage each child to continue to love the other parent and be comfortable in both families.

This plan is a new plan.

Child's Name	Date of Birth
Kid 1	12/19/06
Kid 2	1/23/10

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The parents are joint primary parents.

Under the schedule set forth below, each parent will spend the following number of days with the children:

Mother 182.5 days Father 182.5 days.

B. DAY-TO-DAY SCHEDULE

The parents will alternate full weeks parenting the child, exchanging the child on *Sundays at 5pm.*

This parenting schedule begins when the *Mother/Father* vacates the marital residence.

C. HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS

Indicate if child or children will be with parent in ODD or EVEN numbered years or EVERY year:

	MOTHER	FATHER	
Martin Luther King Day	<u>Even</u>	<u>Odd</u>	<u>Friday at 3pm until Tuesday at 8am</u>
Presidents' Day	<u>Odd</u>	<u>Even</u>	<u>Friday at 3pm until Tuesday at 8am</u>
Easter Day (unless otherwise coinciding with Spring Vacation)	<u>Odd</u>	<u>Even</u>	<u>Thursday at 6pm until Sunday at 6pm</u>
Mother's Day	<u>Every</u>	<u>None</u>	<u>Friday at 6pm until Sunday at 6pm</u>
Memorial Day (if no school)	<u>Even</u>	<u>Odd</u>	<u>Friday at 3pm until Tuesday at 8am</u>
Father's Day	<u>None</u>	<u>Every</u>	<u>Friday at 6pm until Sunday at 6pm</u>
July 4 th	<u>Odd</u>	<u>Even</u>	<u>10am 7/4 until 10am 7/5</u>
Labor Day	<u>Odd</u>	<u>Even</u>	<u>Friday at 3pm until Tuesday at 8am</u>
Halloween	<u>Odd</u>	<u>Even</u>	<u>After school until 9pm</u>
Children's Birthdays	<u>Even</u>	<u>Odd</u>	<u>**specify</u>
Mother's Birthday	<u>Every</u>	<u>None</u>	<u>**specify</u>
Father's Birthday	<u>None</u>	<u>Every</u>	<u>**specify</u>
Other special days?			

Holidays supercede the day-to-day schedule and the summer schedule.

OR Monday and Friday holidays will attach to the previous week, so the exchange will occur on Monday at 5pm instead of Sunday at 5pm, so as to not interrupt a long weekend.

D. FALL VACATION (If applicable)

The parties agree that Father shall parent the children during Fall Vacation in even years and Mother in odd years. The parties agree that Fall break will start when school lets out and will end at 6pm the night before school resumes.

E. THANKSGIVING

The parties agree that Father shall parent the children during at Thanksgiving in odd years and Mother in even years. The parties agree that this parenting time will start when school lets out and will end at 6pm the night before school resumes.

F. WINTER (CHRISTMAS) VACATION

Winter Vacation begins on the day and time of school's dismissal for winter break and ends at 7:00 p.m. the night before school resumes.

1. The first block is defined as school dismissal until December 25th at noon.
2. The second block of the break is defined as the total number of overnights in the winter break from school divided by two beginning on December 25th at noon until 7:00 p.m. on the last day of the second block.
3. The third block of the break is defined as beginning at 7:00 p.m. on the last day of the second block and ending at 7:00 p.m. on the day prior to school resuming.
4. In odd years, Mother has the first block and the third block, and Father has the second block.
5. In even years, Father has the first block and the third block, and Mother has the second block.

G. SPRING VACATION *(If applicable)*

The day-to-day schedule shall apply except as follows: The parties will alternate Spring Break, with Mother enjoying spring break in even years, and Father enjoying Spring Break in odd years. The parties agree that spring break will start when school lets out and ends at 6pm the night before school resumes.

H. SUMMER VACATION

Each parent may have the option for an uninterrupted 10-day period for a vacation with the children by adding three (3) days to one of that parent’s regularly scheduled weeks. Is written notice required? Yes No Email notice is sufficient and must be provided by April 1 of each year, unless otherwise agreed by the parties.

The holiday schedule shall supersede the summer parenting schedule.

I. TRANSPORTATION ARRANGEMENTS

The place of meeting for the exchange of the child or children shall be at the children’s school when coordinating with school times; or the home of the receiving parent. Transportation will be provided by the non-receiving parent.

Payment of long distance transportation costs *(if applicable)*: mother father both equally.

Other arrangements: Please Type Other Arrangements

If a parent does not possess a valid driver’s license, he or she must make reasonable transportation arrangements to protect the child or children while in the care of that parent.

J. SUPERVISION OF PARENTING TIME *(If applicable)*

Check if applicable

Supervised parenting time shall apply during the day-to-day schedule as follows:

Place: Type Location of Parenting Time.

Person or organization supervising: Type Person or Organization Supervising

Responsibility for cost, if any: mother father both equally.

K. OTHER

The following special provisions apply: **none.**

II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

B. MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

- | | | | |
|--------------------------------|---------------------------------|---------------------------------|---|
| Educational decisions | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input checked="" type="checkbox"/> joint |
| Non-emergency health care | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input checked="" type="checkbox"/> joint |
| Religious upbringing | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input checked="" type="checkbox"/> joint |
| Extracurricular activities | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input checked="" type="checkbox"/> joint |
| <u>Enter other information</u> | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is \$ XXXXX.

Mother's gross monthly income is \$ XXXXX.

1. The final child support order is as follows:
 - a. The mother father shall pay to the other parent as regular child support the sum of \$XXX weekly monthly twice per month every two weeks. **The Child Support Worksheet shall be attached to this Order as an Exhibit.***

If this is a deviation from the Child Support Guidelines, explain why: Please Type Reason For Deviation

2. Retroactive Support: A judgment is hereby awarded in the amount of \$0.00 to mother father against the child support payor representing retroactive support required under Section 1240-2-4.06 of the D.H.S. Income Shares Child Support Guidelines dating from Please Type Date of Child Support Start which shall be paid (including pre/post judgment interest) at the rate of \$Please Type Rate of Payment per week month twice per month every two weeks until the judgment is paid in full.

3. Payments shall begin on the first day of the month following the parties' vacating the marital residence.

This support shall be paid:

- directly to the other parent.
- to the Central Child Support Receipting Unit, P. O. Box 305200, Nashville, Tennessee 37229, and sent from there to the other parent at: Please Type Address of Receiving Parent.

A Wage Assignment Order is attached to this Parenting Plan

- by direct deposit to the other parent at Please Type Name of Bank Bank for deposit in account no. Please Type Account Number.
- income assignment not required; Explanation: _____.
- other: Please Enter Any Other Information Here.

The parents acknowledge that court approval must be obtained before child support can be reduced or modified.

*Child Support Worksheet can be found on DHS website at <http://www.state.tn.us/humanserv/is/isdocuments.html> or at your local child support offices.

B. FEDERAL INCOME TAX DEPENDENCY BENEFITS*†

The mother father is the parent receiving child support.

The Mother shall claim the following children: Kid 1 and Kid 2

If IRS Form 8332 or an equivalent is necessary in order for the respective parent to claim such dependent tax benefits related to the children, the other parent will furnish IRS Form 8332, or its equivalent, to the claiming parent by February 15 of the year the tax return is due.

C. PROOF OF INCOME AND WORK-RELATED CHILD CARE EXPENSES

Each parent shall send proof of income to the other parent for the prior calendar year as follows:

- IRS Forms W-2 and 1099 shall be sent to the other parent on or before February 15.
- A copy of his or her federal income tax return shall be sent to the other parent on or before April 15 or any later date when it is due because of an extension of time for filing.
- The completed form required by the Department of Human Services shall be sent to the Department on or before the date the federal income tax return is due by the parent paying child support. *This requirement applies only if a parent is receiving benefits from the Department for a child.*

The parent paying work-related child care expenses shall send proof of expenses to the other parent for the prior calendar year and an estimate for the next calendar year, on or before February 15.

D. HEALTH AND DENTAL INSURANCE

Reasonable health insurance on the child or children will be:

- maintained by the mother
- maintained by the father
- maintained by both

Proof of continuing coverage shall be furnished to the other parent annually or as coverage changes. The parent maintaining coverage shall authorize the other parent to consult with the insurance carrier regarding the coverage in effect.

Uncovered reasonable and necessary medical expenses, which may include but is not limited to, deductibles or co-payments, eyeglasses, contact lens, routine annual physicals, and counseling will be paid by mother father pro rata in accordance with their incomes. After insurance has paid its portion, the parent receiving the bill will send it to the other parent within ten days. The other parent will pay his or her share within 30 days of receipt of the bill.

If available through work, the mother father shall maintain dental, orthodontic, and optical insurance on the minor child or children.

* NOTE: The child support schedule assumptions in the guidelines (1240-2-4-.03 (6)(b)) assume that the parent receiving the child support will get the tax exemptions for the child.

E. LIFE INSURANCE

If agreed upon by the parties, the mother father both shall insure his/her own life in the minimum amount of **\$500,000** by whole life or term insurance. Until the child support obligation has been completed, each policy shall name the child/children as sole irrevocable primary beneficiary, with: the other parent other Type Other Information, as trustee for the benefit of the child(ren), to serve without bond or accounting.

IV. PRIMARY RESIDENTIAL PARENT (CUSTODIAN) FOR OTHER LEGAL PURPOSES

The child or children are scheduled to reside the majority of the time with the mother father. This parent is designated as the primary residential parent also known as the custodian, **SOLELY** for purposes of any other applicable state and federal laws. If the parents are listed in Section II as joint decision-makers, then, for purposes of obtaining health or other insurance, they shall be considered to be joint custodians. THIS DESIGNATION DOES NOT AFFECT EITHER PARENT'S RIGHTS OR RESPONSIBILITIES UNDER THIS PARENTING PLAN.

V. DISAGREEMENTS OR MODIFICATION OF PLAN

Should the parents disagree about this Parenting Plan or wish to modify it, they must make a good faith effort to resolve the issue by the process selected below before returning to Court. *Except for financial support issues including child support, health and dental insurance, uncovered medical and dental expenses, and life insurance*, disputes must be submitted to:

- Mediation by a neutral party chosen by the parents or the Court.
- Arbitration by a neutral party selected by parents or the Court.
- The Court DUE TO ORDER OF PROTECTION OR RESTRICTIONS.

The costs of this process may be determined by the alternative dispute process or may be assessed by the Court based upon the incomes of the parents. It must be commenced by notifying the other parent and the Court by written request certified mail other: Please Type Other Information

In the dispute resolution process:

- A. Preference shall be given to carrying out this Parenting Plan.
- B. The parents shall use the process to resolve disputes relating to implementation of the Plan.
- C. A written record shall be prepared of any agreement reached, and it shall be provided to each parent.
- D. If the Court finds that a parent willfully failed to appear without good reason, the Court, upon motion, may award attorney fees and financial sanctions to the prevailing parent

VI. RIGHTS OF PARENTS

Under T.C.A. § 36-6-101 of Tennessee law, both parents are entitled to the following rights:

- (1) The right to unimpeded telephone conversations with the child at least twice a week at reasonable times and for reasonable durations. The parent exercising parenting time shall furnish the other parent with a telephone number where the child may be reached at the days and time specified in a parenting plan or other court order or, where days and times are not specified, at reasonable times;
- (2) The right to send mail to the child which the other parent shall not destroy, deface, open or censor. The parent exercising parenting time shall deliver all letters,

packages and other material sent to the child by the other parent as soon as received and shall not interfere with their delivery in any way, unless otherwise provided by law or court order;

- (3) The right to receive notice and relevant information as soon as practicable but within twenty-four (24) hours of any hospitalization, major illness or injury, or death of the child. The parent exercising parenting time when such event occurs shall notify the other parent of the event and shall provide all relevant healthcare providers with the contact information for the other parent;
- (4) The right to receive directly from the child's school any educational records customarily made available to parents. Upon request from one parent, the parent enrolling the child in school shall provide to the other parent as soon as available each academic year the name, address, telephone number and other contact information for the school. In the case of children who are being homeschooled, the parent providing the homeschooling shall advise the other parent of this fact along with the contact information of any sponsoring entity or other entity involved in the child's education, including access to any individual student records or grades available online. The school or homeschooling entity shall be responsible, upon request, to provide to each parent records customarily made available to parents. The school may require a written request which includes a current mailing address and may further require payment of the reasonable costs of duplicating such records. These records include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores;
- (5) Unless otherwise provided by law, the right to receive copies of the child's medical, health or other treatment records directly from the treating physician or healthcare provider. Upon request from one parent, the parent who has arranged for such treatment or health care shall provide to the other parent the name, address, telephone number and other contact information of the physician or healthcare provider. The keeper of the records may require a written request including a current mailing address and may further require payment of the reasonable costs of duplicating such records. No person who receives the mailing address of a requesting parent as a result of this requirement shall provide such address to the other parent or a third person;
- (6) The right to be free of unwarranted derogatory remarks made about such parent or such parent's family by the other parent to or in the presence of the child;
- (7) The right to be given at least forty-eight (48) hours notice, whenever possible, of all extracurricular school, athletic, church activities and other activities as to which parental participation or observation would be appropriate, and the opportunity to participate in or observe them. The parent who has enrolled the child in each such activity shall advise the other parent of the activity and provide contact information for the person responsible for its scheduling so that the other parent may make arrangements to participate or observe whenever possible, unless otherwise provided by law or court order;
- (8) The right to receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than forty-eight (48) hours, an itinerary which shall include the planned dates of departure and return, the intended destinations and mode of travel and telephone numbers. The parent traveling with the child or children shall provide this information to the other parent so as to give that parent reasonable notice; and
- (9) The right to access and participation in the child's education on the same bases that are provided to all parents including the right of access to the child during lunch and other school activities; provided, that the participation or access is legal

and reasonable; however, access must not interfere with the school's day-to-day operations or with the child's educational schedule.

VII. NOTICE REGARDING PARENTAL RELOCATION

The Tennessee statute (T.C.A. § 36-6-108) which governs the notice to be given in connection with the relocation of a parent reads in pertinent part as follows:

- (a) After custody or co-parenting has been established by the entry of a permanent parenting plan or final order, if a parent who is spending intervals of time with a child desires to relocate outside the state or more than fifty (50) miles from the other parent within the state, the relocating parent shall send a notice to the other parent at the other parent's last known address by registered or certified mail. Unless excused by the court for exigent circumstances, the notice shall be mailed not later than sixty (60) days prior to the move. The notice shall contain the following:
 - (1) Statement of intent to move;
 - (2) Location of proposed new residence;
 - (3) Reasons for proposed relocation; and
 - (4) Statement that absent agreement between the parents or an objection by the non-relocating parent within thirty (30) days of the date notice is sent by registered or certified mail in accordance with subsection (a), the relocating parent will be permitted to do so by law.
- (b) Absent agreement by the parents on a new visitation schedule within thirty (30) days of the notice or upon a timely objection in response to the notice, the relocating parent shall file a petition seeking approval of the relocation. The non-relocating parent has thirty (30) days to file a response in opposition to the petition. In the event no response in opposition is filed within thirty (30) days, the parent proposing to relocate with the child shall be permitted to do so.
- (c) (1) If a petition in opposition to relocation is filed, the court shall determine whether relocation is in the best interest of the minor child.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by both parents mother father neither.

Failure to attend the parent education class within 60 days of this order is punishable by contempt.

Under penalty of perjury, we declare that this plan has been proposed in good faith and is in the best interest of each minor child and that the statements herein and on the attached child support worksheets are true and correct. (A notary public is required if this is a proposed plan by one parent rather than one agreed by both parents.)

Mother

Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 20_____.

My commission expires: _____

Notary Public

Father

Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 20_____.

My commission expires: _____

Notary Public

APPROVED FOR ENTRY:

Attorney for Mother

Attorney for Father

Address

Address

Address

Address

Phone and BPR Number

Phone and BPR Number

Note: The judge or chancellor may sign below or, instead, sign a Final Decree or a separate Order incorporating this plan.

COURT COSTS (If applicable)

Court costs, if any, are taxed as follows: **Each party equally.**

It is so ORDERED this the _____ day of _____, _____.

Judge or Chancellor