State Court Administrative Office

Michigan Parenting Time Guideline

Revised: February 2021

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Important Notice to Readers

The Michigan Parenting Time Guideline (Guideline) is produced by the Michigan Supreme Court, State Court Administrative Office. It provides information to help parents create a parenting time schedule in the best interests of their child. Parents might use the Guideline when trying to establish or modify a parenting time schedule or plan.

This Guideline is not an exhaustive list of all parenting time issues and concerns but it addresses issues most frequently experienced by parents when discussing parenting time schedules. Readers should always consider the family's unique dynamics, concerns, and issues. Some sections of this Guideline are not appropriate for families in which domestic violence or child abuse have been perpetrated; see **Safety Concerns** for more information.

Information and options provided in this Guideline represent the advisory committee members' and other experts' professional judgment and do not constitute recommendations from the Michigan Supreme Court. Readers of the Guideline are solely responsible for determining how the information in the Guideline applies to their situation.

This Guideline is a tool and not the law. For legal advice or legal services, consult with a licensed attorney (https://lrs.michbar.org/LRS-Info/Lawyer-Referral-Service) or find information from Michigan Legal Help (https://michiganlegalhelp.org/self-help-tools/family).

How Was the Guideline Developed?

The Michigan Supreme Court, State Court Administrative Office's Friend of the Court Bureau (Bureau) is required by law (MCL 552.519) to develop publications to help each friend of the court office carry out its duties. The previous Michigan Parenting Time Guideline was published in 2000 to provide the public and professionals - including court staff who work with parents to develop parenting time schedules - information about parenting time best practices.

The Bureau partnered with the Michigan State University College of Law's Chance at Childhood Clinic to research current best practices in other states and recommend revisions of the Guideline. Experts on other states' parenting time guidelines were consulted for insight on their successes and difficulties. An advisory committee of Michigan domestic relations experts then reviewed the Guideline.

Some content in this Guideline is based on the Arizona Supreme Court's parenting time guideline, *Planning for Parenting Time: Arizona's Guide for Parents Living Apart*, with permission.

Advisory Committee Acknowledgement

This Guideline was developed with the assistance of the 2018-2020 Michigan Parenting Time Guideline Advisory Committee. Members included:

Ms. Jodie Barrette, Director, Menominee FOC

Ms. Elizabeth Bransdorfer, Attorney, Mika Meyers, PLC,
and Executive Committee member, Family Law Section, State Bar of Michigan

Ms. Zenell Brown, Circuit Court Administrator, Wayne County

Honorable Janice Cunningham, Circuit Court Judge, Eaton County

Ms. Rebecca Decoster, Referee, Oakland County

Mr. Jeremy Hogue, Director, Grand Traverse, Antrim, and Leelanau FOC

Ms. Shelley Kester, Attorney, Wilson & Kester, PLLC, and Executive Committee member, Family Law Section, State Bar of Michigan

Ms. Tiffany Martinez, Michigan Domestic and Sexual Violence Prevention and Treatment Board

Honorable Jeffery Matis, Circuit Court Judge, Oakland County

Ms. Mary Kaye Neumann, Custody and Parenting Time Specialist Supervisor, Oakland FOC

Ms. Danielle Potter, former President, Michigan Association of Court Mediators

Honorable Gerald Prill, Circuit Court Judge, Huron County

Ms. Teresa Remeur, Investigator/Mediator, Cheboygan FOC

Ms. Traci Schenkel, Assistant Director, Kent FOC

Ms. Abbie Schlager, Custody and Parenting Time Investigator/Mediator, Bay FOC

Ms. Melissa Sytsma, Referee, Cass County

Dr. Richard Wooten, Psychologist, Wayne County

Additional insight was also provided by Dr. Carolyn Joy Dayton, Professor of Social Work at Wayne State University.

Introduction

Purpose of the Guideline

Parenting time is the term used in Michigan for the time a child spends with each parent when parents do not live in the same home.

In Michigan, a child has a right to parenting time with each parent unless a judge determines that parenting time would endanger the child's physical, mental, or emotional health. Michigan law (MCL 722.27a(1)) recognizes that it is *usually* in the best interests of a child to have parenting time in a frequency, duration, and type that promotes a strong relationship between a child and parent.

Because each family is unique, there is <u>not</u> one standard schedule that works best for all families.

This Guideline provides many different types of sample schedules to use as a starting place to create or change the family's custom schedule. These schedules may not be appropriate if special circumstances exist, such as domestic violence or child abuse.

Raising a child in separate homes can present unique challenges, such as stepfamily members and communicating about changes in the child's life, and it can intensify differences in parenting and discipline styles. A **parenting time schedule** helps to provide the child and parents with predictability and consistency. It can also provide both parents the opportunity to be actively involved with their child. Healthy child-parent relationships can further the child's development, academic success, and overall mental health.

Parenting time usually works best when parents can agree to a schedule that is in the child's best interests. Adult children of separated parents often describe the loss of contact with a parent or the conflict between their parents or other caregivers as the most painful experience of their childhood. A **parenting time plan** includes the schedule but also covers other specifics, such as plans for communicating about schedule changes, transporting the child's clothing or toys back and forth, and more. This Guideline should help parents overcome barriers to establishing or modifying their parenting time plan and providing for their child's well-being. Parents are encouraged to review the Guideline and seek additional information as needed to make the best decisions for their child. Parents should read Guideline sections relevant to their family before discussing or proposing a parenting time schedule or comprehensive plan to the other parent or the court.

This Guideline is directed to parents, but may be used by judges, court staff, mediators, attorneys, and other professionals involved with parenting time disputes. It is meant to be a resource for both parents and professionals. Judges and other professionals must also consider certain factors about the best interests of the child. See the Friend of the Court

Handbook for more information about what professionals must consider when making parenting time recommendations or decisions.

How is parenting time different from custody?

Custody means both where a child lives and the legal authority to make decisions for a child. **Legal custody** is the responsibility of a parent to make significant decisions for the child, such as medical decisions and where the child attends school. **Physical custody** can mean the child's primary residence, but a child has a residence with each parent, and each parent exercises custody during the time the child is with that parent unless a court orders otherwise. The court can order one parent to have sole legal and physical custody, joint legal and physical custody shared between the parents, or a combination of the two types of custody.

Parenting time, different from custody, is *how* a child spends time with each parent. It can involve a schedule of days and also opportunities for the child to have other contact with a parent virtually or by phone. A parent who has less parenting time with a child than the other parent can still be a joint legal or physical custodian. Similarly, some parents might spend exactly equal amounts of parenting time with a child, but if they cannot cooperate with each other on decision-making for the child, the court can decide that one parent is the sole legal custodian.

The purpose of this Guideline is *not* to help parents determine child custody. This Guideline provides information to help parents determine the frequency, duration, and type of *parenting time*.

For more information about child custody, please refer to the Michigan Custody Guideline.

Before creating a parenting time schedule

- ❑ Review the **Important Notice to Readers** and the **Purpose of the Guideline**.
- ❑ Review **Child Development and Parenting Time Considerations**, including development and emotional concerns, communication, and scheduling considerations.
- ❑ Read about **Safety Concerns** that could apply to you or your child when exercising parenting time.
- ❑ Look over the **Special Considerations** and read any sections that apply to your family's unique circumstances. Some examples of unique circumstances are: long distance parenting time, breastfeeding, and children's special medical or educational needs.

For Parents Using the Guideline

Parents Should

- ✓ Be respectful to the other parent.
- ✓ Focus on the needs of the child.
- ✓ Encourage a relationship between the child and the other parent.
- ✓ Encourage regular contact between the child and the other parent by voice or video calls, text messaging, or e-mail.
- ✓ Keep a consistent parenting time schedule.
- ✓ Have the child ready for parenting time pick up and drop off.
- ✓ Allow the child to bring important items for parenting time (e.g., clothes, blankets, toys, sports equipment).
- ✓ Make sure important items are returned with the child after parenting time.
- ✓ Develop **Co-Parenting** consistency for the child's meals, homework, bedtime, and discipline.
- ✓ Encourage relationships between the child the other parent's family (for example, stepparents, stepsiblings, grandparents, aunts, and uncles).
- ✓ Encourage the child to participate in the other parent's family celebrations.
- ✓ Ask the other parent as soon as possible to have the child for special occasions that may interfere with the other parent's regular parenting time.
- ✓ Try to schedule vacations during your regular parenting time.
- ✓ Inform the other parent of vacation travel dates, locations, and return times.
- ✓ Consider the child's activities, such as sporting events, when planning vacations or other extended parenting time.
- ✓ Make sure the child is in a safe environment.

Parents Should Not

- ⊘ Argue with the other parent when the child is present or nearby.

- ⊘ Make negative statements about the other parent or the other parent's family.
- ⊘ Ask the child about the other parent's life.
- ⊘ Make promises they cannot keep.
- ⊘ Pass messages to each other through the child.
- ⊘ Attempt to destroy the other parent's relationship with the child.
- ⊘ Consume excessive amounts of alcohol or other mind-altering substances before or during parenting time.
- ⊘ Exercise parenting time inconsistently.
- ⊘ Often show up late for parenting time.
- ⊘ Drop off the child earlier or later without making arrangements with the other parent.

Effective Communication

Between Parents

Positive communication between parents is vital for the young child's healthy emotional development and the relationship the child has with both parents. When communicating with each other, parents should focus on the child's needs, and not how they feel about each other. It is important for parents to avoid allowing their personal and emotional feelings towards the other parent to destroy the co-parenting relationship.

Co-Parenting

For most families, information sharing between parents is necessary and beneficial for the child. It is important that parents share information about the child's routines, food preferences, medical care instructions, and any behavioral changes. Parenting styles may differ, but it is important for parents to have a basic set of co-parenting skills. Parents may wish to seek parenting classes, co-parenting counseling, or workshops in their area for help creating healthy environments for their children. Local FOC offices may be able to provide information about free or low-cost web-based tools for co-parent communication.

Between the Child and Parent

Parents should strive to develop healthy communication between themselves and their child. This might include talking with the child about school activities, friends, sports, and health. Parents should keep communication with the child open so the child feels comfortable approaching either parent with any concerns. If appropriate, parents should also encourage open communication between the child and the other parent through phone calls and/or video chats. If appropriate, both parents should encourage a relationship between the child and the other parent, and avoid speaking negatively about the other parent and the other parent's family or partner.

When to Use the Parenting Time Guideline

Making or changing a parenting time schedule with the other parent.

Parents can work together to create or change their parenting time schedule. Using the Guideline can help parents identify times they agree to and help resolve disputes when they do not agree.

Parents can also seek **alternative dispute resolution (ADR)** services or file a **motion** directly with the court to create or change their parenting time schedule. ADR is a process to try to settle disputes without going in front of a judge for a decision.

What is a motion?

A formal written request asking a court to take action. A motion is sometimes called a petition. Michigan Court Rules include detailed requirements for filing a motion. If you are filing a motion, consult an attorney or find information at www.michiganlegalhelp.org.

The judge must sign a parenting time order before the court or friend of the court can enforce it. Learn more in the **Parenting Time Assistance** section.

Before or during an alternative dispute resolution process.

Friend of the court (FOC) offices provide ADR services to help parents resolve custody, parenting time, and child support disputes. Often judges require parents who are separated to meet with a mediator or other ADR provider to resolve their disputes. Parents may also seek ADR services from the **Community Dispute Resolution Program** or by **Selecting a Private Mediator**.

What is friend of the court (FOC)?

Every circuit court has an FOC office that helps the court act in the best interests of children and make sure parents follow the court's orders.

In parenting time issues, FOC staff might:

- Interview parents and make a written recommendation to help the court decide the outcome;
- Help parents reach an agreement about parenting time;
- Follow up on written complaints about a parent not following the parenting time court order.

Before or during a custody or parenting time investigation.

A judge can order the FOC to conduct a custody and/or parenting time investigation (sometimes referred to as an evaluation) and complete a recommendation based on the best interests of the child. MCL 722.23.

Before or during a parenting time enforcement procedure.

The FOC must enforce court-ordered custody and parenting time on FOC cases when the office receives a valid written complaint. Offices may respond with a parenting time enforcement procedure. Learn more by reading about **Parenting Time Assistance**.

Child Development and Parenting Time Considerations

Child development generally means the changes in a child's body and mind from birth to adulthood. Parenting time schedules can affect a child's healthy development. This section provides information about stages of development and the connection to parenting time schedules.

The developmental stages provided here are generalized and common to many children. However, **every child is unique** and may not exactly fit these patterns.

After reading this section, parents should carefully review the list of **Special Considerations** before planning a parenting time schedule.

Infants: Birth to 12 Months

Development and Emotional Concerns

Infants learn about their world by spending time with parents and other caregivers. Beginning in early infancy, reading, talking, and singing to children will help them learn to talk and help their brains develop in healthy ways.

Infants are learning to:

- Recognize and trust their caregivers.
- Sit up, roll over, crawl, and walk.
- Mimic sound.

Infants have much shorter memory spans than adults. At three months old, an infant can remember and recognize people, places, and things for no more than several days. Seeing each parent and any other caregivers frequently will help the infant remember and form bonds with them. Infants need repetition, regularity, and routines to help them feel safe.

At around eight months, infants may become upset when approached by a stranger or when their caregiver leaves. This is normal at this stage of development and may intensify before slowly improving – some time in toddlerhood for most children. Routines and familiar items can help infants cope with separations. As the child later develops language and social skills to cope with change, the child will learn that separation is not permanent and feel more secure.

By about nine months old, an infant's memory span is typically up to one week.

Infants are affected by the tone of their caregivers' voices, facial expressions, and body language. It is important for caregivers to learn how to read the infant's cues and respond in caring ways.

Communication

Positive communication between parents is vital for the young child's healthy emotional development and should focus on providing good care. Both parents should encourage a healthy relationship between the child and the other parent. It is important that parents share information about routines, food preferences, medical care instructions, and behavioral changes. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options.

Parenting Time Scheduling Considerations

The bond between both parents and the infant is vital to the child's development. Because infants have short memory spans, parents should consider a schedule that allows the infant frequent contact with both parents. In a situation where a parent is unfamiliar or uncomfortable with providing basic care for the infant, frequent parenting time of several hours a couple days each week may be more appropriate at first. All parenting time should be consistent and minimally disruptive to the infant's schedule.

Schedule Components

These suggestions are for families without any **Safety Concerns**.

A child's schedule should provide:

- Contact with each parent at least every few days, while also providing "breaks" for the parents.
- Consistency and predictability.
- Consideration of the child's developmental needs. For example, shorter, more frequent blocks of parenting time may work best with infants on a **Breastfeeding** schedule. Parents can make arrangements to exchange breast milk.
- When both parents previously provided the child's day-to-day care, either together or on their own, overnight parenting time with both parents.
- When a parent has not consistently cared for the child or is not comfortable caring for the child, consideration of a "graduated schedule," with limited parenting time at first and increasing the frequency and duration of parenting time when parenting milestones are achieved.
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time.
- The opportunity for both parents to participate in the child's events, such as birthdays, religious events, and doctors' appointments.
- As the child becomes older, an extended parenting time schedule that may include longer periods, such as multiple overnights in a row.

Create your own schedule using the **Blank Calendar**.

Toddlers: 12 Months to 3 Years

Development and Emotional Concerns

Parents are a toddler's primary teachers. By spending time with parents, toddlers learn skills that promote independence.

Toddlers are learning to:

- Sing simple songs, recite rhymes, and tell stories.
- Identify objects.
- Climb stairs, run, kick balls, and ride a push bike or tricycle.
- Use pretend play to process their environment and explore different roles.

Toddlers have strong emotions they do not yet understand and may easily become frustrated between wanting independence and having a desire to cling to a parent. Toddlers may fear unfamiliar activities and objects. Frustrated toddlers may cry, throw things, or display other temper tantrum behavior. Parents should reassure toddlers they are loved and help them learn appropriate ways to express emotion. A predictable routine can help a toddler cope with fears, while learning that the world is a safe place.

Communication

Positive communication between parents is vital for the toddler's healthy emotional development and should focus on providing good care. Both parents should encourage a healthy relationship between the toddler and the other parent. It is important that parents share information about routines, food preferences, medical care instructions, and behavioral changes. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options.

Parenting Time Scheduling Considerations

Frequent contact with both parents is important in promoting the parent-child bond necessary for the toddler's emotional health and development. Overnights allow both parents to share in providing basic care. Parents may consider limiting overnight parenting time to two consecutive nights to minimize the time away from the other parent. Toddlers will benefit from a parenting time schedule that is consistent and minimally disruptive to their schedule.

Schedule Components

These suggestions are for families without any **Safety Concerns**.

A child's schedule should provide:

- Contact with each parent at least every few days, while also providing "breaks" for the parents.
- When both parents previously provided the child's day-to-day care and guidance, either together or on their own, overnight parenting time with both parents of at least two overnights within a two-week period to allow each parent to provide basic care.
- Consistency and predictability.
- As the child becomes older, an extended parenting time schedule that may include longer periods, such as multiple overnights in a row.
- The opportunity for both parents to participate in the child's events, such as birthdays, preschool events, religious events, and doctors' appointments.
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time. For concerns about distance between the parents' homes, please see **Long Distance Parenting Time**.

Create your own schedule using the **Blank Calendar**.

Young Children: 3 to 5 Years

Development and Emotional Concerns

Although the young child may be enrolled in preschool, parents remain the child's primary teachers. Independence skills are increasing, and the young child's social skills are developing.

Young children are learning to:

- Ask questions and sing songs.
- Use pretend play to process their world and try out new roles.
- Feed themselves, use the toilet, wash, and dress.
- Interact with other children.

Young children are trying hard to understand the world of people and objects around them and how they fit into it. They are eager learners who understand more and more complex ideas. They are curious about everything, which leads to a lot of 'why' questions. Answering their questions can sometimes take patience, but doing so is important for encouraging them as learners. If you do not know the answer, it is best to be honest. At times, asking them 'What do you think?' in response to a question can help develop their problem-solving skills.

Young children may imagine parents together or may blame themselves for the divorce or separation. If a young child complains of missing a parent, simple, clear explanations about

where the other parent is may be helpful. Both parents should provide the young child with reassurance, love, and permission to love both parents. Young children exposed to parental conflict may experience sadness, insecurity, and low self-esteem, and may regress to previous developmental levels by wetting the bed, engaging in baby talk, and exhibiting clinging behavior.

Fears of unfamiliar activities and objects are common, as well as night fears, such as "monsters" under the bed. A young child struggling with transition times may benefit from parents following predictable schedules and by allowing the young child to take a favorite animal or other familiar object.

Communication

Positive communication between parents is vital for the young child's healthy emotional development, and it should focus on providing good care. Parents should share information about routines, food preferences, medical care instructions, behavioral changes, and school functions. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options.

Parenting Time Scheduling Considerations

The young child has developed the ability to remember a parent during short periods of separation (for example, in two- to three-day increments). If appropriate for the child, consecutive days with overnight parenting time may be included. Parenting time should be consistent and minimally disruptive to the young child's daily schedule.

Schedule Components

The suggestions below are for families without any **Safety Concerns**.

A child's schedule should provide:

- Visits that are consistent and predictable during the week so the child has contact with both parents.
- When both parents previously provided the child's day-to-day care and guidance, either together or on their own, overnight parenting time with both parents.
- If multiple overnights in a row is not appropriate for the child, one overnight at a time and a later transition to multiple overnights.
- The opportunity for both parents to participate in the child's events, such as birthdays, school events, religious events, and doctors' appointments.
- Extended parenting time (for example, for up to one week).
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time. Parenting time may revolve around weekends or longer three night periods. For concerns about distance between the parents' homes, please see **Long Distance Parenting Time**.
- Regular periods of phone time or video chatting between visits.

Create your own schedule using the **Blank Calendar**.

Elementary School Age: 5 to 10 Years

Development and Emotional Concerns

At this age, children are developing relationships outside of their family with friends and classmates. They are learning about appropriate behavior, how to care about other people, and to negotiate their wants and needs with the wants and needs of others. As a result of the learning process, children of this age are developing self-esteem.

By 5-6 years old, most children have good basic language skills and are starting to think in more complex ways. They will begin to understand the meaning behind parents' conversations, even if the tone of the conversation is not revealing. Parents should be aware of the child's quickly growing vocabulary and have private conversations away from the child.

With parents in different homes, some children of this age may deal with sadness, anger, and anxiety related to parents no longer being together or blame themselves for parents not being together. Fear of losing one or both parents may lead to feelings of anxiety. When parents fight, children may perform poorly at school, experience long-term depression, become preoccupied with the fact their parents are not together, or dream about their parents reuniting. It is also common for children of this age to think that they must find ways to bring their parents back together.

Communication

Positive communication between parents is vital for the elementary school child's healthy emotional development, and it should focus on providing good care. Parents should share information about routines, food preferences, medical care instructions, behavioral changes, and school functions.

In elementary school, the child will begin having homework to complete, and there will be other activities important to the child, such as extracurricular activities. Parents' communication should be about the child's activities, working together, and coordinating the child's appointments and commitments.

Parents should make sincere efforts to keep their communication child-focused and avoid involving the child in their conversations or disputes, or using the child as a means of communication. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options.

Parenting Time Scheduling Considerations

Children of this age differ in how long they are comfortable being away from each parent. Multiple consecutive overnights are usually okay. Some children may be comfortable being away from a parent they spend more time with, while others may not. A consistent routine is important. It is generally best to avoid the confusion of many transitions in one week. More mature children may prefer longer parenting time.

The parenting time schedule should provide the child with opportunities to maintain contact with friends and participate in after-school activities. Young school-aged children have more experience and comfort with separations from parents than younger developmental stages, but have not yet settled into friendship groups or activities that tie them to one residence. Parents need to have more flexibility as the child develops his or her own identity through friends and interests.

During parenting time exchanges, the child's personal belongings should travel with the child. This could include winter clothing, backpack, school work, sports equipment, and prescribed medications, for example. Following these suggestions will ease the transition from household to household.

Schedule Components

The suggestions below are for families without any **Safety Concerns**.

A child's schedule should provide:

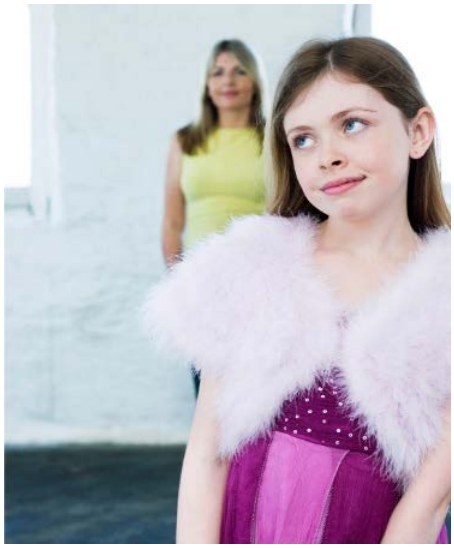
- Limited transitions each week.
- Contact with the child's friends.
- When both parents previously provided the child's day-to-day care and guidance, either together or on their own, overnight parenting time with both parents.
- Holidays and school vacation periods that are alternated or split.
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time. Parenting time may revolve around weekends and school vacations. For concerns about distance between the parents' homes, please see **Long Distance Parenting Time**.
- Regular periods of phone time or video chatting between visits.

Create your own schedule using the **Blank Calendar**.

Middle School Age: 10 to 14 Years

Development and Emotional Concerns

Middle school age children are continuing to develop academic and life skills, an increased sense of their abilities, relationships with other children, and their relationship to the world beyond their family. They want to be more like an adult, talk about adult issues, and think for themselves. They are also experiencing changes in their bodies as they go through puberty.



Children this age may struggle as these changes affect their mood and behavior, as well as other factors like learning about socially acceptable and unacceptable behavior. They might feel confused because their opinions are important to them, and they want others to respect them, but they still lack the foresight of an adult when it comes to decision making. Many children this age still use "black and white" thinking, often interpreting the world around them in extremes of right or wrong, good or bad, and mine or theirs, which can limit their ability to see things from someone else's perspective.

Middle school children often ask for more privacy, which can be difficult for parents. They often push boundaries with parents as they strive to be more independent, which can become even more complicated when parents are in different homes.

As middle school children continue to develop a growing understanding of the world around them, they may feel protective of one or both parents, feel intense blame towards one or both parents, want adult problems explained to them, or want to fix adult problems. They may also intensely express emotions and feel shame about the breakup of their parents. When they are aware of conflict between parents, they may perform poorly at school, be dishonest, side with one parent against the other, and experience loneliness, depression, or low self-esteem.

Communication

Positive communication between parents is vital for the child's healthy emotional development, and it should focus on providing good care. Parents should continue to share information about routines, food preferences, medical care instructions, behavioral changes, and school functions. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options. Beginning at this developmental stage, parents may need to communicate more frequently to send a consistent message to their child about expectations and discipline.

Children this age may be starting to consider mature topics, such as sex, substance or alcohol use, and peer pressure issues. Parents should try to coordinate with each other and use positive tones to have these complicated conversations with the child.

When parents communicate with each other, they should focus on the needs of the child and not involve the child directly in the communications.

Particularly at the middle school developmental stage, both parents should encourage a healthy relationship with the other parent. Children at this age are especially vulnerable to long-term psychological and emotional harm from poor relationships with parents.

Parenting Time Scheduling Considerations

At this age, children need more flexibility to meet their extra-curricular activities, increasing social lives, and time with each parent. It can be challenging to balance the child's time. This balance requires some flexibility from parents and a commitment to maintaining a strong relationship for the child with the other parent. Children this age continue to need consistency and to have open lines of communication with each parent. A consistent parenting time schedule should minimize interference with peer relationships, school, and after-school activities. Parents should consider the child's feelings about the schedule and validate the child's concerns, but make it clear the parents make the final decisions.

Schedule Components

The suggestions below are for families without any Safety Concerns.

A child's schedule should provide:

- Flexibility in the parenting time schedule to accommodate the child's friendships and extracurricular activities.
- When both parents previously provided the child's day-to-day care and guidance, either together or on their own, overnight parenting time with both parents.
- Holidays and school vacation periods that are alternated or split.
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time. Parenting time may revolve around weekends and school vacations. For concerns about distance between the parents' homes, please see **Long Distance Parenting Time**.
- Regular periods of phone time or video chatting between visits.

Create your own schedule using the **Blank Calendar**.

High School Age: 14 to 18 Years

Development and Emotional Concerns

Teenagers are becoming more independent in their activities, emotions, and the way they think about themselves and others.

Teenagers are continuing to change and mature. Although teenagers may start to look like adults, most people do not reach emotional and intellectual maturity until their mid-20s. The last areas of the brain to fully develop maintain impulse control and allow complex decision making. This means that teenage children might be able to identify advantages and disadvantages of the decisions they make in "the big picture" context, but they do not always correctly consider these consequences.

This affects their ability to make decisions about risky behaviors like intimacy, substance use, and alcohol. Teenagers often prefer to spend more time with friends than with parents. However, consistent parental contact remains important for teenagers because they need guidance, support, examples of mature adult behavior, and positive feedback from both parents. Because decision-making abilities vary widely among teenagers and from one situation to another, boundaries need to remain firm, and consequences for violating the boundaries need to be consistent.

As teenagers mature, they become more aware of any conflict between parents and may struggle with emotional reactions to it. Teenagers may react to parental conflict by doubting their own capacity to have successful relationships, placing too much importance on their friendships or withdrawing completely from friendships. Teenagers may be exposed to negative influences, including drugs, alcohol, sex, and unhealthy peer groups. When family ties are strained, teenagers are increasingly likely to adopt such unhealthy habits either to act out or to achieve a sense of belonging within a peer group.

Each parent should make an effort to be involved in the teenager's school and activities so that the parent can understand and support what is important in the child's life. Healthy communication between parents remains important for teenage children. Parents should keep each other informed about changes in the teenager's behavior.

Communication

When planning parenting time, it is important for parents to strongly consider and value the child's planned activities. This may require more frequent communication between parents and flexibility with scheduled parenting time. Parents should communicate with each other about the teenager's requested changes to the parenting time schedule, but the parents should still make the final decision about changes. A child – even a child who is almost legally an adult – should never feel the burden of choosing between parents.

Older teenagers (ages 16-18) are acting more independently, but still need guidance and supervision. Parents should communicate with each other about any changes in the teenager's schedule to make sure the teen is accounted for and safe. One way to do this effectively may be to pass a notebook back and forth at parenting time exchanges or to use a web-based tool for co-parent communication. Local FOC offices may be able to provide information about free or low-cost co-parent communication options.

Parenting Time Scheduling Considerations

When planning parenting time, parents of teenagers should think about the teenager's schedule and commitments, distance between the parents' homes, each parent's work schedule or other obligations, the child's temperament and wishes, and a teenager's need for unstructured time. With a teenager's increasing activities outside the home, parenting time may include or shift to attendance at the child's activities and/or transporting the teen to such activities.

In general, teenagers can maintain a strong relationship with each parent through less frequent contact than younger children.

It is common for parents to spend less time with their child at this age because activities and friends take up more of the teenager's time. Parents should be mindful that increased flexibility may be necessary due to these activities and friendships. Parents should recognize that the teenager's interests might affect how much time the teenager spends at each home, but not a preference for one parent over the other.

Some families that live very close together and communicate well might find that having a less structured schedule allows the teenager the right amount of flexibility to support his or her life. However, in these situations it is critical for parents to communicate about the teenager's whereabouts and wellbeing. Not having a structured schedule should not undermine the parent-child relationship.

Parents of teenagers between the ages of 16-18 should be aware that increased flexibility may be necessary as the teenager may have his or her own transportation and commitments (for example, sports, employment, and friends). As older teenagers gain mobility with a driver's license, some might resist a structured parenting time schedule. This is a normal part of development, but parents should encourage teenagers to follow the parenting time schedule and be careful not to put the teenager in a position of choosing whether to spend time with a parent.

Schedule Components

The suggestions below are for families without any Safety Concerns.

A child's schedule should provide:

- Flexibility to accommodate academic, social, extracurricular activities, and jobs.
- When both parents previously provided the child's day-to-day care and guidance, either together or on their own, overnight parenting time with both parents.
- Holidays and school vacation periods that are alternated or split.
- If parents live far apart, parenting time as frequently as possible considering the distance between the homes. Parents may need to travel for parenting time. Parenting time may revolve around weekends and school vacations. For concerns about distance between the parents' homes, please see **Long Distance Parenting Time**.
- Regular periods of phone time or video chatting between visits.

Create your own schedule using the **Blank Calendar**.

Special Considerations

Every family and every child is unique. Many families establish or change their parenting time schedule because something about their family dynamics has changed. When planning a parenting time schedule, parents should *always* consider the child's developmental stage (see **Child Development and Parenting Time Considerations**), as well as:

- ❑ The routines and schedule of the child and parents (including **Breastfeeding** or **Extracurricular Activities**);
- ❑ Any health issues relating to the child or parents (see **Children with Special Needs**);
- ❑ Each parent's ability and willingness to provide care;
- ❑ The child's relationship with each parent;
- ❑ The distance between parental homes (see **Long Distance Parenting**, **Virtual Contact**);
- ❑ Whether the child's siblings will participate in the child's parenting time (see **Children of Different Ages**);
- ❑ The child's relationship with grandparents and other extended family members (see **Grandparenting Time**);
- ❑ The child's relationship with any other blended or step-family members (see **Blended and Step Families**);
- ❑ Transportation and other costs related to parenting time.

This section provides guidance about many special considerations. Some of the considerations will not apply to every family, and some families may have other unique circumstances to consider that are not mentioned in this Guideline.

Breastfeeding

It can be difficult to accommodate an infant's breastfeeding schedule while balancing time and bonding with the other parent. Ideally, during the first weeks and months of a child's life, parents should establish good communication and a willingness to be flexible and schedule parenting time around the feeding schedule.

Breastfeeding or whether a mother is pumping breastmilk should be a consideration when developing a parenting time schedule. There may be bonding and health benefits for both the infant and the nursing mother. However, it is also important that both parents develop a healthy bond and attachment with the infant when both are willing and able to provide hands-on care.

Parents should discuss the feeding schedule, share information and resources, and try to reach an agreement.

See the **Child Development and Parenting Time Considerations** section for more information about infants' and toddlers' parenting time needs.

Extracurricular Activities

Participating in extracurricular activities can have physical, emotional, psychological, academic, and social benefits for children. These activities could be sports, clubs, community and religious groups, and volunteering, to name a few. Through these activities, children usually improve in general health; emotional regulation; study skills; self-esteem; and developing respect for social values, customs, and individual differences.

Parents are individually responsible for getting information about events and activities in their child's life, like school programs, concerts, award ceremonies, plays, and sports events. Parents are also responsible for getting their child's report cards, school calendars, school pictures, and copies of awards or programs. If one of the parents is unable to access these materials despite reasonable efforts, parents should work together to share and exchange information.

Parents should provide each other as much notice as possible when changes to the child's schedule occur. Parents may need to be more flexible with their parenting time so the child may fully participate in extracurricular activities. Parents should communicate and attempt to reach an agreement about enrolling the child in extracurricular activities.

Some extracurricular activities have associated costs. Parents may reach an agreement about payment for fees, equipment, and any other costs. These expenses are not considered child support. Parents also need to plan for buying equipment and exchanging it for parenting time.

The parent exercising parenting time should generally be responsible for transporting the child to any extracurricular activities.

Parents should not interfere with the other parent's opportunity to volunteer for or participate in the child's activities, unless otherwise prohibited by court order. Parents also should not deliberately plan the child's extracurricular activities to disrupt the other parent's parenting time.

Children with Special Needs

A child's special needs encompass physical, mental, and emotional health. When planning a parenting time schedule, parents must consider how to ensure that the child's needs are met during time spent with each parent. This might include discussions about medication, insurance, and healthcare providers; any necessary equipment or treatment; and creating a plan for addressing the child's special needs that arise during parenting time. Parents should strive to provide the child consistent care by using the same doctors and specialists.

Your court order may specify who has decision-making responsibility for the child – usually this is the parent(s) with legal custody of the child. No matter who has legal custody, both parents have the right to access the child's medical information unless a court orders otherwise.

Parents should have an understanding with each other about scheduling appointments for the child and keep each other informed. Unless agreed upon or specified in the court order, parents should avoid scheduling the child's appointments during the other parent's parenting time.

Arranging Parenting Time to Meet Special Needs

Parents of children with medical or other special needs may want to consult the child's doctor(s) for advice on parenting time best practices for that child. For many children with significant medical or other special needs, routine can be very important. Parents should develop the least disruptive parenting time schedule for the child.

Parents of children with significant medical or other special needs should consider:

1. **Your child transitioning between homes,** including:
    a. What is your child's ability?
    b. How will your child be able to contact the other parent?
    c. Are both homes equipped for your child's medical needs (i.e., medication, wheelchair ramps, protection from environmental hazards)?

2. **Minimizing the impact of parenting time transitions.** Parents may wish to consult with a doctor or other professional for possible strategies. For example, some children with cognitive disorders cope better with transitions when they can follow a visual schedule.

Parents can also decrease the number of transitions between homes. Some examples include:

a. Parents rotate in and out of one home instead of the child rotating to different homes. This is sometimes called "nesting."
b. Parents live near each other to minimize transition time between homes.
c. Parents exercise extended periods of parenting time to minimize the number of transitions for the child.

3. **Adding a provision in your court order addressing the specific medical care needs of your child.**
If you cannot reach an agreement with the other parent about medical care of your child during parenting time, you may file a **motion** asking the court to decide if parenting time should change to ensure your child receives proper medical care.

4. **Updating the parenting time schedule according to your child's needs.**
If your child's medical needs change significantly, it might be appropriate to update the parenting time schedule to accommodate the changes.

Sharing the cost of medical care

Sometimes parents may have out-of-pocket costs of medical care for the child during parenting time.

There is an FOC process to help parents with uninsured healthcare expense reimbursement if parents are unable to work it out on their own.

Contact your FOC office for information on this process.

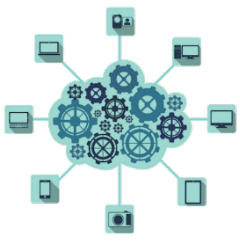
Special Educational Needs

Children with special educational needs should be included in school and community activities as much as possible. To achieve maximum inclusion, parents should discuss with educational professionals, as appropriate:

- A child with special needs may have an individualized education program (IEP), behavior intervention plan (BIP), 504 plan, or other plan developed by the school. Parents should share information about these or other educational plans and coordinate their efforts to help the child succeed.
- Parents should plan parenting time to include a child's needs for after-school assistance or care, year-round schooling, tutoring, or other educational supports.

For additional resources on special education, visit Michigan.gov/SpecialEducation.

Virtual Parenting Time



Modern technology offers opportunities beyond in-person parenting time for parents to connect with their children. Parents may want to include in their parenting time plan virtual parenting time between in-person parenting time.

Video conferencing can be helpful for a long distance parent to see the child's development and growth. Additionally, learning and playing can be shared through video conferencing. A parent and child can do virtual arts and crafts

projects, draw and color, read books, play games, and even bake. For many activities, it helps if both parent and child have the supplies for the activity so they can do it together and compare progress.

In addition to video conferencing, e-mail, instant messaging, and texting provide opportunities for children and parents to stay connected.

- **Infants and Toddlers.** Parents should exchange an estimated schedule of the child's daily meal and nap times. Virtual parenting time should be scheduled so that it does not interrupt this schedule, and it should be kept short but flexible.

- **School-Aged Children.** Virtual parenting time should be scheduled around the child's routine, including any activities. Parents should establish standard, consistent times during the day for virtual parenting time. For younger children, the parent physically present should encourage the child to engage. Children may need supervision of safe Internet activity, but the actual virtual parenting time should happen without monitoring or supervision unless it is determined necessary by the court or a professional working with the family.

Parents should not use virtual parenting time to ask questions about the other parent or to communicate parenting issues. The focus should be on the child.

Long Distance, Military, and Work Schedules

Some life circumstances make it difficult for both parents to exercise parenting time. For example, a parent may live far away from the child, be deployed with the military, or have nontraditional work hours. Parents and children can still maintain a healthy relationship when these challenges exist. If possible, parents should strive for as frequent contact with the child as appropriate for the situation. The distance between homes, ease of transportation, cost of transportation, and availability of childcare are all important factors to consider when determining a parenting time schedule.

Long Distance Parenting Time

Longer periods of parenting time may be considered when parents live far apart. The right schedule for any family will depend on the distance between the parents' homes and the ability of the child to travel that distance.

Some schedules that might be appropriate include:

- Every other weekend.
- A three-day weekend each month. If a three-day weekend does not occur during the month, then a two-day weekend.
- Extended time during school breaks of more than two consecutive days. School breaks might include spring break, summer break, Thanksgiving weekend, winter break, and mid-winter break.
- The parent travels to the child for parenting time. The parent should take advantage of opportunities to meet the child's friends, teachers, coaches, and others important in the child's life.
- A combination of these or other options.

When exercising parenting time, parents should support the child in pursuing interests, reconnecting with and making new friends, and contacting the other parent.

Traveling long distances for parenting time can be a burden to a child. Both parents are responsible for their respective share of providing food, water, and other necessary supplies for the child during travel.

Transportation costs for parenting time can be shared equally by the parents or specified in the court order. Options for sharing costs include, but are not limited to:

- Each parent is responsible for picking up the child from the other parent's home.
- Parents meet at an agreeable midway point.
- The parent receiving the child will provide for one-way airfare.
- The cost for round-trip airfare will be split equally.

Sharing Transportation Costs

Some parents make an agreement about who pays for transportation or how to split the costs. For example, *50/50, 60/40,* or *70/30.* Some parents use the uninsured medical expense percentage split from their child support order.

Parents who cannot agree about transportation costs can pursue **ADR** or file a **Motion** with the court.

Air Travel

Flying may be a transportation option when parents live a great distance apart. If the child is comfortable and mature enough, the child may fly alone. When a child flies without the presence of an accompanying adult, he or she is referred to as an "unaccompanied minor" and requires special supervision. Each airline has its own rules for unaccompanied minors, including age requirements, extra cost, flight limitations, and amenities included. When making arrangements for a minor child's air travel:

- Nonstop flights are best.

- Verify the unaccompanied minor policy for the airline you choose – each airline may be different.
- Designate who is responsible for purchasing and acquiring airline tickets and paying special fees that may be added for an unaccompanied minor (this may be designated by court order).
- If planning travel out of the country, check for U.S. Department of State travel advisories.
- Determine which airports the child will fly to and from;
- Check for any flight delays or changes.
- Communicate with the other parent when the child boards the plane and is picked up from the airport.

Parents Moving

Parents moving within Michigan. Parents may live far apart when their court case starts, or, as life changes, they may need to move further apart. In Michigan, if parents cannot reach an agreement, a judge must approve any move that results in parents' homes being more than 100 miles apart. There are a few exceptions to this requirement (see **MCL 722.31**). To ask for a judge's permission, a parent must file a **motion**. Sometimes the court will order the parent who is moving to pay for future parenting time transportation costs.

Parents moving out of the state of Michigan. A parent who has custody of a child must also receive a judge's permission to move from the state of Michigan with the child (called a **Change of Domicile**). If the judge grants the move and the other parent had a parenting time court order, the judge may also change the order so the child and the parent can maintain their relationship.

When a parent cannot be physically present for parenting time, forms of virtual contact can help maintain a parent-child relationship. Also, many children like to receive mail, which allows parents to send something tangible for the child to have and keep. Parents can encourage a continued bond between the child and the other parent by allowing the child to keep a reminder such as a picture of the other parent.

Military

Families face unique challenges when one or both parents serve in the military. Many military personnel have to move frequently. Because of this, families with a military parent may want to develop a parenting time schedule that offers flexibility, which may include long-distance parenting time if parents are no longer living in the same area. See considerations for

Long Distance Parenting Time.

Families can also plan for a parent's temporary deployment with options including extended parenting time when the military parent is home and maintaining **Virtual Contact** during the parent's deployment. In the event of a deployment, parents may want to consider modifying their court order with the help of an attorney or by filing a **motion**.

Work Schedules

Some parents may work during the night, weekends, a variable schedule, long days for a few days per week, etc. Parents should create a parenting time schedule that considers both parents' work schedules and their availability to be with the child. Sometimes the parenting time schedule may allow more flexibility and variability because of a parent's work schedule. In these cases, parents may have less specific parenting time schedules, but more general provisions. For example, the schedule may state: "The mother must provide 24 hour notice to the father for requested parenting time."

Parents are responsible for arranging their own childcare during their parenting time. For example, some parents are able to make arrangements with the other parent to provide child care, and some parents rely on a daycare center, babysitter, or other caregiver.

Multiple Children

Siblings should be able to develop and maintain bonds with each other by frequently remaining together during parenting time.

Sometimes scheduling separate parenting time is appropriate based on:

- The unique personalities or developmental needs of children (see **Child Development and Parenting Time Considerations**).
- A child's need to develop a relationship with each parent through one-on-one time.
- The family's schedule.
- The distance between households.

For example, older children usually have more social, athletic, and academic activities or part-time jobs that may interfere with scheduled parenting time, while younger children require frequent contact with parents and other caregivers for attachment and bonding. Parents can consider different pick up and drop off times to allow the older child to participate in activities and also allow time for the children to be together for parenting time.

The parenting time schedule may include some time alone for each parent with each child. Children of different ages may enjoy different activities and appreciate opportunities to have their own time with parents. Remember that the sample schedules are only suggestions. Parents may decide that a certain schedule works best for *all* of their children, even though features of that schedule are not recommended for a child's developmental stage.

Blended and Step Families

Family structures vary, and may include siblings, step-siblings, half-siblings, step parents, and other significant relationships. There is not a one-size-fits-all parenting time model for each unique family structure.

Parents should keep in mind the following general considerations:

- Changing family relationships can be very difficult for children. Your role as mom or dad does not change when new partners are involved. Try to understand your child's feelings about changes in your household.
- When separated parents form new relationships, parenting time may be further complicated. Your child may benefit from talking with you about any new relationships before meeting the new partner or family member.
- Spend some alone time with your child so your child does not feel overshadowed by new family members.
- Avoid discussing issues related to a new relationship in front of the child.
- Children may benefit from spending time with siblings, step-siblings, and half-siblings. Be sensitive to multiple parenting time schedules.

Grandparenting Time

Family ties are important for children in building a sense of identity and belonging within the extended family. A relationship with extended family also provides the child with important family medical history information, as well as a support network of caregivers beyond the parents. When appropriate, parents should encourage a relationship between the child and extended family members.

If families cannot reach an agreement about grandparenting time, grandparents may request that the court make a decision on the matter. Grandparents have some particular rights in specific circumstances that can be pursued through the court. MCL 722.27b.

Safety Concerns

Domestic Violence

Parents are often encouraged to work together to reach agreements about custody and parenting time. However, sometimes negotiating between parents may not be appropriate or safe, especially if there is an imbalance of power between parents.

When one parent perpetrates **domestic violence**, for example, a power imbalance could make it impossible or unsafe for parents to work together to agree on parenting time. "Perpetrating" means doing harmful or criminal things.

This section provides options and ideas to increase safety of the child or adult victim. If you think you might be a victim of domestic violence, you may want to contact an attorney or domestic violence advocate for advice or support.

Signs of domestic violence

If you can answer "yes" to any of these questions, domestic violence may be an issue for your family, and this Guideline may not meet the safety needs of your family.

- ❑ Has the other parent ever made you feel threatened or harassed?
- ❑ Do you have any concerns about being in the same room as the other parent?
- ❑ Do you have any concerns about discussing issues about your child in front of the other parent?
- ❑ Do you feel unable to speak up for yourself if the other parent is also present?

Other common questions to identify domestic violence are found here.

Help with Domestic Violence is available 24/7

Safety Alert: **Computer use can be monitored and is impossible to completely clear. If you are afraid your Internet usage might be monitored, call one of the hotline numbers below for help.**

Find resources online from the Michigan Coalition to End Domestic and Sexual Violence: https://www.mcedsv.org/ and survivor resources from the Michigan Domestic Violence Prevention and Treatment Board.

Michigan Sexual Assault Hotline - 24/7. Free. Confidential:
855-VOICES4 (855-864-2374)

National Domestic Violence Hotline:
800-799-7233

What is Domestic Violence?

Domestic violence comes in many forms. For the purposes of this Guideline, this term means a pattern of behavior characterized by the use of physical, psychological, sexual, emotional, and/or verbal tactics, both criminal and non-criminal, to control and coerce a past or current intimate partner by fear or intimidation, which may or may not be apparent to outside observers.[1]

Michigan's legal definition of domestic violence. MCL 400.1501.

"Any of the following acts by a person that is not an act of self-defense:

- Causing or attempting to cause physical or mental harm to a family or household member.
- Placing a family or household member in fear of physical or mental harm.
- Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress.
- Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested."

Perpetrating domestic violence is a crime. However, it can be difficult to recognize domestic violence. Domestic violence includes much more than physical abuse, such as these examples:

- **Emotional abuse.** Isolating the other parent from family and friends, making degrading remarks, blaming the abused parent for the abuse, monitoring the other parent's activities, making and enforcing extreme rules, threatening suicide if the parent leaves.
- **Using the child.** Using the child or court processes to perpetrate abuse; threatening that the other parent will not see the child; threatening to take the child away; having the child act as an informant to gather information about the abused parent; encouraging the child to make threats or insults.
- **Economic abuse.** Controlling finances; limiting the other parent's access to money; preventing participation in job training or from getting or keeping a job; restricting or controlling the use of a vehicle or other means of transportation.
- **Sexual coercion and threats.** Making sexually degrading statements; threatening to find another partner if sex is refused; refusing to help prevent unwanted pregnancy or sexually transmitted diseases.
- **Preventing healthcare.** Interfering with or prohibiting the other parent from seeking medical, psychological, or substance abuse treatment.

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[1] This explanation of domestic violence is based on the definition used in the Michigan Office of Dispute Resolution's Domestic Violence Screening Protocol for Mediators of Domestic Relations Conflicts and was developed in coordination with the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

For more information, see the National Center on Domestic and Sexual Violence's "Power and Control Wheel."

Domestic Violence Screening

FOC staff, referees, and judges must be convinced that parents are able to make decisions in the best interests of the child, and that they were not pressured or threatened by the other parent to agree to something.

ADR

FOC offices screen cases for domestic violence before conducting **ADR** (**Facilitative and Information-Gathering Conference**, **Mediation**, or **Joint Meeting**).

The FOC may use a questionnaire (FOC 124) to help with screening. Any information a parent provides on this form will be treated as confidential. It cannot be shared with the other parent, the other parent's attorney, or any member of the public. The referee or judge assigned to your case will not use any information from the screening form during a hearing.

If you are concerned about the screening process, contact your FOC office to ask how this information will be handled.

Investigations

Sometimes the court orders the FOC to conduct a custody and/or parenting time investigation. When the FOC conducts a custody and parenting time investigation, it must consider the best interest factors in the Michigan Child Custody Act. One of the best-interest factors (factor k) is: "Domestic violence, regardless of whether the violence was directed against or witnessed by the child." The FOC employee will investigate this and all other factors with the parents, and then provide a report summarizing the findings and recommendations to the judge, attorneys, and parents.

Safety Precautions for Domestic Violence Victims

FOC Safety Precautions

Victims often have to balance their safety and their children's safety when deciding if and when to disclose information about their victimization. If you tell the FOC about any domestic violence concerns before or at any time during ADR and investigation processes, it will help the FOC with safety planning for your appointment and in making a safer custody and parenting time recommendation, and help the judge make a safer custody and parenting time decision.

The FOC office can take steps to increase a victim's safety and ability to negotiate and/or share information freely during such appointments, including but not limited to:

- ❑ Allowing the victim's attorney to attend the appointment.
- ❑ Allowing the victim's support person or other advocate (approved by the FOC) to attend the appointment. The person may have to wait outside the meeting room during the appointment.

- ❑ Holding separate appointments on the same or separate days (sometimes called "shuttle" style).
- ❑ Holding the appointment by phone or videoconference.

It is very important to tell the FOC office before your appointment if you would like any of these or other accommodations.

Sometimes victims might be at increased risk, such as when documents are sent to both parents about an FOC custody and parenting time report and investigation. You can ask the FOC to keep you informed of such steps so that you can take necessary safety precautions. For example, some victims might choose to temporarily stay with a family member or have someone stay with them.

Protective Orders

If you are a victim of domestic violence, you may want to consider asking the court for a personal protection order (sometimes called a "PPO"), a no contact order, or another protective order. For additional information about personal protection orders, see Michigan Legal Help.

Domestic Violence and Parenting Time

Domestic violence should be carefully considered to ensure the safety of the parents and child. An individual's choice to perpetrate domestic violence has significant impacts on not just the abused parent, but also the child's safety and wellbeing. Exposure to violence, especially multiple exposures, can interfere with a child's physical, emotional, and intellectual development.

Domestic violence perpetrators sometimes use parenting time to cause further harm to the victim and child. They may harm the child directly or use the child as a tool to continue to abuse the adult victim.

There are parenting time options that may support you and your child's safety before, during, and after parenting time. Before discussing parenting time with the FOC or the court, it might be helpful to explore these options with your attorney or with someone from a domestic violence organization.

- ***Specific parenting time orders.***

  When a power imbalance exists between parents, the more specific a parenting time order, the better. Specific orders can eliminate or greatly reduce the need for parents to communicate or negotiate.

  Most families benefit from orders that:

  - ❑ Avoid nonspecific language such as "reasonable parenting time," "parenting time as agreed by the parties," or "parenting time to be arranged later."
  - ❑ Clearly define parenting time days, times, transportation, pick-up and drop-off locations, holidays, and school breaks.

For some families, any of the following optional specific provisions may help support safety:

- ❑ Specify how the parents should communicate with each other to arrange any parenting time changes (for example, through e-mail, web-based programs, or smart phone apps).
- ❑ If possible, arrange parenting time so that the parents will not have contact.
- ❑ If the parents must meet to transfer the child, require that the transfer take place in the presence of a third party approved by the domestic violence victim and in a public setting, or use a safe exchange program.
- ❑ Specify how parents will resolve future parenting time disputes (for example, the court order could require parents to work with a parenting coordinator, mediator, or FOC employee to resolve disputes).
- ❑ Include future court hearing dates to review how a temporary parenting time order is working. This can also be used with a graduated schedule, where parenting time increases after completing certain milestones.

- ***Supervised Parenting Time.***

In some cases involving domestic violence, parenting time needs to be supervised by an agency or a third party.

- ❑ If possible, select an agency provider of supervised parenting time with expertise in domestic violence. The next best option is a third party of the victim's approval and choosing.
- ❑ Clearly identify who will act as the supervising third party and ensure the supervisor accepts and is approved by the victim.
- ❑ Establish the supervisor's responsibilities. If an agency is providing supervision, identify how and when the agency will be contacted and how the cost of services will be paid.
- ❑ Supervision should continue until the parent who perpetrated domestic violence has demonstrated a history of behavioral change reported by multiple sources (for example, a batterer's intervention program and the victim).

Find more information in the **Supervised Parenting Time** section.

- ***Protective Orders.***

The parenting time should not violate any order limiting contact between the parents, such as a personal protection order (PPO), a no contact order, or another protective order. If there is a protective order in place, it may have to be modified by the court to account for parenting time. If a parenting time order is in place, it

may have to be modified to align with the protective order. Such modification could include:

- ❑ Using an agency or other third party to supervise the parenting time of the perpetrating parent.
- ❑ Using a safe exchange program that provides staggered pick-ups and drop-offs.
- ❑ Using a public or other neutral place for parenting time exchanges.
- ❑ Having a third party provide transportation of the child.

Parents Living in a Facility

Some parents may be incarcerated in a jail or prison or receiving treatment in a residential facility. The inability to leave such facilities makes it difficult to maintain a strong relationship with their children. Strategies may be worked out with a child's therapist, mentors, or other family members to ensure that parent is "present" during the time away from the family. Mail and phone communication are sometimes appropriate options for maintaining a child-parent relationship. Other strategies include keeping pictures of the parent on display in the child's home, engaging in activities that were important to the family, and trying to create a healthy dialogue about the parent that can be incorporated into family behaviors.

In some cases, scheduled parenting time for an incarcerated or institutionalized parent may also be appropriate. However, there are unique challenges associated with parental incarceration and parental mental illness, in particular.

In situations where the parent committed a crime against the child, or if the child is severely traumatized by past actions of the parent, parenting time may not be appropriate. Generally, a court must make a finding on whether parenting time is appropriate for an incarcerated or institutionalized parent.

If there is no parenting time order accounting for the parent's incarcerated or institutionalized status, an order might need to be established or changed accordingly. Parents may file a **motion** to modify the order on their own or with an attorney's help. The court may rely on experts, such as therapists, about the impact on the child. Parents should express any concerns to the court about the child's physical, mental, or emotional wellbeing.

Before parenting time happens at a correctional or mental health facility:

- ❑ Gain a thorough understanding of facility procedures, rules about how to arrange visits, and any safety protocols for visits.
- ❑ Consider the environment the child would be in during visits and how appropriate it is for the age and maturity level of the child.
- ❑ If possible, engage the child in individualized therapy or a mentorship program to address any barriers to parenting time and any confusion or trauma resulting from

the visit – whether these result from contact with the parent or from the visit to the facility.

- ❑ Decide who will take the child for parenting time. Sometimes caregivers besides the other parent should be considered, especially if the other parent is unwilling or may find the experience traumatic. The process of visiting an incarcerated parent should not be negative for the child, which may mean limiting which caregivers take the child for visits.
- ❑ Gauge the willingness of the caregiver to consistently engage in the parenting time schedule, even when visits may be demanding.

When considering parenting time via telephone, video, and letter writing:

- ❑ Understand how often individuals at the facility may make telephone or video calls and send letters.
- ❑ Obtain information about any costs of making and receiving calls.
- ❑ Decide who is responsible for any financial costs associated with receiving collect telephone calls.
- ❑ Inform the parent living in the facility of the telephone number and address to reach the child. Verify that the residents of the child's address and owners of the telephone line are willing to facilitate the communication between the incarcerated parent and child.

If a parent chooses to allow parenting time for an incarcerated or institutionalized parent without a court order, the parent should consider the impact it would have on the child.

When parenting time *is* appropriate, consider the following to create a safe parenting time schedule.

Incarcerated Parents

NOTE: *This section uses the terms "visit" and "visitation" to describe when someone goes to a correctional facility (jail or prison) to see the incarcerated parent. These terms are intentionally used for consistency with jail and prison resources and communications.*

Children who miss out on a relationship with an incarcerated parent may suffer various consequences in their development. Parental incarceration can result in feelings of loss for a child. The loss can be further complicated by the social stigma of incarceration, as well as the uncertainties a child may experience in trying to connect with a parent who is removed from the family structure. Even if the parent was not living with the child before incarceration or had limited contact, not being able to spend time with the child during the period of incarceration can cause emotional or psychological suffering for all parties involved.

Maintaining a strong child-parent relationship can have benefits for both the incarcerated parent and the child. This is possible through carefully planned parenting time, or by working with a qualified mental health professional.

Tips for the Caregiver Facilitating Parenting Time

Parenting time with an incarcerated parent should promote the child's physical, emotional, and psychological well-being. Caregivers facilitating the parenting time should understand that their behaviors and what they say about an incarcerated parent can affect the child's relationship with that parent, sometimes negatively.

Caregivers **should:**

- ❑ Once the child is ready for visits with an incarcerated parent, educate the child with age-appropriate information about the visits, including but not limited to:
  - How often the visits will occur.
  - Safety protocols of the facility.
  - Any contact restrictions enforced by the facility.
  - How the child can indicate that he/she would like to leave.

Caregivers **should not**:

- ⃠ Argue with the incarcerated parent when the child is nearby.
- ⃠ Make negative statements about the incarcerated parent or the incarcerated parent's family when the child is nearby.
- ⃠ Make promises that they cannot keep.
- ⃠ Attempt to destroy the incarcerated parent's relationship with the child.

Parents Living in a Mental Health Facility

A mental illness does not necessarily prevent a parent from establishing and maintaining a healthy parent-child relationship. A parent in a residential mental health facility may still be able to have productive parenting time.

Parents, caregivers, and any professionals involved should discuss the child's age and maturity, and the emotional impact of visiting the parent. When designing a parenting time schedule, verify that any proposed visits align with the latest parenting time court order and with the facility's policies and procedures.

The caregiver may want to discuss the court order with the facility's treatment staff and social workers. The court order may have to be amended if it does not provide the parent living in a mental health facility with parenting time opportunities.

Tips for the Caregiver Facilitating Parenting Time

- ❑ Think about the environment the child would be in during visits and how appropriate it is for the age and maturity level of the child.

- ❑ Talk to the child before visits. For example, ask simple questions:
    - "What have you heard about this place?"
    - "What do you think this is going to be like?"
    - "Why do you think Mom/Dad is living there now?"

  And assure the child that:

    - The parent is in the facility to get better;
    - The facility is a safe place for both parent and child; and
    - Any unusual or frightening behavior by the institutionalized parent is not the child's fault.

- ❑ Educate the child with age-appropriate information about the visits, such as how often the visits will occur, safety protocols of the facility, any contact restrictions enforced by the facility, and how the child can indicate that he or she would like to leave.
- ❑ Provide the child age-appropriate education (through a therapist when possible) about mental health, mental illness, and the treatment process, especially about the parent's specific condition.
- ❑ Gain a thorough understanding of facility procedures and rules about how to arrange visits and any safety protocols for visits.
- ❑ Make sure the child has an opportunity to talk through any confusion or trauma from seeing the parent or from visiting the facility. If possible, provide the child sessions with a mental health professional, mentor, or support group.

In addition to benefitting the child, research suggests that contact with a child can be important for a parent's recovery from severe mental illness.

If visits are not appropriate but other contact may be safe for the child, the institutionalized parent may keep in touch by phone calls or video conferencing.

Parents with Disabilities

Some parents may have a physical or mental disability to consider when developing a parenting time schedule. The parenting time schedule should be developed so that parent and child are both able to fully participate in parenting time and create or maintain a strong relationship.

Parenting time schedules should consider a parent's medications, treatments, and the use of medical/supportive equipment. For example, considerations might include:

- Does the parent live independently or does the parent need help with everyday tasks?

- Is the parent taking medication during parenting time? If so, what impact does the medication have on the parent? For example, does the medication make the parent drowsy or impair the parent's judgment?
- Does the parenting time schedule need to account for the parent's treatment or appointment schedule?
- Who will transport the child for parenting time if the parent is unable to drive?
- Is the parent able to meet the minor child's needs during parenting time?
- Will the parent be able to take the child to school or extracurricular activities, either independently or with assistance? Are there any concerns with the third party who provides assistance being present during parenting time?
- Are the parent's living arrangements adapted to the disability in a way that would impact the child?

The parent's disability should be discussed with the child using age-appropriate language. Understanding the disability may help the child feel safe and – when necessary and appropriate – also help the parent who has the disability.

Supervised and Therapeutic Parenting Time

Supervised Parenting Time

Supervised parenting time is when a third party or agency oversees parenting time. In most instances of court-ordered supervised parenting time, it is ordered because of concern for the safety or well-being of the child during parenting time. There are two objectives of a supervised parenting time order. The primary objective of supervised parenting time is to provide a safe environment, whether safety is a concern for the child, the other parent, or both. The secondary objective is to move the supervised parenting time toward an unsupervised plan if certain objectives are achieved.

Typically, supervised parenting time orders include a description of the behavior that would need to change before moving to unsupervised parenting time, a description of services ordered to help support the desired behavior change, and a timeline for when the order will be reviewed to see if progress toward unsupervised parenting time has been made. Generally, one of three methods will be used to determine when a plan moves to the next phase:

1. Moving from supervised to unsupervised parenting time could occur automatically* when the parent accomplishes certain milestones (for example, attending a certain number of visits or achieving goals set out in the order). However, in creating such orders, it is important to understand that in many situations the passage of time *alone* may not change the behavior that created the need for supervision. Further assessment may be necessary to determine progression to the next phase of the plan.

This method is <u>not</u> recommended when there has been domestic violence or other serious safety concerns for the child or the other parent.

2. A supervised parenting time plan could include specific dates for the court to review the plan to determine whether unsupervised parenting time should occur based upon measurable behavior changes reported by multiple sources.

3. The plan could require that parenting time be reviewed only at the request of a parent.

Graduated plans can be used to move from supervised to unsupervised parenting time. For example, the plan could call for agency intervention, followed by third-party supervision, followed by short periods of unsupervised parenting time in a public place, and moving toward extended periods of unsupervised parenting time. Information should be gathered from multiple sources to determine if the desired behavior change has been achieved before moving to the next step in the plan.

The particular method selected for supervised parenting time varies with the reason for the supervision. The type of supervised parenting time selected should reflect goals relevant to the family's mental, physical, and emotional wellbeing.

Agency Parenting Time

Agency parenting time occurs in a supervised setting to ensure protection of the child or the victim parent (for example, in cases involving child abuse, substance abuse, and domestic violence). Most agencies provide trained professionals to oversee supervised parenting time. Common examples of agencies that may provide supervised parenting time include the friend of the court office, family and children's services offices, counseling centers, substance abuse or other treatment centers, and programs available through domestic violence agencies.

Although designed primarily for protection, agency supervision may be used along with therapy or parenting skills training to provide the parent with the skills required to move into an unsupervised setting. An agency may also be used in domestic violence cases when other types of supervision (such as supervision by a relative of the abusive parent) may not be appropriate or safe. Domestic violence experts recommend in domestic violence or child abuse cases that any therapy or skills training should *only* be provided:

- By someone with expertise in the area.
- When the perpetrator has demonstrated an ability to take responsibility for his or her actions.
- With input from the victim to ensure therapy is not inadvertently placing the victim at increased risk.
- When the therapy does not include a perpetrator and victim of domestic violence together.

For example, this type of plan may be appropriate when abuse of the child or substance abuse is involved and the parent is currently undergoing treatment. As treatment progresses and behavior changes, the parenting time arrangements could move, in stages, toward unsupervised parenting time. A plan may require that more than one agency be involved. In such cases, it is important to have communication between all agencies involved.

Agencies providing supervised parenting time services must adhere to certain standards for parenting time that may be refined to meet the needs of the particular case.

Standards for Agency Parenting Time

Agencies that provide supervised parenting time services should employ qualified individuals who are capable of enforcing rules designed to ensure the safety of the child.

Usually, agencies supervising parenting time consider the following to be minimal requirements. Additional guidelines may be established by the agency as appropriate for furthering the goals of the particular case.

- ❑ In certain situations, such as child sexual abuse, all physical contact between the child and the parent must be initiated by the child, or verbal permission given by child, unless otherwise approved by the agency.
- ❑ The supervisor must be able to see and hear all interactions between the child and the parent exercising parenting time.
- ❑ The parent must not initiate discussion with the child concerning any alleged abuse or try to gather information from the child that could impact the safety or wellbeing of the child or other family members.
- ❑ Discussion with the child of adult problems such as court proceedings or parental disagreements should only occur when approved and facilitated by the supervisor.
- ❑ If the parent wants to give a gift to the child, the parent must discuss it with the supervisor in advance.
- ❑ Efforts should be made to work with interpreters as necessary for parenting time to occur in the child's preferred language and the parent exercising parenting time.
- ❑ There should be no discussion, derogatory comments, or questioning of the child concerning the other parent, the other parent's relationships, or the other parent's activities.
- ❑ There should be no discussion with the child concerning future living arrangements or changes in parenting time, except as determined in advance between the parent and the agency.
- ❑ The child should not be used to send any messages or documents to the other parent or family member.
- ❑ The child should not be questioned concerning where the child lives or goes to school.

- ❑ Parents must follow all directives and requests from staff.
- ❑ All parenting time should occur only in areas designated for that purpose.
- ❑ No one other than the parent should be present at the center or in any area that is in direct view of the center unless arranged and approved by the center in advance.
- ❑ No drugs or alcohol may be brought to the agency, nor may a parent appear at the agency under the influence of drugs or alcohol.
- ❑ Phone use and use of electronics should be prearranged and monitored.

Third-Party Supervision

Third-party supervised parenting time is parenting time supervised by a friend, relative, or other individual selected by the court. Third-party supervision may be recommended in cases where circumstances indicate that monitoring is warranted, but agency intervention is not required.

Generally, third-party supervision should only occur when it is accompanied by a plan for full restoration of an unsupervised plan within a certain period of time or under specified conditions. If the circumstances of the case indicate a need for more intensive or long-term supervision, the case may be more appropriately managed by agency supervision.

The third party should be chosen by agreement of the parents, be of an appropriate age, and possess the necessary skills to supervise the parenting time. The proposed parenting time supervisor must consent to supervise the parenting time.

The focus of third-party supervision is protection, not therapy. The supervision should safeguard the child from any harm that may occur because of the specific reason(s) for supervision. Depending on the reason for the order for supervision, the supervision could be minimal, such as the parenting time take place only at a designated location (the home of one of the grandparents, for example), or the supervision could be more extensive, such as the parenting time occur in the immediate presence of the third-party supervisor or that the parenting time occur in the constant visual presence of a supervisor.

Therapeutic Parenting Time

Therapeutic parenting time is used in complex or reunifying cases where intervention focuses on strengthening the relationship between parent and child. Some examples may include when a parent and child have not had contact for an extended period of time, when the relationship has deteriorated to the point where the child is refusing to see the parent, or to help resolve past conflicts.

Therapeutic parenting time is not appropriate in domestic violence or child abuse cases

unless the perpetrator is engaged in treatment specific to his or her abusive behaviors and is taking responsibility for his or her actions.

Therapeutic supervised parenting time orders might include the following:

- the goals of the service;
- the professional(s) who will be working with the family;
- who will be seen in sessions;
- the limits of confidentiality for each professional with the court and with the parents;
- the permissible lines of communication among those involved;
- who is responsible for payment for the therapy;
- an agreed-upon process for terminating the therapy or transferring to another therapist or family counselor.

It is important to select a professional who is willing to work with the court, which could include providing update reports and/or testimony to the court throughout the course of treatment. Your local family court or FOC may be able to recommend professionals in your area.

Parent-Child Reunification

For various reasons, a parent may have been absent from a child's life for a period of time or may not have any relationship with the child. In families where a parent has been absent from the child's life, special steps should be taken to introduce or reintroduce the child and parent:

- Whenever possible, families should engage in counseling to build trust between the child and parent.
- Parenting plans should gradually increase time with the absent parent. Consider starting with phone calls, e-mails, letters, cards, or **Virtual Parenting Time** before beginning in-person parenting time.
- In some cases, supervised parenting time may be appropriate initially. Families should consider **Third Party Supervision**, **Therapeutic Parenting Time,** or third parties handling the pick-up and drop-off so that the child and parent are comfortable.
- As the absent parent gets to know the child's interests and activities, eventually it might be appropriate for that parent to begin attending the child's extracurricular events.
- The absent parent may benefit from parenting classes to learn more about parental responsibilities and co-parenting.

A parent being absent from the child's life may sometimes be the result of domestic violence or child abuse. In these situations, additional safeguards, including **Agency Parenting Time**, *may be needed.*

Guardianships

A **guardianship** is when a court gives someone who is not a biological or adoptive parent the legal responsibility for making all major decisions about the child's upbringing (such as medical treatment, school enrollment, and religious instruction). When a guardianship is established, the court may award parenting time with a biological parent to allow a healthy parent-child relationship while neither parent has physical custody of the child.

The parenting time schedule should ensure the child's safety. In addition to the child's age, schedule, and special needs, specific considerations include:

- Any history of child abuse or neglect;
- Any issues the parent(s) may struggle with, including substance abuse, mental health, and absence from the child's life;
- Limiting parenting time to a duration and frequency in the child's best interests. Supervised parenting time options may be considered.

Blank Calendar

Parents may use this calendar to design the schedule that best meets their family's needs. It may help to write out the child's regular activities, like school and extracurricular activities, before trying to decide on a parenting time schedule.

Many parents find it helpful to color-code calendars; write the parents' names, initials, or "Mom" and "Dad;" add the time of the exchanges; and show if the child is staying overnight.

Parents should read the **Child Development and Parenting Time Considerations** sections that apply to their child before deciding on a schedule.

Sample parenting time schedules are available in the next section. Parents should be sure to read the advantages and disadvantages of the different options presented. For example, some schedules will not work well for parents who live far apart.

Parenting Time Schedule						
Sun	Mon	Tues	Wed	Thurs	Fri	Sat

Sample Parenting Time Schedules

These samples are *only a starting place* to find the right schedule for your family. As you customize your family's schedule, remember that if your family has any **Safety Concerns**, it is possible that none of these samples will be appropriate, and you may want to ask for help from a professional. Also remember that parenting time is not about "fairness" to you as a parent, but for your child's healthy development, and it should align with your child's stage of development:

- **Infants: Birth to 12 months**
- **Toddlers: 12 months to 3 years**
- **Young children: 3 to 5 years**
- **Elementary school age: 5 to 10 years**
- **Middle school age: 10 to 14 years**
- **High school age: 14 to 18 years**

No.	*Schedule Name & Description*	*Page*
	Daytime Only	
1	***Short daytime visits*** Two or more periods of 3-5 hours spaced throughout each week.	**p. 47**
2	***Long daytime visits*** One or more periods of 4-6 hours spaced throughout each week.	**p. 47**
3	***Short and long daytime visits*** One or more 3-5 hour periods and one 8-hour period spaced throughout each week.	**p. 48**
	Daytime + Non-consecutive Overnights	
4	***One overnight plus short visits*** One or more periods of 3-6 hours and an overnight each week.	**p. 49**
5	***Non-consecutive overnights*** Two periods of 3-6 hours and two non-consecutive overnights each week.	**p. 49**
	Weekdays + Consecutive Overnights	
6	***Two overnights plus daytime*** One period of 3-6 hours and two consecutive overnights each week.	**p. 50**
7	***Midweek evening plus alternating weekends*** Two consecutive overnights every other week. An additional 3- to 6-hour period or overnight may be added each week.	**p. 50**
8	***Midweek evening plus alternating long weekends*** Three consecutive overnights every other week and an additional 3- to 6-hour period each week.	**p. 51**
9	***One weeknight and alternating weekends*** Four consecutive overnights during Week 1 and one overnight during Week 2.	**p. 52**
	Rotating Parenting Time	
10	***Two days on, two days off*** The child is with each parent for two consecutive days. △ **Caution** – this plan should **only** be used when parents can commit to it.	**p. 53**

11	***Two week rotation (2-2-3)*** Two consecutive overnights with each parent during the week, followed by three consecutive weekend overnights, with the schedule alternating each week. △ **Caution** – this plan should **only** be used when parents can commit to it.	**p. 54**
12	***Split week (4-3-3-4)*** Split each week and weekend.	**p. 55**
13	***Split week with alternating weekends (5-2-2-5)*** Each parent has the same 2 consecutive weekday overnights each week and alternates the weekends.	**p. 56**
14	***Alternating weeks*** The parents share time with the child during alternating 7-day periods. A midweek overnight period is optional with the parent who does not have parenting time that week. △ **Caution –** This schedule might not be appropriate for all young children, in particular.	**p. 57**

Extended Parenting Time

Some families may want to create a regular schedule for longer periods of parenting time with each parent. Many families use these opportunities to take vacations.

For example: *"Each year, each parent may spend four weeks of uninterrupted summer parenting time with the child."*

Two-week periods or less may be best for younger children. If a longer vacation period is used, the child should have the opportunity for contact with the non-vacationing parent during the vacation period. Parents should try not to disrupt the child's extracurricular activities when scheduling extended parenting time.

Traveling During Parenting Time

Parents may want to establish standard expectations for traveling with the child during parenting time. Many families decide on a certain amount of notice that the traveling parent must give the other parent before taking a trip with the child. For example, some families might include in their court order that each parent should give the other parent at least 30 days written notice before any travel. The written notice should include the location(s) and how to reach the child and parent.

Holidays

Parents may choose to alternate, share, or split holidays. Whatever your family decides, it is best to write down the agreement, being as specific as possible, and include it in your court order. The holiday schedule should be followed, even if the holiday falls on the other parent's normal time.

For example: *This year Mother's Day falls on a Sunday when your child is scheduled to be with the father from after school on Friday to 5 pm on Sunday. Your court order says that your child spends Mother's day with the mother every year starting 5 pm the evening before. Your child would spend parenting time with the father Friday night until 5 pm Saturday, when the mother's parenting time would start.*

Consider each parent's practices in determining which holidays to exercise or alternate. It is best to include a complete list of all holidays that each parent would like considered in the parenting time schedule. Parents may request parenting time on specific days that are important to their religious or cultural practices. Another example of a common holiday consideration is when one extended family has an important gathering for a certain holiday every year, and that same holiday is less important for the other parent.

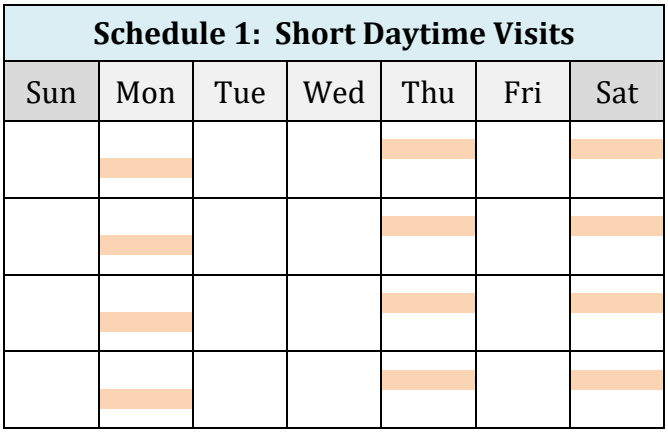
Holiday parenting time, after a parenting time order is established, might factor into a child support calculation. When counting overnights, many parents find it helpful to map out the schedule for a full year on a calendar and then count the overnights with each parent.

Sample Schedules: Daytime Only

Schedule 1: Short Daytime Visits

Two or more periods of 3-5 hours spaced throughout each week.

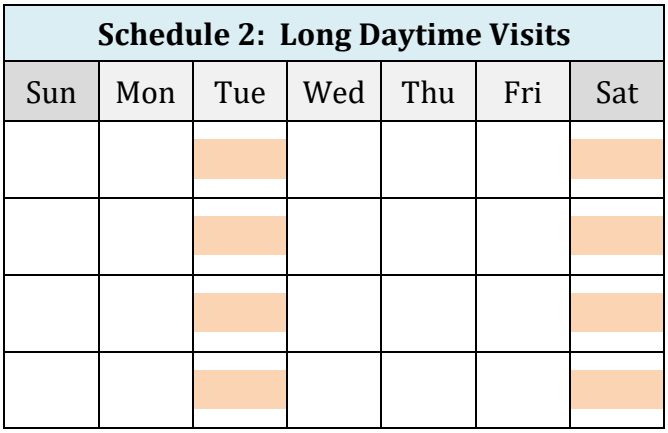
Comment: Frequent contact helps the child bond with each parent, something that is important for the child's healthy development.



Schedule 2: Long Daytime Visits

One or more periods of 4-6 hours spaced throughout each week.

Comment: This schedule is more appropriate than Schedule 1 if the parents' work schedules, living situations, or levels of conflict with each other make more frequent exchanges difficult. Because this schedule only has two visits each week, bonding between the parent and child may take a little more time, and the child may have difficulty going from one parent to the other.



Works for any of these situations:

- *The child will spend less time with one parent because of school/work schedules or living arrangements;*
- *The child has not yet developed a bond with a parent;*
- *A parent has limited parenting skills; or*
- *The child has previously spent most of the time with one parent.*

Advantages

- The child has frequent contact with both parents, helping develop a bond.
- Offers consistency and predictability.
- Each parent gets a few weekly "breaks."

Disadvantages

- In Schedule 1, there are six exchanges each week, which might be difficult if parents do not get along.

Sample Schedules: Daytime Only (continued)

Schedule 3: Short and Long Daytime Visits

One or more periods of 3-5 hours and one 8-hour period spaced throughout each week.

Comment: Frequent contact helps the child bond with each parent, something that is important for the child's healthy development.

Schedule 3: Short and Long Daytime Visits						
Sun	Mon	Tue	Wed	Thu	Fri	Sat

Works for any of these situations:

- *Parents of infants or toddlers have already been using Schedule 1 or 2;*
- *Both parents of an infant already have a bond with the child;*
- *A parent of a school-age child has limited parenting skills;*
- *The school-age child will spend less time with one parent because of school/work schedules or living arrangements; or*
- *The child has previously spent most of the time with one parent.*

Advantages

- The child has frequent contact with both parents, helping develop a bond.
- Offers consistency and predictability.
- Each parent gets a few weekly "breaks."

Disadvantages

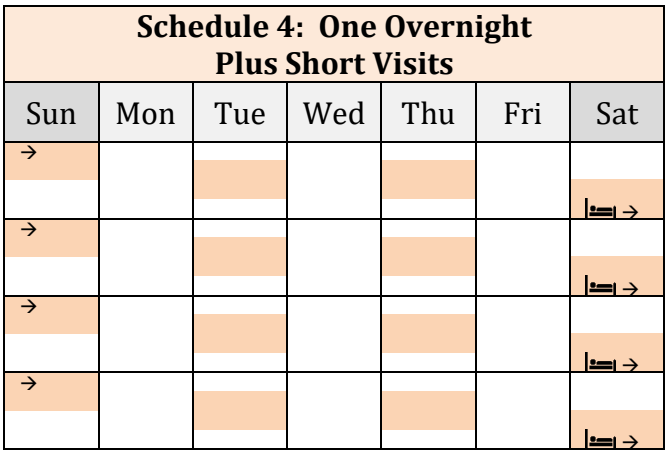
- There are six exchanges each week, which might be difficult if the parents do not get along or live far apart.
- The week may seem broken up.

Sample Schedules: Daytime + Non-consecutive Overnights

Schedule 4: One overnight plus short visits

One or more periods of 3-6 hours and an overnight each week.

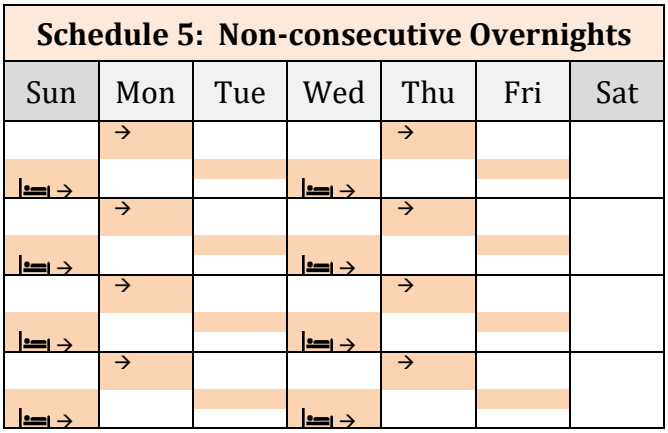
Comment: Frequent contact helps the child bond with each parent, something that is important for the child's healthy development.



Schedule 5: Non-consecutive Overnights

Two periods of 3-6 hours and two non-consecutive overnights each week.

Comment: More frequent overnights with both parents allows the child more opportunity for bonding with both parents.



Works for any of these situations:

- *The child will spend less time with one parent because of work schedules, living arrangements, or great distance between homes;*
- *The child has not yet developed a bond with a parent;*
- *A parent has limited parenting skills; or*
- *The child has previously spent most of the time with one parent.*

Advantages

- The child has frequent but short visits with each parent.
- Offers consistency and predictability.
- Each parent gets a few weekly "breaks."

Disadvantages

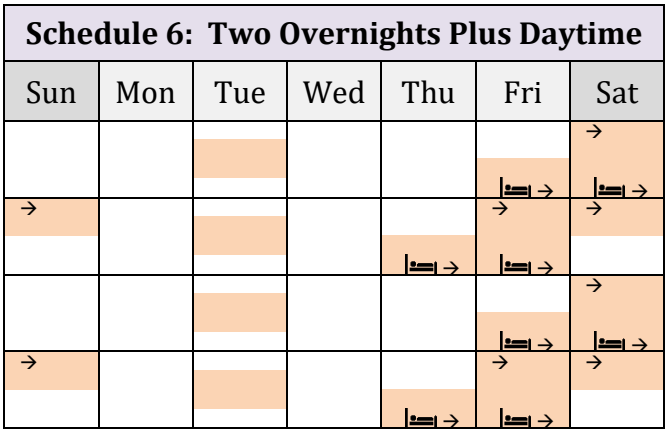
- There are 6-8 exchanges each week, which might be difficult if parents do not get along or live far apart.
- The week may seem broken up.
- Some school-age children may struggle with school-day exchanges.

Sample Schedules: Weekdays + Consecutive Overnights

Schedule 6: Two Overnights Plus Daytime

One period of 3-6 hours and two consecutive overnights each week.

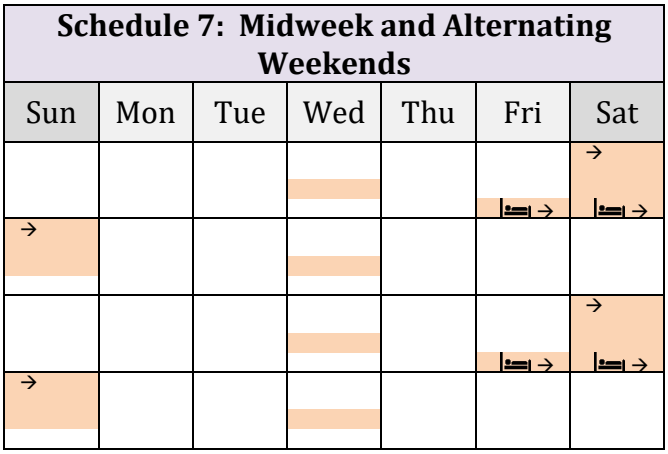
Comment: Frequent contact helps the child bond with each parent, something that is important for the child's healthy development.



Schedule 7: Midweek Evening Plus Alternating Weekends

Two consecutive overnights every other weekend. One 3- to 6-hour period or overnight may be added in the middle of each week.

Comment: Because this schedule has only one or two visits each week, new bonding between a parent and child may take a little more time, and the child may have difficulty going from one parent to the other.



Works for any of these situations:

- *The child will spend less time with one parent because of work/school schedules or living arrangements;*
- *The child needs the stability of a single primary residence;*
- *One of the parents does not have living space where the child can stay longer; or*
- *The child has previously spent most of the time with one parent.*

Advantages

- The child has frequent visits with each parent.
- Offers consistency and predictability.
- Each parent gets a few weekly "breaks."

Disadvantages

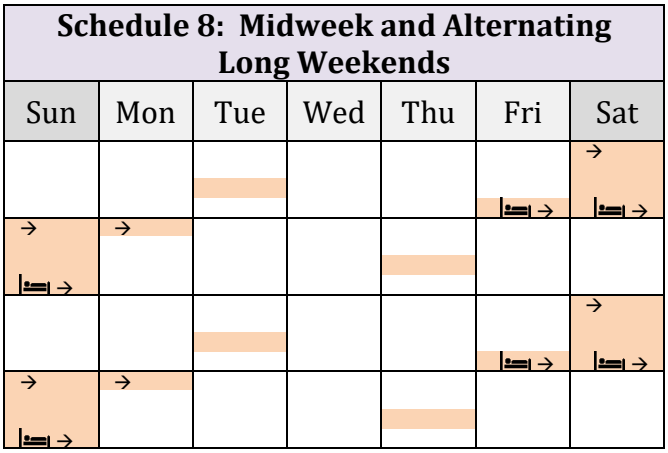
- The child goes six days at a time without seeing one parent.

Sample Schedules: Weekdays + Consecutive Overnights (continued)

Schedule 8: Midweek Evening Plus Alternating Long Weekends

Three consecutive overnights every other week and an additional 3- to 6-hour period each week.

Comment: Long weekends require coordination and a low degree of conflict between parents to have the child ready for school on Monday mornings and ready for parenting time after school on Fridays.



Useful in any of these situations:

- *The child will spend less time with one parent because of work/school schedules or living arrangements; or*
- *The child has previously spent most of the time with one parent.*

Advantages

- The child has frequent visits with each parent.
- Offers consistency and predictability.
- Each parent gets a few weekly "breaks."

Disadvantages

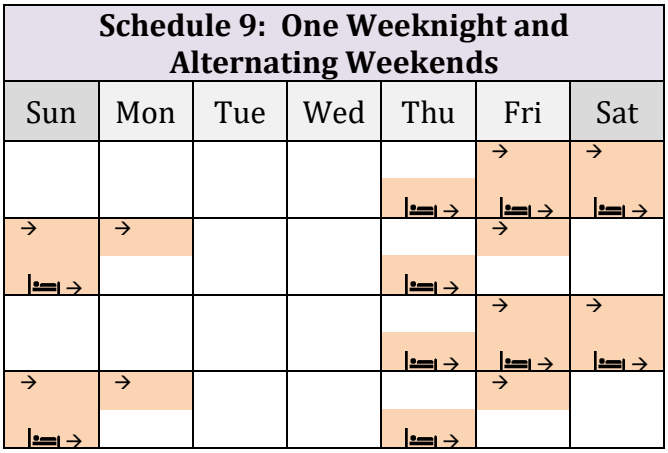
- Some school-age children may struggle with school-day exchanges.
- This schedule may be difficult for teenagers.

Sample Schedules: Weekdays + Consecutive Overnights (continued)

Schedule 9: One Weeknight and Alternating Weekends

Four consecutive overnights during Week 1 and one overnight during Week 2. Weekends alternate and are long. If the child is in school, pickups and drop-offs can be at the start and end of the school day.

Comment: This schedule requires living arrangements (especially distance between parents' homes) that limit the stress of transitions on the child, especially if the child is school age because weekend parenting time begins on a Thursday.



Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the child won't have much travel between homes; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- Minimal parental contact for exchanges if the child is in school.
- Offers consistency and predictability.
- Long weekends can be used for short trips during school breaks.

Disadvantages

- The child may go five days every other week without seeing one of the parents.
- Some school-age children may struggle with school day exchanges.

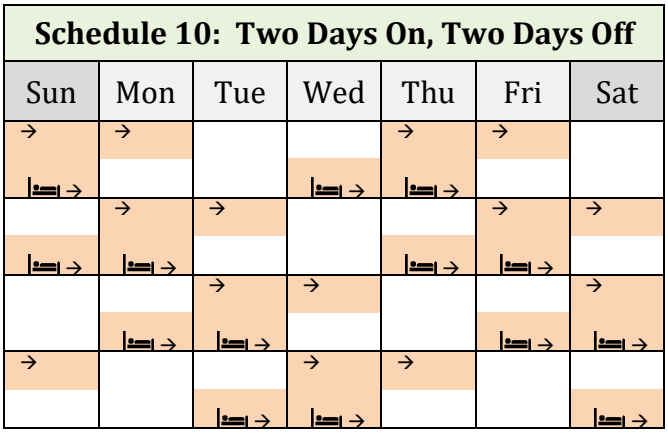
Sample Schedules: Rotating Parenting Time

Schedule 10: Two Days On, Two Days Off

The child is with each parent for two consecutive days.

Comment: This schedule requires a high degree of communication and a low level of conflict between parents. It also requires living arrangements (especially distance between parents' homes) that limit the stress of transitions on the child.

△ **CAUTION:** This schedule should only be used when parents can commit to it.



Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the child won't have much travel between homes; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- The child sees each parent every two days.
- Parents have longer blocks of time to bond with the child.

Disadvantages

- There is no day of the week consistency from one week to the next, which can complicate making plans.
- The week may feel broken up.
- Some school-age children may struggle with school-day exchanges.

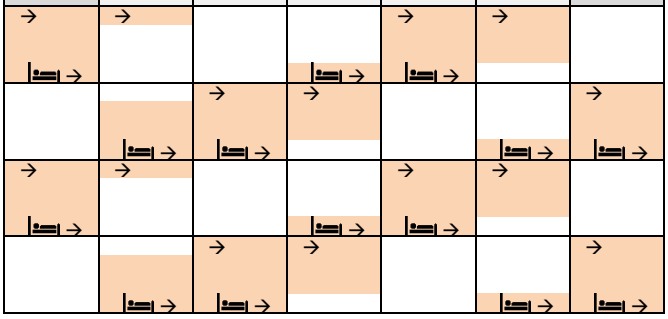
Sample Schedules: Rotating Parenting Time (continued)

Schedule 11: Two-Week Rotation (2-2-3)

Two consecutive overnights with each parent during the week, followed by three consecutive weekend overnights, with the schedule alternating each week. Weekends alternate. If the child is in school, pickups and drop-offs can all be made at the start and end of the school day.

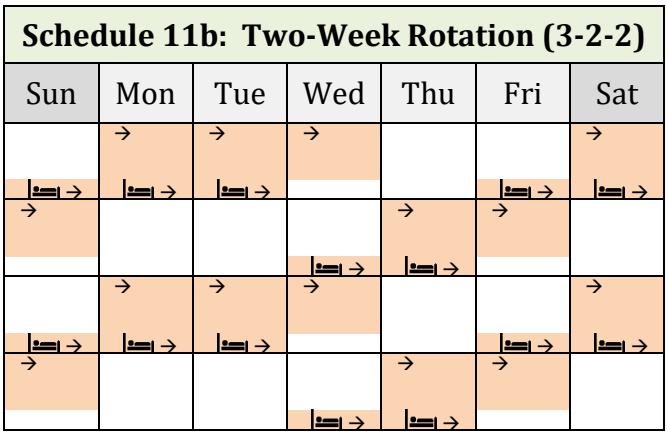
△ **CAUTION:** This schedule should only be used when parents can commit to it.

Schedule 11a: Two-Week Rotation (2-2-3)



This variation has longer weekends with each parent and two school-week exchanges.

Schedule 11b: Two-Week Rotation (3-2-2)



This variation has shorter weekends with each parent but only one school-week exchange.

Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the child won't have much travel between homes; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- The child sees each parent every two days.
- Parents have longer blocks of time to bond with the child.

Disadvantages

- There is no day of the week consistency from one week to the next, which can complicate making plans.
- Some children may struggle not seeing a parent for two full days.
- The week may feel broken up.

Sample Schedules: Rotating Parenting Time (continued)

Schedule 12: Split Week (4-3-3-4)

Split each week and weekend so that parents have the same number of overnights with the child.

Comment: This schedule requires living arrangements (especially distance between parents' homes) that limit the stress of transitions on the child, especially if the child is in school, since transitions occur mid-week and both parents would be responsible for transportation to and from school.

Schedule 12a: Split Week (4-3-3-4)

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	→	→	→	→		
	→	→	→			
	→	→	→	→		
	→	→	→			

This variation has consistent weekend exchanges and alternates Wednesday/Thursday exchanges.

Schedule 12b: Split Week (4-3-3-4)

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	→	→	→			
→	→	→	→			
	→	→	→			
→	→	→	→			

This variation keeps weekday exchanges consistent and alternates longer weekends.

Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the child won't have much travel between homes; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- The child sees each parent every three days.
- Offers consistency and predictability.
- Exchanges are minimal.

Disadvantages

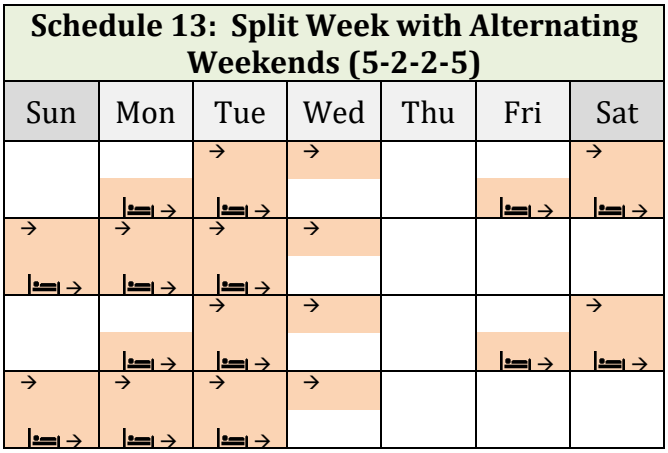
- Neither parent has a full weekend.

Sample Schedules: Rotating Parenting Time (continued)

Schedule 13: Split Week with Alternating Weekends (5-2-2-5)

Each parent has the same two consecutive weekday overnights during the week and alternates the weekends. If the child is in school, all pickups and drop-offs can be at the start and end of the school day.

Comment: This schedule requires a high degree of communication and a low level of conflict between parents. It also requires living arrangements (especially distance between parents' homes) that limit the stress of transitions on the child.



Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the child won't have much travel between homes; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- Consistency and predictability for week days (school days).
- Parents have longer blocks of time to bond with the child or take a trip (during school breaks).

Disadvantages

- Some children may struggle not seeing a parent for five full days.

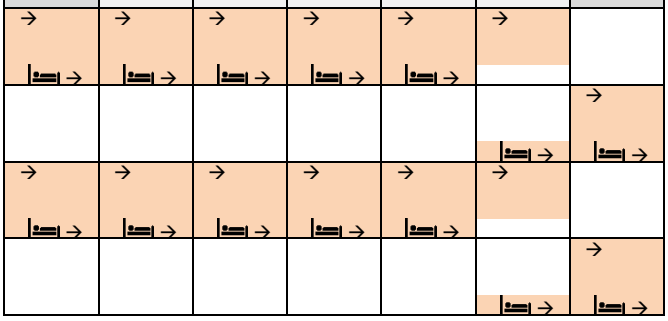
Sample Schedules: Rotating Parenting Time (continued)

Schedule 14: Alternating Weeks

An equal parenting time schedule where the child alternates spending a full week with each parent. Some families may wish to add a mid-week visit or overnight with the other parent to limit the number of consecutive days the child is apart from either parent.

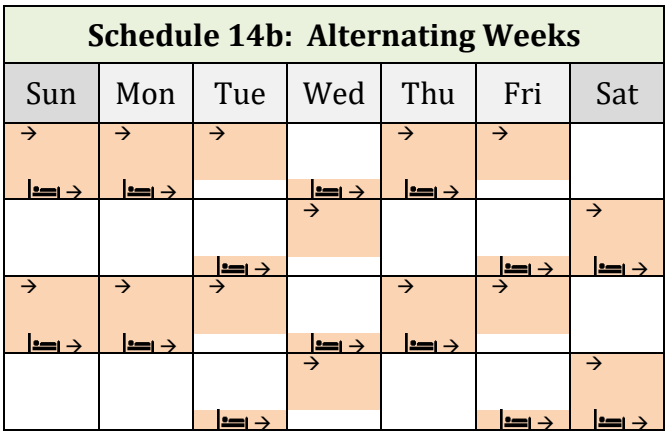
△ **CAUTION:** This schedule may not be appropriate for all children, young children in particular.

Schedule 14a: Alternating Weeks



This variation has 7 straight days of parenting time with each parent.

Schedule 14b: Alternating Weeks



This variation has a weekly midweek overnight with the other parent.

Works in this situation:

- *Both parents previously provided the child's day-to-day care and guidance; AND*
- *Parents live close enough that the school-age child can attend school from either parent's home; AND*
- *Parents can communicate and cooperate well with each other about the child's care.*

Advantages

- Exchanges are limited.
- Parents have longer blocks of time to bond with the child.

Disadvantages

- There is no day of the week consistency from one week to the next, which can complicate making plans.
- Some children may struggle not seeing a parent for several days in a row.

Parenting Time Worksheet for Parents

If you have more than one child, think about the relationships and needs of each child separately and complete this for each child. As you work through these questions, you can mark planned events on a **Blank Calendar**.

Your child's name: _____

1. **Are there safety concerns? Explain.** This includes safety of the child, parent, and safety during exchanges. _____
   _____
   _____
   *If your answer is "maybe," "sometimes," or "yes," read about **Safety Concerns** before continuing.*

2. **How old is the child?** _____
   *Read about **Child Development and Parenting Time Considerations**.*

3. **Does your child have any *Medical Needs*?** _____
   If yes, how might this impact parenting time? _____
   _____

4. **How easily will your child be able to transition between homes?** *Consider the child's access to friends, other family members, pets, and any need to transport items like clothing from home to home.* _____

5. **What is the travel time between the parents' homes?** _____
   - ❑ Short drive (or closer) → *Many types of schedules might work*
   - ❑ Long drive → *See special considerations for **Long Distance*** Parenting
   - ❑ Airplane flight → *See special considerations for **Long Distance*** Parenting

6. **Does either parent have driving restrictions or transportation issues?** _____
   _____

7. **Does your child have siblings, half siblings, or stepsiblings?** _____
   If so, what are their schedules? _____
   *See **Children of Different Ages** and **Blended and Step Families.***

8. **What is the child's schedule, such as sports, clubs, and other extracurricular activities?** Are both parents able to participate?
   _____

9. Think about work schedules and other obligations for yourself and the other parent. **When are you each available to be with your child?** _____
   _____

10. **How well can you and the other parent communicate and cooperate?**
    - ❑ Well → *Direct and frequent exchanges might be okay.*
    - ❑ Not well → *Less frequent exchanges may be better.*
    - ❑ Continuous conflict → *Parents may want to pick up and drop off the child at day care, school, or extracurricular activities. This prevents parents from having any contact with each other. Another option may be having a third party facilitate the exchange.*

11. **List any cultural practices or religious services that the child participates in with either parent.** _____
    _____

12. **List any holidays that are important for your child to spend with you.**
    _____
    _____

    List any holidays that are important for your child to spend *with the other parent*.
    _____
    _____

13. **Brainstorming your schedule.**

    What schedule do you think will work? _____
    _____

    What does the other parent think will work? _____
    _____

    If the schedules are different, what compromises can you make? _____
    _____

14. **Describe the time, location, and any other details of parenting time exchanges.**
    _____

Creating your Parenting Time Schedule and Plan

Try completing a **Blank Calendar** to see what the schedule could look like.

For ideas about parenting time schedules that work for other families, look at the **Sample Parenting Time Schedules**. Customize sample schedules to match your family's needs.

Make a list of other important items to include, such as a communication plan.

Parenting Time Assistance

Spending time with each parent is important for maintaining the child-parent relationship. As children grow older and as family's schedules and circumstances change, sometimes it may be difficult to continue with the parenting time schedule in the court order. It is important to encourage the child's relationship with the other parent. It is also important to update the parenting time schedule and the parenting time court order when circumstances change significantly.

Coordinating Changes without Court Involvement

Some conflicts with the regular parenting time schedule are normal because of unexpected events. If parents are able to work together and agree to changes without arguments and conflict, this is the best option.

Sometimes events happen during a child's time with the other parent that the child would have attended if the parents were together. If possible, parents should change parenting time so the child can attend those events. Similarly, if a parent cannot have parenting time because of events beyond the parent's control, the parents should try to change parenting time so the child can still have time with the parent.

If parents cannot agree about parenting time changes, FOC offices can help parents if their court-ordered parenting time is denied by the other parent. MCL 552.641.

Updating your court order

When parents agree to make changes to the parenting time schedule, the FOC will not be able to enforce any changes unless the court order is also updated.

Visit MichiganLegalHelp.org for information about how to change a court order.

Mediation Services

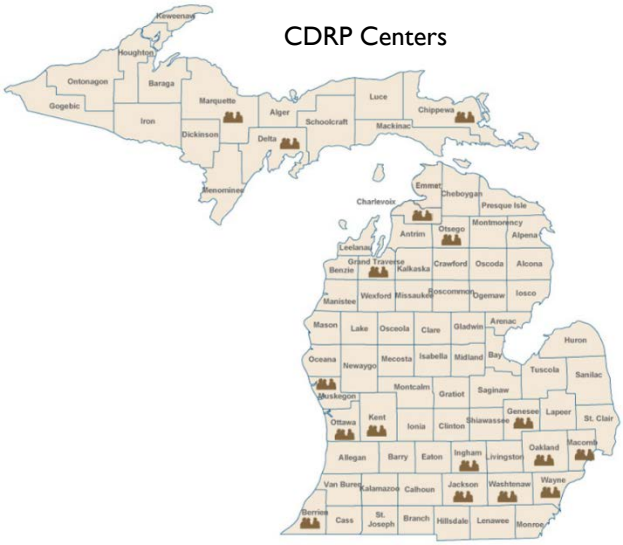
Mediation (a type of **ADR**) may be provided by a community dispute resolution center, the FOC, or a private mediator.

During mediation, the parents meet with a person trained to help the parents resolve their parenting time dispute. If the parents reach an agreement, the mediator will write up their agreement, and it may become a court order. If the parents do not reach an agreement, the court order stays the same.

Community Dispute Resolution Program

Each year, over 10,000 Michigan citizens resolve their disputes through **mediation** services supported by the Community Dispute Resolution Program (CDRP). Most CDRP centers have mediators trained in family law.

The mediation process is simple. Parents begin by telling each other their side of the story. The mediator helps parents identify the issues which, if addressed to each parent's satisfaction, would resolve the dispute. Parents are invited to brainstorm options for resolving the dispute, and the mediator helps the parents narrow the options until the one that best addresses all the parents' interests is found. It is the mediator's role to help parents move from the impasse they are in when they begin mediation to a resolution, resulting in a written agreement.



Mediation at a CDRP center is either free or low cost. It can usually begin within two weeks of contacting a center. A typical mediation session takes about two hours. There are 17 CDRP centers across Michigan. Parents can find the CDRP center serving their county online at: https://courts.michigan.gov/administration/scao/officesprograms/odr/pages/find-a-mediation-center.aspx.

Friend of the Court Mediation

All FOC offices offer custody and parenting time mediation services. Some FOC offices use the CDRP centers to provide mediation services.

Selecting a Private Mediator

Each circuit court's ADR clerk keeps a court-approved domestic mediator's roster. These mediators have completed required educational, training, and experience requirements. This list may be on the court's website; the ADR clerk in each court can provide the current list.

Consulting an Attorney

Parents may also choose to work with an attorney to help resolve parenting time issues. The State Bar of Michigan has a Lawyer Referral Service to match people with an attorney.

When working with an attorney, you can ask for help solving your problem without going to court. You can also ask for limited scope representation, where the attorney only helps with some parts of your case, and you do other things yourself.

Asking for FOC Parenting Time Assistance: File a Complaint

If you believe the other parent is denying you parenting time, you may seek FOC assistance. The first step in asking the FOC for help is to file a written complaint that states all of the details of how you were denied court-ordered parenting time. Most FOC offices have forms in the office and on their website. FOC assistance is available if you can answer yes to all of the following:

- ❑ Do you have an FOC case?
- ❑ Do you have a parenting time order? The FOC can only help if there is an order.
- ❑ Does your order include specific days and times for parenting time? The FOC may not be able to help when parents are exercising parenting time "as agreed" or "reasonable parenting time."
- ❑ Did the other parent deny you parenting time on a day and time specified in your order?
- ❑ Did you submit a written complaint to the FOC within 56 days of the missed parenting time?

If you can answer yes to all the questions above, your complaint may be eligible for FOC enforcement. The FOC will send a copy of your written complaint to you and the other parent within 14 days of the date the FOC receives the complaint. If the FOC cannot take any action on your complaint, the FOC will notify you. The FOC may need more information from you, or a response from the other parent, before taking any action.

If the FOC is able to help with denied parenting time, there are several actions the FOC can take.

1. Apply Makeup Parenting Time

Makeup parenting time substitutes future parenting time for denied parenting time.

If a parent files a parenting time complaint, and the FOC office can verify the terms of the current court order may have been violated, then the FOC may send a notice advising the parents that the parent who denied parenting time is required to provide the other parent makeup parenting time unless the parents object within 21 days.

Using Makeup Parenting Time

If neither parent objects, the FOC will send another notice to the parents indicating that the makeup parenting time must occur. The makeup parenting time must occur within one year, and must be the same type as the parenting time that was denied.

Example: A parent receives one weekend of makeup parenting time if one weekend was denied. The wrongfully denied parent is required to notify both the FOC and the other parent in writing not less than one week before using makeup weekend or weekday parenting time and not less than 28 days before using makeup holiday or summer parenting time.

If either parent objects to makeup parenting time, the FOC will select another enforcement procedure.

2. Schedule Mediation

The FOC may offer **mediation** to resolve a parenting time dispute. If the parents refuse mediation or do not reach an agreement, the FOC may select another enforcement procedure.

3. Schedule a Joint Meeting

The FOC may schedule a **joint meeting** a which the parents meet with FOC staff to discuss solutions to the alleged parenting time violation. The joint meeting usually addresses minor issues such as pickup/drop-off times, small schedule changes, or the return of a child's belongings after parenting time. If the parents reach an agreement, the FOC employee will prepare the agreement and ask the judge to sign it. If the parents do not reach an agreement, FOC staff may still submit a recommendation to the court.

If either parent disagrees with the recommendation, the parent must object in writing within 21 days after it was sent or the court may sign it as an order. If a parent objects, a judge or referee will hold a hearing to resolve the parenting time dispute.

4. Schedule a Contempt Hearing

For more serious violations, the FOC may schedule a **contempt hearing**, often called a **show cause hearing**.

At this hearing, the alleged violating parent has an opportunity to explain to the judge or referee the reasons for violating the court order, or prove the violation did not occur. A judge or referee who finds a parent violated the court order without a good reason can do any of the following:

- Place additional terms in the order;
- Modify the parenting time order (if a parent has filed a motion to change the order);
- Order makeup parenting time;
- Order a fine of $100 or less;
- Commit the parent to jail or an alternative to jail with work release (not more than 45 days for the first contempt finding and no more than 90 days for any additional contempt finding);
- Order the parent to participate in a community corrections program; or
- Place the parent under the supervision of the FOC.

5. Request Modification of Parenting Time

The FOC may ask the court to change the parenting time order. Usually the FOC only requests modification when it is clear that the existing order is not workable and that the parents do not have the ability or opportunity to modify the order on their own.