

IN THE COURT OF COMMON PLEAS, TRUMBULL COUNTY, OHIO
DOMESTIC RELATIONS AND JUVENILE DIVISIONS

TRUMBULL COUNTY PARENTING AND COMPANIONSHIP GUIDELINES

Adopted pursuant to Local Rule by Trumbull County Family Court
Effective for matters heard on or after *January 1, 2022*

The following guidelines are promulgated to assist the parties and the Court in establishing court-ordered parenting time. Parents and other responsible persons are encouraged to work together in all matters pertaining to the welfare of the children.

A. General Guidelines

1. **Definitions:** For purposes of these guidelines, the following definitions shall apply:
 - A. **“Parent”** includes a legal parent of a minor child. Where the context dictates “parent” as used herein may also mean a non-parent who is granted rights of custody, companionship, or visitation with a minor child.
 - B. **“Child”** as used herein shall include all minor children who are subject to companionship or parenting time order.
 - C. **“Parenting time”** means the amount of time that a child spends with the parent who is the non-residential parent or the amount of time that the child is to be physically located with a parent under a shared parenting order. Where the context dictates “parenting time” as used herein may also mean companionship or visitation granted to a non-parent.
 - D. **“Residential parent”** is the parent who is primarily allocated the parental rights and responsibilities for the care of a child or who is designated as the residential parent and legal custodian of the child. Where both parents are the residential parent under a shared parenting order, unless otherwise set forth under the shared parenting order the residential parent for school purposes shall be deemed the “residential parent” for purposes of interpretation of these guidelines. In cases in which a non-parent is designated as the legal custodian of the child, the legal custodian shall be deemed the “residential parent” for purposes of interpretation of these guidelines.
 - E. **“Non-residential parent”** is the parent who is not primarily allocated the parental rights and responsibilities for the care of a child or who is not designated as the residential parent and legal custodian of the child. Where both parents are the residential parent under a shared parenting order, unless otherwise set forth under the shared parenting order the parent who is *not* the residential parent for school purposes shall be deemed the “non-residential parent” for purposes of interpretation of these guidelines.
 - F. **“Summer”** shall be defined as the first Sunday after the final day of the academic year and ends at 6:00 p.m. *three days prior* to the first day of school of the next academic year, at which time the school year schedule shall resume and without interruption to the parties’ midweek and weekend schedule. For children not yet school age, the summer shall be determined by the schedule for the school district in which the residential parent resides.
 - G. **“Spring Break”** shall be defined to be the day after school recesses at 9:00 a.m. until the day before school resumes at 6:00 p.m. It shall include Easter Sunday if the school calendar break falls over that

day. For children not yet school age, the Spring Break shall be determined by the schedule for the school district in which the residential parent resides.

H. **“Winter Break”** except as otherwise set forth herein, Winter Break shall be defined to be the day after school recesses for the Christmas/Winter Break at 9:00 a.m. until the day before school resumes after Winter Break at 6:00 p.m. For children not yet school age, the Winter Break shall be determined by the schedule for the school district in which the residential parent resides.

2. **Transportation/Parenting Time Exchanges:** Except as otherwise set forth herein under Paragraph B.1.B(2) and Paragraph C.1.A, transportation will be the responsibility of the parent with whom the child will be staying (e.g. if the child is going to the residential parent’s residence it is the residential parent’s responsibility to retrieve the child from the non-residential parent.) To avoid disagreements or parental discussions in the presence of the child, parents shall discuss parenting matters separate and apart from parenting time exchanges. If a parent is unavailable to exchange the minor child, he/she may send a responsible adult, who is a licensed and insured driver and known to the child, to perform the exchange of the minor child.
3. **Late Pick-Up:** The parent in possession of the child shall have the child ready for pick-up at the start/conclusion of all parenting time. The non-residential parent who arrives more than thirty (30) minutes late without prior notification for a particular parenting time forfeits that parenting time unless the residential parent agrees otherwise.
4. **Canceling Non-Residential Parenting Time** – Except in emergency situations, either parent must give at least **24 hours** advance notice when canceling any parenting time. In the event of serious illness or injury, serious weather/travel concerns, or any other need to modify the schedule, the parents shall discuss and use their best efforts to agree upon alternative dates and times with careful consideration of the child’s needs.
5. **Telephone/Video Contact:** During the school year, the non-residential parent shall be entitled to telephone/ video contact with the child at least twice per week at reasonable times and for reasonable duration based upon the age of the child. If the parties are unable to agree, the contact shall be on Mondays and Thursdays at 7:00 p.m. The child shall be given some privacy during the telephone/video contact with the other parent. During the summer, Spring Break, and Winter Break, each parent shall be entitled to telephone/video contact twice per week when the child is with the other parent.
6. **Child’s Belongings:** Clothing and all items of personal property which the child brings with him/her during parenting time shall be returned with the child unless the parents have agreed otherwise.
7. **Parental Responsibilities:** Parents shall *jointly fulfill all responsibilities* regarding the child’s welfare, including, but not limited to, health (rest, nutrition, health care appointments, and administration of medicines), education (school attendance and completion of homework assignments) and attendance at extracurricular activities (transportation to and from).
8. **Medical Emergency:** In the event of a *medical emergency*, the parent obtaining the care for the child shall notify the other parent immediately.
9. **Extracurricular Activities:** Parents are encouraged to communicate regarding the enrollment of the child in sports, lessons, or other activities prior to the enrollment. Neither parent shall purposefully schedule activities for the child that unduly interfere with the other parent’s parenting time. The parent who has parenting time shall ensure the child’s attendance at the child’s extracurricular activities during

that parent's parenting time. Each parent shall provide any schedules or pertinent information to the other parent in a timely manner.

10. **Split Custody Arrangements:** In the event that the parties have split custody, then the parenting time schedule shall be arranged so that the children who are in the primary care and custody of different parents are together for weekends, summer, holidays and special days. The parent who is the residential parent of the youngest child shall be considered "residential parent" for purposes of interpretation of the summer and holiday schedule under these guidelines.
11. **Relocation:** Sixty (60) days prior to any relocation the moving parent shall file a Notice of Intent to Relocate with the court and shall provide a copy of the notice to the other parent.
12. **Access to Records:** In the absence of an order from the court to the contrary, both parents shall have **full access** to all scholastic and medical/health care records and providers for the child, regardless of status as residential parent or non-residential parent. In matters regarding the child's education, parents will see to it that there is no misunderstanding with school administration or teachers regarding mutual access to personnel and records, such as teachers, report cards, schedules, etc. Both parents have the responsibility to maintain updated contact information with school administration.

B. LOCAL PARENTING TIME SCHEDULE

The Local Parenting Time Schedule set forth herein shall apply in cases in which the travel distance for the child is less than three hours of travel time one way between the parent's homes.

1. School Year Schedule: Unless otherwise mutually agreed by the parties or ordered by the court, the non-residential parent shall have parenting time with the minor child during the school year as follows:
 - A. Children *under* 18 months of age:
 - (1) For children *birth to 3 months of age*, two days per week for up to two hours per day, including one day on the weekend and one day on a weeknight. If the parties cannot agree, the specific days and times shall be Saturday from 2:00 p.m. until 4:00 p.m. and Tuesday from 5:30 p.m. until 7:30 p.m.
 - (2) For children *3 months to 18 months of age*, two days per week including one day on the weekend and one day on a weeknight. If the parties cannot agree, the specific days and times shall be Saturday from 2:00 p.m. until 8:00 p.m. and Tuesday from 5:00 p.m. until 8:00 p.m.
 - B. Children *over* 18 months of age:
 - (1) Alternating weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m.
 - (2) Midweek time every Wednesday from 4:30 p.m., or after work, until 8:00 p.m. The non-residential parent shall be responsible for all transportation for the exercise of his/her midweek parenting time.
2. Summer Schedule: Unless otherwise mutually agreed by the parties or ordered by the Court, the child will share the summer with each parent as follows:
 - A. The parents shall alternate weeks from Sunday at 6:00 p.m. until Sunday at 6:00 p.m. To maintain the consistency of the alternating weekend schedule established during the school year, the parents

shall continue to follow the school year schedule through the first Sunday after the last day of school. The other parent shall then have the first week of summer, and the parents shall continue to alternate the weeks thereafter.

B. To provide each parent with the opportunity for a vacation period with the minor child, each parent shall be entitled to three (3) additional days/nights of parenting time each summer. The additional three (3) days/nights may be added on to the beginning and/or end of that parent’s regularly scheduled week during the summer period, and must be scheduled in advance as follows:

- (1) In even numbered years, the residential parent will have the first choice of dates.
- (2) In odd numbered years, the non-residential parent will have the first choice of dates.
- (3) The parent with first choice of dates shall provide notice to the other parent by May 15, and the parent with the second choice of dates shall provide notice to the other parent by May 30.
- (4) If either parent fails to select dates and provide notice to the other parent by the dates set forth herein but subsequently wants to exercise the additional parenting time for vacation, the parent may do so by providing 30 days advance notice to the other parent provided the requested time does not conflict with the other parent’s communicated vacation time. If neither parent notifies the other by May 30th, the parent first notifying the other in writing of the intent to exercise additional parenting time for vacation shall have priority.

3. Holiday Schedule: Unless otherwise mutually agreed by the parties or ordered by the court, the child will share the holidays with each parent as set forth under the following guidelines.

A. Designated Holidays: The following specially designated holidays shall be equally shared by the parents:

| | <u>Even Numbered Years</u> | <u>Odd Numbered Years</u> |
|---|--|---------------------------|
| Easter Sunday (if not included in Spring Break) from Saturday prior to Easter at 9:00 p.m. to Easter Sunday at 9:00 p.m.) | non-residential parent | residential parent |
| Memorial Day (Sunday prior to Memorial Day at 6:00 p.m. to Memorial Day at 9:00 p.m.) | residential parent | non-residential parent |
| July 4 th (from 9:00 a.m. to July 5 th at 9:00 a.m.) | non-residential parent | residential parent |
| Labor Day (Sunday prior to Labor Day at 6:00 p.m. to Labor Day at 9:00 p.m.) | residential parent | non-residential parent |
| Trick or Treat (4:00 p.m. to 9:00 p.m.) | non-residential parent | residential parent |
| | Note: If parents’ homes have trick or treat on different days, the child shall attend both. If the event is on the same day, the parents shall alternate years as set forth above. | |

| | <u>Even Numbered Years</u> | <u>Odd Numbered Years</u> |
|---|---|---------------------------|
| Thanksgiving (Wednesday prior to Thanksgiving at 6:00 p.m. to the Friday after Thanksgiving at 6:00 p.m.) | residential parent | non-residential parent |
| Christmas Eve (12/23 at 9:00 a.m. to 12/25 at noon) | non-residential parent | residential parent |
| Christmas Day (12/25 at noon to 12/27 at 6:00 p.m.) | residential parent | non-residential parent |
| Child's birthday* (includes siblings) (from 9:00 a.m. to 9:00 p.m.) | residential parent | non-residential parent |
| Mother's Day/ Father's Day and each parent's birthday* (9:00 a.m. to 9:00 p.m.) | Child will share Mother's Day and Father's Day with the Mother/Father, as applicable, irrespective of the regular schedule. In cases in which the child has two mothers or two fathers (not including step-parents), the child shall be with the residential parent for the applicable holiday during even numbered years and with the non-residential parent during odd numbered years. | |

*Where a child's or parent's birthday is the same day as another holiday, the birthday is subordinate to the other holiday.

- B. School Holidays/Long Weekends: During the school year, if there is no school on a Friday before the non-residential parent's weekend and/or no school on a Monday after the non-residential parent's weekend, the non-residential parent shall also have parenting time with the child for the Friday and/or Monday that there is no school. If there is no school on a Friday, the non-residential parent's weekend parenting time shall commence on Thursday at 6:00 p.m. If there is no school on a Monday, the non-residential parent's weekend parenting time shall continue through Monday at 6:00 p.m. These long weekends shall not apply to the holidays listed in Paragraph A above. This provision shall only apply to days off from school that are planned in the school calendar and shall not apply to snow or weather-related days off from school.
- C. Spring Break: The Spring Break shall be shared between the parents as follows:
- (1) In even numbered years, the non-residential parent shall have the child for the Spring Break.
 - (2) In odd numbered years, the residential parent shall have the child for the Spring Break.
- D. Winter Break: Under the Local Parenting Time Schedule, Winter Break shall be defined to be the day after school recesses for the Christmas/Winter Break at 9:00 a.m. until the day before school resumes after Winter Break at 6:00 p.m. excluding the Christmas Eve and Christmas Day holidays as defined in Paragraph B.3.A above. Specifically, to determine what is considered one-half of the Winter Break, the days off from school shall be counted, the five days for the Christmas Eve and Christmas Day holidays shall be subtracted, and the remaining days are the "Winter Break." The Winter Break shall be shared equally between the parents with each parent receiving one-half of the Winter Break. If the parties are unable to agree to an equal division of the Winter Break, the following shall apply

- (a) During even numbered years the non-residential parent shall have the child for the first half of the Winter Break and the residential parent shall have the second half of the Winter Break. The exchange time shall be at 8:00 p.m. on the midpoint day.
- (b) During odd numbered years, the residential parent shall have the child for the first half of the Winter Break and the non-residential parent shall have the second half of the Winter Break. The exchange time shall be at 8:00 p.m. on the midpoint day.
- (c) If there are an uneven number of days in the Winter Break, the parties shall equally split the additional day by exchanging the minor child at 2:00 p.m. instead of 8:00 p.m. on the midpoint day.

E. Other Holidays: Other holidays and/or days of special importance shall be discussed and agreed upon in advance.

C. LONG-DISTANCE PARENTING TIME SCHEDULE

When travel distance is more than three hours driving time one way from home to home, the Long-Distance Parenting Time Schedule set forth herein shall apply.

1. School Year Schedule: Unless otherwise mutually agreed by the parties or ordered by the Court, the non-residential parent shall have parenting time with the minor child during the school year as follows:
 - A. If the travel distance is between three to five hours driving time one way, the non-residential parent shall have parenting time one weekend each month from Friday at 7:00 p.m. to Sunday at 4:00 p.m. The parents shall meet halfway between their homes to exchange the child. If the parents cannot agree, the non-residential parent's weekend shall be the second full weekend of each month.
 - B. If the travel distance is greater than five hours driving time one way, the non-residential parent shall have reasonable parenting time with the child when that parent is in the vicinity of the residential parent with 14 days' advance notice.
2. Summer Schedule: Unless otherwise mutually agreed by the parties or ordered by the court, the child will share the summer with each parent as follows:
 - A. In all cases, the summer shall be equally divided by the parties in blocks of time as they agree depending upon travel distance. If they are unable to agree, the following provisions will apply:
 - (1) If the travel distance is between three to five hours driving time one way, the child will spend uninterrupted two-week blocks with each parent starting with the non-residential parent.
 - (2) If the travel distance is greater than five hours driving time one way, the summer will be divided in two blocks of time. The first block shall be from the commencement of the summer (as defined herein) until the midpoint of the summer, and the second block shall be from the midpoint of the summer until the conclusion of the summer. The parents shall alternate the first block and the second block each year as follows:
 - (a) During even numbered years the non-residential parent shall have the child for the first block of the summer and the residential parent shall have the child for the second block of the summer.

- (b) During odd numbered years, the residential parent shall have the child for the first block of the summer and the non-residential parent shall have the child for the second block of the summer.
- (c) If the parties are unable to agree, the exchange time shall be at 9:00 a.m. on the day which is the midpoint of the summer.

3. Holiday Schedule:

- A. If the travel distance is between three to five hours driving time one way, the non-residential parent shall have holiday time with the child as follows:
 - (1) Spring Break in even numbered years.
 - (2) Easter (if not included in Spring Break) from the Friday prior to Easter at 7:00 p.m. to Easter until Easter Sunday at 4:00 p.m. during odd numbered years.
 - (3) Memorial Day from the Friday prior to Memorial Day at 7:00 p.m. to Memorial Day at 4:00 p.m. during even numbered years.
 - (4) Labor Day from the Friday prior to Labor Day at 7:00 p.m. to Labor Day at 4:00 p.m. during odd numbered years.
 - (5) Thanksgiving from the Wednesday prior to Thanksgiving at 7:00 p.m. to the Sunday after Thanksgiving at 4:00 p.m. during odd numbered years.
 - (6) Christmas Eve/Christmas Day/Winter Break as follows: In even numbered years, the non-residential parent shall have the child from the day after school recesses for the Christmas/Winter Break at 9:00 a.m. until December 26th at 3:00 p.m. In odd numbered years, the non-residential parent shall have the child from December 26th at 3:00 p.m. until the day before school resumes after Winter Break at 3:00 p.m.
- B. If the travel distance is greater than five hours driving time one way, the non-residential parent shall have holiday time with the child as follows:
 - (1) Spring Break in even numbered years.
 - (2) Thanksgiving Day and Thanksgiving Weekend from the Wednesday prior to Thanksgiving at 7:00 p.m. to the Sunday after Thanksgiving at 4:00 p.m. during odd numbered years.
 - (3) Christmas Eve/Christmas/Winter Break as follows: In even numbered years, the non-residential parent shall have the child from the day after school recesses for the Christmas/Winter Break at 9:00 a.m. until December 26th at 3:00 p.m. In odd numbered years, the non-residential parent shall have the child from December 26th at 3:00 p.m. until the day before school resumes after Winter Break at 3:00 p.m.