INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(a), PARENTING PLAN (03/09)

When should this form be used?

A <u>Parenting Plan</u> is required in all cases involving <u>time-sharing</u> with minor child(ren), even when time-sharing is not in dispute. This form or a similar form should be used in the development of a Parenting Plan. If the case involves <u>supervised time-sharing</u>, the <u>Supervised/Safety Focused Parenting Plan</u>, Florida Supreme Court Approved Family Law Form 12.995 (b) or a similar form should be used.

This form should be typed or printed in black ink. If an agreement has been reached, **both** parties must sign the Parenting Plan and have their signatures witnessed by a **notary public** or **deputy clerk**. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records. You should then refer to the instructions for your petition, **answer**, or answer and **counterpetition** concerning the procedures for setting a hearing or **trial** (**final hearing**). If an agreed Parenting Plan is not filed by the parties, the Court shall establish a Plan.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. The words that are in "bold underline" in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and the instructions for the petition and/or answer that were filed in this case.

Special notes...

At a minimum, the **Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parties, including the parties' historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the minor child(ren), including, but not limited to:

- The demonstrated capacity and disposition of each parent to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
- The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
- The demonstrated capacity and disposition of each parent to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
- The length of time the child(ren) has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- The geographic viability of the parenting plan, with special attention paid to the needs of schoolage children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either parent with a child(ren);
- The moral fitness of the parents;
- The mental and physical health of the parents;
- The home, school, and community record of the child(ren);
- The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
- The demonstrated knowledge, capacity, and disposition of each parent to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
- The demonstrated capacity and disposition of each parent to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
- The demonstrated capacity of each parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent to adopt a unified front on all major issues when dealing with the child(ren);
- Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought;
- Evidence that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
- The particular parenting tasks customarily performed by each parent and the division or parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
- The demonstrated capacity and disposition of each parent to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each parent to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or electronic media related to the litigation with the child(ren), and refraining from disparaging comments about the other parent to the child)ren); and
- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent to meet the child(ren)'s developmental needs.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

	IN THE CIRCUIT COURT OF THE	JUDICIAL C	IRCUIT
	IN THE CIRCUIT COURT OF THE IN AND FOR	COUNTY, FLORIDA	
		Cose No.	
		DIVISIOII	
	Datition		
	Petitioner, and		
	and		
	Respondent.		
	PARENTI	NG PLAN	
「his par	renting plan is: (Choose only one)		
	A Parenting Plan submitted to the court with		
	A proposed Parenting Plan submitted by or o		
	{Parent's Name}	.	
	A Parenting Plan established by the court.		
[]	·		
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[] Fhis par [] [] I.	renting plan is: (Choose only one) A final Parenting Plan established by the cou A temporary Parenting Plan established by the A modification of a prior final Parenting Plan PARENTS Mother Name: Address: Telephone Number: E-Mail: Father Name: Address: Telephone Number: E-Mail: Telephone Number: E-Mail:	he court. or prior final order.	

III. JURIS	DICTION
The Unite	d States is the country of habitual residence of the child(ren).
	of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custod on and Enforcement Act.
Jurisdictions Sections Aspects	nting Plan is a child custody determination for the purposes of the Uniform Child Custody on and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil International Child Abduction enacted at the Hague on October 25, 1980, and for all the eand federal laws.
Other:	·
IV. PARE	NTAL RESPONSIBILITY AND DECISION MAKING
1. P	arental Responsibility (Choose only one)
[]	Shared Parental Responsibility. It is in the best interests of the child(ren) that the parents confer and jointly make a major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, and other responsibilities unique to this family.
OR	
[]	Shared Parental Responsibility with Decision Making Authority It is in the best interests of the child(ren) that the parents confer and attempt to agree on the major decisions involving the child(ren). If the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:
	Education/Academic decisions [] Mother [] Father Non-emergency health care [] Mother [] Father [] Mother [] Father [] Mother [] Father
	[] Mother [] Father

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Sole Parental Responsibility:

OR

[]

It is in the best interests of the child(ren) that the Mother Father shall have sole authority to make major decisions for the child(ren.)

2. Day-to-Day Decisions

Each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

3. Extra-curricular Activities (Choose all that apply)

[]	Either parent may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.
[]	The parents must mutually agree to all extra-curricular activities.
[]	The parent with the minor child(ren) shall transport the minor child(ren) to and/or from all mutually agreed upon extra-curricular activities, providing all necessary uniforms and equipment within the parent's possession.
[]	The costs of the extra-curricular activities shall be paid by: Mother% Father%
[]	The uniforms and equipment required for the extra-curricular activities shall be paid by: Mother % Father %
[]	Other: .

V. INFORMATION SHARING. Unless otherwise indicated or ordered by the Court:

Both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s

educational, emotional, and social progress. Both parents shall be listed as "emergency contacts" for the child(ren). Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes. Other: _____ VI. SCHEDULING 1. School Calendar If necessary, on or before ______ of each year, both parents should obtain a copy of the school calendar for the next school year. The parents shall discuss the calendars and the time-sharing schedule so that any differences or questions can be resolved. The parents shall follow the school calendar of: (Choose all that apply) [] the oldest child [] the youngest child the school calendar for _____ County [] [] the school calendar for _____ School 2. Academic Break Definition When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall start on the first day of regularly scheduled classes after the holiday or break. 3. **Schedule Changes (**Choose all that apply) [] A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than _____ before the change is to occur. A parent requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.

school, day care, health care providers, and other programs with regard to the child(ren)'s

VII. TIME-SHARING SCHEDULE

1. Weekday and Weekend Schedule

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Th	e following schedule shall apply beginning on with the
[] Mother [] Father and continue as follows:
A.	6 6
	WEEKENDS: [] Every [] Every Other [] Other (specify)
	From to
	WEEKDAYS: Specify days
	Fromto
	OTHER: (Specify)
	·
D	The child/ren) shall enough time with the Father on the following dates and times:
В.	0
	WEEKENDS: [] Every [] Every Other [] Other (specify)
	Fromtoto
	WEEKDAYS: Specify days
	From toto
	OTHER: (Specify)
	schedule. [] There is a different time-sharing schedule for the following child(ren) in Attachm
	and
	, and (Name of Child)
Цс	, and (Name of Child) (Name of Child)
пс	
	(Name of Child) (Name of Child) pliday Schedule (Choose only one)
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<u>Holidays</u>	<u> </u>	Even Years	Odd Years	Every Year	Begin/End Time
Mother's	s Day				
Father's	day				
Presiden	ıt's Day				
Martin L	uther King Day				
Easter					
Passovei	r				
Memoria	al Day Weekend				
4 th of Jul	У				
Labor Da	y Weekend				
Columbi	us Day Weekend	I			
Hallowe	en				
Thanksg	iving				
Veteran'	's Day				
Hanukka	ıh				
Yom Kip	pur				
Rosh Ha	shanah				
Child(rer	n)'s Birthdays				
•	,				
[]	would result in operation will excl	its are using ar one parent hav nange the follo	ring the child(rer	n) for three week so that each has	ne holiday schedule ends in a row, the two weekends in a row
[] [If a parent has t	he child(ren) o	n a weekend im	mediately before	or after an unspecified holiday or non-school
	ter Break Entire Winter Br	eak (Choose o	nly one)		
(numbered years	December [] every yea	at a.m./p r. The other pare	. m in odd-nur ent will have the	y and time school is mbered years even- children for the second rangement each year.
[] -	The Mother odd-numbe		I have the child(even-numbered	•	e Winter Break during ear.

[]	Other:		
В.	Specific Winter Holidays If not addressed above, the specific Winter Holidays such as Christmas, New Year's Eve, Hanukkah, Kwanzaa, etc. and shall be shared as follows:		
4. Sp	ring Break (Choose only one)		
[]	The parents shall follow the regular schedule.		
[]	The parents shall alternate the entire Spring Break with the Mother having the child(ren) during the []odd-numbered years []even numbered years.		
[]	The [] Father [] Mother shall have the child(ren) for the entire Spring Break every year		
[]	The Spring Break will be evenly divided. The first half of the spring Break will go to the parent whose regularly scheduled weekend falls on the first half and the second half going to the parent whose weekend falls during the second half.		
[]	Other:		
5. Su	mmer Break (Choose only one)		
[]	The parents shall follow the regular schedule through the summer.		
[]	The Mother Father shall have the entire Summer Break from after school is out until before school starts.		
	The parents shall equally divide the Summer Break. During odd-numbered years even numbered years, the Mother Father shall have the children from after school is out until The other parent shall have the child(ren)		
	for the second one-half of the summer break. The parents shall alternate the first and second one-halves each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren)		
	Other:		

	6.	Νι	Number of Overnights:	
		an	sed upon the time-sharing schedule, the Mother has a total of overnights per year d the Father has a total of overnights per year. Note: The two numbers must ual 365.	
	7.	_	If not set forth above, the parties shall have time-sharing in accordance with the hedule which is attached and incorporated herein.	
VII	l. ⁻	TRAI	NSPORTATION AND EXCHANGE OF CHILD(REN)	
	1.		ansportation (Choose only one) The Mother Father shall provide all transportation.	
	[l	The parent beginning their time-sharing shall provide transportation for the child(ren).	
	[]	The parent ending their time-sharing shall provide transportation for the child(ren).	
	[l	Other:	
	2.	Ex	change (Choose only one)	
		re: wi	oth parents shall have the child(ren) ready on time with sufficient clothing packed and ady at the agreed upon time of exchange. If a parent is more than minutes late thout contacting the other parent to make other arrangements, the parent with the ild(ren) may proceed with other plans and activities.	
	[]	Exchanges shall be at Mother's and Father's homes unless both parents agree to a different meeting place.	
	[]	Exchanges shall occur at	
			parties agree in advance to a different meeting place.	
	[]	Other:	
	3.	Tr	ansportation Costs (Choose only one)	
	[]	Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.	
	[The Mother shall pay% and the Father shall pay % of the transportation costs.	
	[]	Other:	

	4.		Foreign and Out-Of-State Travel (Choose only one)
	[J	Either parent may travel with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least days before traveling.
	[]	Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip. Each parent agrees to provide whatever documentation is necessary for the other parent to take the child(ren) out of the country.
	[]	If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child
	[]	Other
IX.	EC	Dι	ICATION
	1.		School designation. For purposes of school boundary determination and registration, the [] Mother's [] Father's address shall be designated.
	2.		(If Applicable) The following provisions are made regarding private or home schooling:
			·
	3.		Other
х.	DI	ES	IGNATION FOR OTHER LEGAL PURPOSES
	th ar	e nd	child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with [Mother [] Father. This majority designation is SOLELY for purposes of all other state federal laws which require such a designation. This designation does not affect either ent's rights and responsibilities under this parenting plan.
XI.	CC) NC	MMUNICATION

1. Between Parents

not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes. The parents shall communicate with each other by: (Choose all that apply) in person by telephone by letter by e-mail Other:_____ 2. Between Parent and Child(ren) Both parents shall keep contact information current. Telephone or other electronic communication between the child(ren) and the other parent shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact. The child(ren) may have telephone e-mail other electronic communication in the form of ______ with the other parent: (Choose only one) [] Anytime Every day during the hours of _______to _______to ______. On the following days______ to ______ to ______. Other: 3. Costs of Electronic Communication shall be addressed as follows: XII. CHILD CARE (Choose only one)

All communications regarding the child(ren) shall be between the parents. The parents shall

Each parent may select appropriate child care providers

All child care providers must be agreed upon by both parents.

Other

Each parent must offer the other parent the opportunity to care for the child(ren) before using a child care provider for any period exceeding ______ hours.

{ }

[]

[]

XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further order of the court.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

XIV. RELOCATION

Any relocation of the child(ren) is subject to and must be sought in compliance with section 61.13001, Florida Statutes.

XV. DISPUTES OR CONFLICT RESOLUTION

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parents may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

XVI.	OTHER PROVISIONS	
		
		·
	S	IGNATURE OF PARENTS
	_	
certify	that I have been open and honest	in entering into this Parenting Plan. I am satisfied with this
-	d intend to be bound by it.	
	a mema to be beama by m	
ated: _		
	Signature of Mother	
		Printed Name:
		Address:
		City, State, Zip:
		Telephone Number:
		Fax Number:

Florida Supreme Court Approved Family Law Form 12.995(a), Parenting Plan (03/09)

STATE OF FLORIDA COUNTY OF	
Sworn to or affirmed and signed before me on	by
	NOTARY PUBLIC or DEPUTY CLERK
	[Print, type, or stamp commissioned name of notary or clerk.]
Personally known Produced identification Type of identification produced	
I certify that I have been open and honest in enterwith this agreement and intend to be bound by it.	ring into this settlement agreement. I am satisfied
Dated:	nature of Father
	Printed Name:
	Address:
	Telephone Number:
	Fax Number:
STATE OF FLORIDA COUNTY OF	
Sworn to or affirmed and signed before me on	by
	NOTARY PUBLIC or DEPUTY CLERK
	[Print, type, or stamp commissioned name of notary or clerk.]
Personally known	
Produced identification Type of identification produced	
Type of identification produced	

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IF A NONLAWYER HELPED YOU FILL OUT THIS F [fill in all blanks]	ORM, HE/SHE MUST FILL IN THE BLANKS BELOW:
I, {full legal name and trade name of nonlawyer,	}
[state] [shape]	, {CITY}, holpod / namal
who is the [one only] petitioner or respon	ndent, fill out this form
ORD	ER OF THE COURT
IT IS HEREBY ORDERED AND ADJUDG ADOPTED AND ESTABLISHED AS AN ORDER OF	ED THAT THE PARENTING PLAN SET FORTH ABOVE IS THIS COURT.
ORDERED ON	
	
	CIRCUIT JUDGE
COPIES TO:	
Father (or his Attorney)	
Mother (or her Attorney)	
Other	