

Parenting Plan Guidelines
Mobile County Circuit Court
Domestic Relations Division

The undersigned Judges have recognized the need to provide some guidelines with respect to custody and care of children for families with divorce cases pending. The Court has considered the following facts in setting out these guidelines:

1. No two families are exactly alike. That is why these are guidelines, and not blanket Court Orders in every case.
2. In most cases, the parents are in the best position to determine what is in the best interests of their child(ren).
3. However, parents in divorce cases often act out of emotion and find it challenging to reach amicable resolution of issues involving their child(ren). This may lead to disputes. Such disputes often negatively impact the well-being of the child(ren) involved in divorce litigation.
4. Providing some general guidelines may help parents avoid unnecessary disputes and litigation which can benefit the family financially, emotionally and otherwise. Avoiding needless disputes and litigation is in the best interests of child(ren).
5. Where these guidelines are not applicable, parties continue to have recourse to the Courts to address matters on a case by case basis. **In exceptional cases**, the Court will deviate from these guidelines as the facts and the law requires.

Having considered the above, the undersigned hereby adopt the following Parenting Plan Guidelines:

1. **Physical custody schedule.** In the event the parties choose to separate and are unable to reach an Agreement as to custodial periods of time with the children, then the standard schedule below should be followed. The parent that is not providing primary physical custody shall have the following periods of custodial time with the children:
 - a. **Weekday:** alternate Thursdays following the weekend which the non-custodial parent exercises visitation from the time the child(ren) gets out of school on Thursday until Friday when the child(ren) is scheduled to return to school. In the event the child(ren) does not have school during the weekday visit, then it shall begin at 3:00 pm on Thursday and end at 8:00 am on Friday.
 - b. **Weekend:** alternate weekends from Thursday at 6:00 p.m. until Sunday at 6:00 p.m.

(The Court does note that specific holiday visitation set out below takes priority over the alternate weekend visitations; so, when there is a conflict between an alternate weekend visitation and the specific holiday award, whoever is awarded the specific holiday can have the child(ren) during the holiday time and the alternate weekend time does not have to be made up later.)

- c. Thanksgiving: alternate Thanksgivings with the minor child(ren) beginning with Thanksgiving in odd-numbered years. (The primary custodial parent shall have alternate Thanksgivings with the minor child beginning with Thanksgiving in even-number years.) The time shall be from 3:00 p.m. on Wednesday until the following Sunday at 6:00 p.m.
- d. Spring Break: Spring Break holiday in even-numbered years. (The parent with primary physical custody shall have spring break in odd-numbered years.) The time shall be from Friday of the start of the Spring Break week at 6:00 p.m. until the Sunday after Spring Break week at noon.
- e. Summer: The last two weeks (14 days) of June and the last two weeks (14 days) of July. (The custodial parent shall have the first two weeks of June and the first two weeks of July as custodial periods, uninterrupted by the normal mid-week visit).
- f. Christmas: In even numbered years, from 9:00 a.m. on December 18th until 6:00 p.m. on December 25th, and in odd numbered years, from 6:00 p.m. on December 25th until 6:00 p.m. on the following January 2nd. The parent with primary physical custody shall have the opposite.
- g. Other: In addition, the child shall be with the mother on Mother's Day weekend and with the father for Father's Day weekend, from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

This is the minimum and not the maximum visitation. The parties are encouraged to expand the visitation to fit the best interests of the child(ren). Visitation is further allowed as otherwise agreed by the parties.

- 2. Minimization of emotional trauma on children. Both parents shall encourage the minor child(ren) to love, respect and honor the other parent. Neither of them shall attempt to alienate the other parent from the children, or do anything to diminish the affection of the minor child(ren) for the other parent. Neither party shall disparage or allow others to disparage the other parent to, or in the presence of, the minor child(ren). The parties shall make every effort to avoid talking about the specifics of the legal divorce process with or within the hearing of the minor child(ren).
- 3. Moral environment. Both parties shall maintain a fit and moral environment for the child(ren). Neither party shall have as an overnight guest a person with whom they are in a romantic relationship or any person of the opposite sex, to whom the party is not related, while such party is exercising custody or visitation of the minor child(ren).
- 4. Substance abuse. Neither party shall use alcohol to excess or illegal drugs while they have custody or visitation of the child(ren) nor permit the same to be used by any person in the presence of the child(ren). Neither party shall abuse prescription drugs while they have custody or visitation of the child(ren).

5. Child's health care. Each party shall ensure that the child(ren) take(s) all medication prescribed to him/her/them by a doctor and that he/she/they take(s) such medication exactly as instructed by a doctor. In accord with Code of Ala. § 30-3-154, the parties are reminded that they both are to play a role in the child(ren)'s healthcare decisions. Both are entitled to be present for all doctor/dentist appointments. Each party shall keep the other party informed of any/all healthcare appointments of any kind for the child(ren). They shall so inform each other enough in advance that each party can arrange to be present at all healthcare appointments for the child(ren).
6. Telephonic communication. The parties shall each be allowed reasonable telephone contact with their children while they are in the custody of the other party. If the parties cannot agree on what constitutes "reasonable," such shall mean a fifteen (15) minute phone call with each child each evening at 7:00 p.m.
7. School and extracurricular events: Each party shall have the right to attend the child(ren)'s school, religious and extracurricular activities, and neither party shall attempt to hinder the other's ability to participate in the same. In the event the child(ren) have field trips or other events allowing only one parent to participate, the parties shall alternate with one another. Neither party shall take any action to alienate the other from the child(ren)'s teachers, coaches, or other providers. If summer school is required to pass to the next grade, each parent will see that the child(ren) attend(s) summer school during their summer custodial periods. Likewise, during the normal school year, both parents will see that the child(ren) attend school on days that school is in session during their custodial periods of time.

DATED: _____

Walter H. Honeycutt
Circuit Judge

Michael D. Sherman
Circuit Judge