

Form 6-1409: Proposed Parenting Plan

IN THE TRIAL COURT OF THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA

<p>_____ , Petitioner,</p> <p>vs.</p> <p>_____ , Respondent.</p>	<p>Case No. _____</p> <p style="text-align: center;">PROPOSED PARENTING PLAN</p>
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Is there any active Order of Protection with respect to the parties? **YES** **NO**

If Yes, Name of the Protected Party/ies: _____

If Yes, (*select one*) Permanent Temporary Expires on (date): _____

Name of Court & Date filed: _____

******(Attach “Order of Protection” to this Petition, and the “ Party’s Confidential Information” form. Form can be obtained from the Clerk of Court’s Office.)******

I am the Petitioner
 Respondent

1. General Information about the Children

a. Children

	Child (1)	Child (2)	Child (3)	Child (4)	Child (5)	Child (6)
Child’s Name						
Date of Birth						
Present Age						
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female					
School						
Grade						

Check this box if you have attached a separate sheet listing additional children

b. Special concerns about the children *Check all that apply*

- Breastfeeding infant
- Child with a disability
- Other *Explain* _____

c. Information about the parents *Check all that apply*

- Petitioner plans to move within the next year.
- Respondent plans to move within the next year.
- This is the Parenting Plan for before the move.
- This is the Parenting Plan for after the move.

d. Special concerns about the parents *Check all that apply*

- Petitioner has an alcohol or drug problem.
- Respondent has an alcohol or drug problem.
- Petitioner does not have a valid driver's license.
- Respondent does not have a valid driver's license.
- Petitioner's home environment is not suitable. *Explain in #11*
- Respondent's home environment is not suitable. *Explain in #11*
- Petitioner is in jail or a mental health institution. *Explain in #11*
- Respondent is in jail or a mental health institution. *Explain in #11*
- Petitioner is protected under a Domestic Abuse Protective Order. *Explain in #11*
- Respondent is protected under a Domestic Abuse Protective Order. *Explain in #11*
- Explain:* _____

2. Plan

A. Read the following definitions of legal custody and physical care:

Legal custody means a parent has the legal rights and responsibilities for the child. These include making decisions about medical care, education, extracurricular activities, and religious instruction.

Joint legal custody means both parents have equal legal rights and responsibilities for the child. These include making decisions about medical care, education, extracurricular activities, and religious instruction.

Physical care means providing the main home for the child and taking care of the child.

Joint physical care means both parents have equal rights and responsibilities for providing the main home for the child and taking care of the child.

B. Legal custody should be *(check one)*

- Joint legal custody to both parents
- To Petitioner
- To Respondent
- To other person: _____
Full Name

C. Physical care should be *(check one)*

- To Petitioner *use D for Respondent's visitation*
- To Respondent *use D for Petitioner's visitation*
- Joint physical care to both parents *use E to explain joint physical care schedule*
- To other person: _____
Full Name

D. Regular Visitation Schedule

*Use D ONLY if one parent will have physical care. This is the visitation schedule for the other parent to see the children. *If the parents will have joint physical care, skip this section and complete Section E.*

1. Visitation for *(check one)*

- Petitioner
- Respondent

2. Visitation permission *(check a,b, or c.)*

a. Visitation should NOT be allowed because:

b. Visitation should be allowed AND supervised because:

The supervisor for visitation should be: _____

c. Regular unsupervised visitation as the parents agree: *(check all that apply)*

Reasonable visitation as the parents agree.

Mid-week visitation on these days:

M Tu W Th F
 From _____ am/pm to _____ am/pm

Every weekend

F S Su S Su M
 at _____ am/pm to _____ am/pm

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Every other weekend

F S Su S Su M
 at _____ am/pm to _____ am/pm

Other *Describe*

Visitation will start on _____, 20____.
Month Day Year

E. Physical Care Plan

1. Residential Schedule *Use M for Mother and F for Father*

Week 1	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Morning							
Afternoon							
Evening							
Night							

Week 2	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Morning							
Afternoon							
Evening							
Night							

Comments:

2. Changes to the schedule *Check all that apply*

- The parties may agree to additional visitation or changes to the schedule.
- If one parent fails to arrive at the appointed time, then the other parent will wait for _____ minutes before cancelling the visit.
- No changes allowed except by a court order.
- Other *Explain*

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3. **Holiday Schedule** *Complete regardless of determination of physical care*
**This schedule tells on which holidays the children will be with either parent. You DO NOT have to fill in everything. Any day that is left blank means that the child(ren) will spend that day with the parent who already has the child(ren) on that day.*

M= Mother F=Father

Holiday	Time	Every year		Even years		Odd years	
		M	F	M	F	M	F
New Year's Eve	: am / pm	<input type="checkbox"/>					
New Year's Day	: am / pm	<input type="checkbox"/>					
MLK Jr. Day	: am / pm	<input type="checkbox"/>					
President's Day	: am / pm	<input type="checkbox"/>					
Memorial Day	: am / pm	<input type="checkbox"/>					
Fourth of July	: am / pm	<input type="checkbox"/>					
Labor Day	: am / pm	<input type="checkbox"/>					
Columbus Day	: am / pm	<input type="checkbox"/>					
Thanksgiving Day	: am / pm	<input type="checkbox"/>					
Christmas Eve	: am / pm	<input type="checkbox"/>					
Christmas Day	: am / pm	<input type="checkbox"/>					
Mother's Day	: am / pm	<input type="checkbox"/>					
Father's Day	: am / pm	<input type="checkbox"/>					
Mother's Birthday	: am / pm	<input type="checkbox"/>					
Father's Birthday	: am / pm	<input type="checkbox"/>					
Halloween	: am / pm	<input type="checkbox"/>					
Other:	: am / pm	<input type="checkbox"/>					
Other:	: am / pm	<input type="checkbox"/>					

4. **Special Rules for Holidays** *Check one*
- If a holiday falls on a Friday or a Monday, the parent with the holiday will have the whole weekend.
 - If a holiday falls on a Monday or a Friday, the parent with the holiday will have the whole weekend and continue the alternate weekend schedule. *This means the parent who has the child(ren) on the holiday weekend MAY have the child(ren) two weekends in a row.*
 - Other:

5. **Summer Break** *Check one*
- Summer vacation will be divided as Petitioner and Respondent agree.
 - Petitioner and Respondent will each have one-half of the summer vacation with alternate weekends to the other parent. The child(ren) will be returned to the parent with physical care at least one week before school starts.

- The parent without physical care will have two weeks of uninterrupted summer break with the child(ren) and the parent with physical care will have two weeks of uninterrupted summer visitation with the children. During the rest of the summer the weekly visitation schedule shall be followed.

Other:

6. Winter Break *Check one*

- Winter break will be divided as Petitioner and Respondent agree.
- Petitioner and Respondent will each have one-half of the winter break and alternate the first and second half of each year.

Other:

7. Spring Break *Check one*

- Spring break will be divided as Petitioner and Respondent agree.
- Spring break will be alternated every other year between Petitioner and Respondent.
- Petitioner and Respondent will each have one-half of each Spring Break.

Other:

8. The child(ren)'s birthday(s) *Check all that apply*

- Petitioner and Respondent will have contact with the child(ren) on their birthday(s) as the parents may agree.
- A child's birthday will be spent with the parent who has the child on that day.
- Each child's birthday will be alternated from year to year between Petitioner and Respondent.
- Petitioner and Respondent will each have no less than two hours of personal contact with the child that the child's birthday.

Other:

9. Pick up and drop off

- The parents will agree about pick up and drop off for each visit.
- The parent with visitation will pick up the child(ren) at the other parent's residence at the beginning of visitation and the parent with physical care will pick up the child(ren) at the end of visitation.
- Only certain people can help the parents with transportation. If persons other than Petitioner and Respondent will help them provide transportation of the child(ren), only the following people are permitted to help:

- Other arrangements for visitation (example: Petitioner and Respondent will meet at a location between their residence): *Explain*

10. The parent without the children may contact the children by *Check all that apply*

- Calling the child(ren)
Check all that apply
 - At reasonable hours
 - Without interference or monitoring by the other party or anyone else in any way
 - Any day from ___ : ___ am / pm to ___ : ___ am / pm
- Emailing the children
- Other *Explain*

11. Per Capita & Taxes

- Mother OR Father will receive the monthly per capita distribution of the child(ren), if any are received, and any bonuses.
- Mother will claim the child(ren) EVERY year on taxes.
- Father will claim the child(ren) EVERY year on taxes.
- Mother will claim the child(ren) *even / odd* years, and Father will claim the child(ren) *even / odd* years.
- Other *Explain*

F. Legal Care Plan

*Use E only if both parents will have joint physical care. *If one parent will have physical care with the other having visitation, then skip this section and complete section D instead.*

1. School and/or Daycare

- The child(ren) will be enrolled and attend: _____
- Mother and/or Father will reside in the jurisdiction of the local school.
- In the event that the school authorities should find that a child might be an exceptional student or a student with special needs, both parents shall have the right to attend and be informed of any pertinent meetings or testing.
- The consent of Mother and/or Father shall be needed before any special recommendations can be instituted.
- Both parents shall be provided by the school with separate notices of events and report cards. In order that this provision might be carried out, both parents shall provide the school with stamped, self-addressed envelopes sufficient for all communications during the year—given the consent of the school to this provision.
- Both parents shall have the ability to share in voluntary activities in the child’s school life. In order that this provision might be carried out, both parents shall be informed of any school trips or activities in which parental participation is desired, and they should discuss among themselves which one of them will attend.
- If either parent is unable to decided which school related activities they will attend (as set out above), they shall alternate with Mother taking the first activity in EVEN numbered years and Father taking the first activity date in ODD numbers years.
- Mother Father shall be the primary liaison person with the school.
- Prior to special events, graduation from high school, Mother and Father will consult with each other with respect to the post high school education of the child(ren) and costs if not otherwise determined.

2. Extracurricular Activities

- Costs for extracurricular activities to be shared as follows:
 - Mother
 - Father
 - Both equally
- To the extent that one parent is not willing to participate in the funding of any extracurricular activity, then the other parent will have the sol decision-making authority with respect to that activity and the non-custodial parent will not object.
- There will be no comment made with respect to financial non-contribution of one parent in the provision of extracurricular activities by the other parent.

- Neither parent will engage in the provision of extracurricular activities of the child(ren) which will result in the exclusion, whether intentional or unintentional, of the other.
- Both parents will consult with respect to any function and will, where possible, reach a joint decision on whether the child(ren) may attend.
- In the event that there is any disagreement with respect to the attendance at such a function or if there is an extracurricular matter not covered,
 - Mother Father will make the decision.

3. Religious Upbringing

- The child(ren) will attend _____ (place of worship/doings) and the parents will continue, where possible, to attend with the child(ren).
- The child will also attend _____ (place of worship/doings) and the parents will continue, where possible, to attend with the child(ren).
- Before any change in the religious affiliation of the child(ren), the parents will consult in advance and attempt to reach an agreement with respect to any such change.
- In the event the parents are unable to agree with respect to religious upbringing, Mother Father will make the decision.
- Comments: _____

4. Medical

The child(ren) shall be medically cared for by the Primary Care Providers who shall be appointed by Mother, Father, or both parents.

Physician	Telephone Number
Child 1	
Child 2	
Child 3	

Dentist	Telephone Number
Child 1	
Child 2	
Child 3	

Other <i>specify</i> _____	Telephone Number
Child 1	
Child 2	
Child 3	

Comments/Reasons:

- Both parents shall have the right to give consent to emergency medical/dental care during times that the child is in their care and control.
- Each parent shall undertake to inform the other parent of the extent and nature of the care and the extent and nature of the emergency as soon as is reasonably possible.
- The parent who has the care of the child while the child becomes ill will inform the other parent of the nature and extent of the illness as soon as is practically possible.
- Both parents shall have the right to be informed of and to attend any regular medical appointments that the child might have.
- Both parents shall have the right to receive from and give information to a medical professional (that includes other health care professionals such as nurses, physiotherapists, social workers, psychologists, and others).
- If the child needs to be referred to a medical sub-specialist, the consent of the Mother Father both parents shall be needed to effect such a referral.
- Both parents shall have the right to be informed of any dental appointments that the child might have.
- If the child needs to be referred to a dental sub-specialist, the consent of Mother Father both parents shall be needed to effect such a referral.
- The Mother Father shall be the primary liaison with the child's doctor.
- The Mother Father shall be the primary liaison with the child's dentist.
- The Mother Father shall be the primary liaison with the child's orthodontist.
- If there should be a need for the child to be referred to a practitioner skilled in social, emotional or behavioral problems, the consent of Mother Father both parents shall be needed to effect such a referral.
- Both parents shall have the absolute right to participate in, consult with and be consulted by such a practitioner. The form that such participation or consultation should take shall be left to the judgment of the clinician.

G. Additional Information

1. Parental Behavior

- Mother and Father will conduct themselves with respect to each other and the child(ren) so as to provide a loving, stable, consistent and nurturing relationship with the child(ren) even though they, themselves, may no long co-habitat.
- Parents will not speak derogatorily of each other or the members of the family of the other will not cause the child(ren) to be drawn into any dispute regarding decisions affecting the child(ren) and will not attempt to cause favoritism with the child(ren) to the detriment of the other.
- Parents will encourage and foster relationships of each child with other children, family members and extended family members.
- If either of the parents should become incarcerated, incapacitated by reason of illness or misfortune, or if either of the parents should die, the remaining parent will ensure that the child(ren) shall continue to have contact with the extended family of the affected parent.
- Additional:

2. Communication between Parents

- The parents shall communicate directly with each other as to all issues regarding the child(ren) and all custody issues.
- The child shall not be involved in the above-described communications in any way whatsoever.
- Communications shall be brief and relate only to the issues at hand.

3. Vacation/Travel Plans

- Both parents shall be sensitive to the child(ren)'s schedule and flexible \ enough to ensure the child(ren)'s participation in reasonable ongoing activities.
- Each parent shall provide, in writing, notice of traveling with the child(ren) outside of their state of residence 14 / 30 / 60 / 90 days before the intended trip. The consent in writing of the other parent shall not be unreasonably withheld.
- The parent with whom the child(ren) are traveling shall provide the other parent with a contact number where the parent or child(ren) can be reached.

4. Change of Name

- Neither parent shall change the given name or surname of the child(ren) without the written consent of the other parent.

5. Resolving disagreements

Before going to Court to resolve disagreements, the parties will:

Ask the following person to help them resolve disagreements:

Name

Relationship to Parties

- Go to mediation. *Do not check if mediation will not work due to domestic violence/injunction*
- The parent who first requests mediation shall be initially responsible for any costs associated with the mediation pending agreement made by the parties or Court Order.
- In the event that the conflict involves an issue which is timely in nature, (*example: medical event other than one which is anticipated*) the parents will take professional advice, obtain a second opinion, if that is necessary, and follow the most prudent course.
- Parents will make every effort to resolve their disputes outside a Court process. However, if they cannot do so, the dispute may be resolved by a Court of competent jurisdiction on application of either party, or, upon agreement by the parties in arbitration.

****PLEASE WAIT TO SIGN & DATE UNTIL IN FRONT OF A NOTARY****

I, declare under penalty of perjury under the laws of the Sac & Fox Tribe of the Mississippi in Iowa that the information I have provided in this Motion is true and correct. I ask the Court to grant this Motion.

Signed on: ____ / ____ / ____ Signature: _____

Mailing Address

City

State

ZIP

(____) _____

Phone Number

Email Address

Signed before me on ____ day of _____, 20____.

 Signature of Notary Public, State of _____

Tribal Court Staff Title: _____