

EXHIBIT: \_\_\_\_\_

## LINN COUNTY STANDARD PARENTING PLAN 2004 REVISION

### SECTION I. POLICY AND APPLICATION

1. Parents are in the best position to develop a plan that fits their child's needs and are strongly encouraged to agree on a parenting plan and conditions of parenting time for their child (unless otherwise stated, "child" means all minor children of the parents). If the parents are unable to agree on a parenting plan for their child, the Court may order the following plan or a variation of it.

2. Parents may change this plan in any way they agree upon. A parenting plan must define the exact number of times the children spend an overnight at the nonresidential parent for the purposes of computing child support. If parents change this plan by agreement the changed plan will not be enforceable unless it is written out and approved by the Court. The Court reserves the right to not approve a plan that is not in the best interests of the child.

3. This Plan can be used when neither parent has physically abused the other or has abused the children physically or sexually and where both parents have established a relationship with the child. If these assumptions do not apply a different Plan should be used. Special Plans for families with a history of domestic violence are available from the Court in Room 108.

4. These provisions do not apply to non-joint children.

5.  Mother  Father shall be considered **Parent A**. (Check one) If no box is checked the parent who has the child for more than 50% of the time is **Parent A**. (See explanation below in Section II.)

### SECTION II. RESIDENTIAL SCHEDULE - STANDARD PLAN

1. The term "parenting time" shall have the same meaning as the term "visitation" used in any order properly referring to "visitation" or any "visitation" provisions in foreign orders. (A "foreign" order is an order issued in a state other than Oregon.)

2. Unless otherwise ordered by the court or agreed upon by the parties **Parent B** shall have the right to parenting time with the minor child of the parties according to this schedule whether or not the child(ren) are in school.

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3. For the purposes of the Standard Parenting Plan, **Parent A** means the parent who provides the primary residence for the child. The **Parent B** means the parent who has parenting time with the child according to this Plan.

4. When parents live no more than 60 miles apart, **Parent B** shall have the child as set forth below. When parents live more than 60 miles apart, refer to the Medium and Long Distance Parenting provisions in Section IV. If the parents agree however, they may use the standard parenting plan below even if they live more than 60 miles apart.

4A. When there are children of different ages in a family all the children will follow the schedule for the oldest child except that children birth-6 months will continue to follow the schedule for that age group.

4B. All references to alternating weekends in this Plan start with the first weekend after New Year's Day in **odd** numbered years and start the second weekend after New Year's Day in **even** numbered years.

**All parenting time shall be for Parent B unless it says otherwise:**

**5. Children aged birth to 6 months.** Three times per week for two hours each on consistent days and times selected by the **Parent A** and at times when the **Parent B** is available to visit the child.

If the parties cannot otherwise agree, these two hour periods will begin at 6:00 P.M. unless **Parent B** is at work or school at that time, in which case it will begin two hours before that parent's work or school begins unless that is before 8:00 A.M. and in that event it shall begin one hour after work or school ends.

Also, for two over nights per month, on alternating weekends, from 7:00 P.M. on Friday to 7:00 P.M. on Saturday.

**6. Children aged 6 months to 36 months.** Two times per week for three hours on consistent weekdays selected by **Parent A** when **Parent B** is available to visit the child and from 7:00 P.M. on Friday to 7:00 P.M. on Sunday on alternate weekends. If the parties cannot agree on the three hour time periods the same rules apply as in Section 5 above except for three hours instead of two.

**7. Children over age 36 months.** Alternating weekends commencing at 7 P.M. on Friday and ending the following Monday morning. Unless otherwise agreed upon by the parties in writing, **Parent B** shall feed the child on Monday morning and drop the child off at the child's home or daycare no later than 9:00 a.m., or at school before the child's first class if the child is in school. If the Monday of **Parent B**'s weekend is a non-school day or national holiday which is not listed below, then the weekend shall end on Monday at 7 p.m.

**SECTION III. HOLIDAY AND VACATION PLANNING- STANDARD PLAN**

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1. Whether or not the child is enrolled in school, the child shall spend time with his/her parents on holidays according to the following plan:

	<u>PARENT B</u>	<u>PARENT A</u>
Spring Break	Even years	Odd years
Memorial Day	Even years	Odd years
Halloween (optional)	Odd years	Even years
Thanksgiving	Odd years	Even years
Winter Vacation	Odd years	Even years
Child's Birthday(s)	Even years	Odd years
Parent's Birthdays	Every Year	Every Year
Labor Day	Even	Odd

2. For the purposes of this Parenting Plan, a holiday shall begin and end as follows:

**3. Children 0 to 6 months:** For all vacation periods below, unless specified otherwise in this plan, continue with regular schedule as set forth above.

**4. SPRING BREAK**

**Children over age 6 months.** In even-numbered years **Parent B** shall have the child for the spring break. (The alternate weekends remain unchanged.) This period shall begin on the Friday before the first weekend of Spring Break at 7:00 PM and shall end on the last Sunday of Spring Break at 6:00 PM.

**5. Labor Day**

**Children over age 6 months.** In even years **Parent B** shall have the child on Labor Day Weekend from 7:00 PM on the Friday before Labor Day to Monday, Labor Day, at 7:00 PM. **Parent A** shall have parenting time with the child during this period in **odd** years.

**6. Memorial Day**

**6A. Children aged 6 months to 36 months.** In even numbered years **Parent B** shall have the child commencing on the day of the holiday from 9 a.m. until 7 p.m.

**6B. Children over age 36 months.** In even numbered years **Parent B** shall have the child commencing on the Friday preceding the holiday at 7 p.m. until the following Tuesday morning in the same manner as Monday mornings are treated in this Plan for alternating weekends.

**7. Halloween**

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**7A. Children aged 6 months to 36 months.** In odd-numbered years **Parent B** shall have the child on October 31 from noon until 7 p.m.

**7B. Children over age 36 months.** Whether or not the child is in school, if this holiday does not fall on a Saturday or Sunday, **Parent B** shall have the child on October 31 from 5 p.m. until 8 p.m. in odd-numbered years. If this holiday falls on a Saturday or Sunday, **Parent B** shall have the child on October 31 from 9 a.m. until 7 p.m. in odd-numbered years.

**8. Thanksgiving**

**8A. Children aged 6 months to 36 months.** In odd-numbered years **Parent B** shall have the child from 9:00 A.M. on Thanksgiving Day until 10:00 A.M. on the day after Thanksgiving Day.

**8B. Children over age 36 months.** In odd-numbered years **Parent B** shall have the child commencing on Wednesday evening prior to Thanksgiving at 7 p.m. and ending on the following Monday morning.

**9. WINTER VACATION**

**9A. Children birth months to 36 months.** **Parent B** shall have the child from 7 p.m. on December 24 until 7 p.m. on December 25 in odd-numbered years and in even-numbered years from 7 p.m. on December 25 until 7 p.m. on December 26.

**9B. Children over age 36 months.** Whether or not the child is in school, during the period of school winter vacation in the district in which the child resides, parenting time for **Parent B** shall begin at 9 a.m. the day after school adjourns until 1:00 PM on December 26 in odd-numbered years. In even-numbered years, **Parent B** shall have the child beginning at 7 p.m. on December 26 and ending at 1:00 PM the day before school reconvenes.

**10. Child's Birthday**

**10A. Children birth to 36 months.** In even-numbered years **Parent B** shall have the child on the child's birthday from 9 a.m. until 7 p.m. (all children go). The child's birthday shall supercede all other schedules except that if the child's birthday falls on a holiday listed in Paragraph 1 above **Parent B** whichever parent having parenting time on that holiday will have parenting time on that birthday as well.

**10B. Children over age 36 months.** If on a school day (whether or not the child is in school), **Parent B** shall have the child on the child's birthday from 5 p.m. until 8 p.m. in even-numbered years (all children go). If on a non-school day, from 9 a.m. until 7 p.m. (all children go). The child's birthday shall supercede all other schedules except that if the child's birthday falls on a holiday listed in Paragraph 1 above **Parent B** whichever parent having parenting time on that holiday will have parenting time on that birthday as well.

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**11. Other Holidays - Children over age 6 months**

11A. . Mother shall have the child on Mother's Day and on Mother's birthday from 9 a.m. until 7 p.m. Mother's birthday shall supercede the summer vacation schedule.

11B. Father shall have the child on Father's Day and on Father's birthday from 9 a.m. until 7 p.m. Father's Day and Father's birthday shall supercede the summer vacation schedule. If a parent's birthday falls on Christmas or a holiday listed in Paragraph 1 this section shall not apply.

**12. SUMMER VACATION**

**12A. Children aged birth to under 36 months before June 1.** **Parent B** shall have the child for two (2) one-week blocks, scheduled to include **Parent B's** "alternate weekends." One week shall be in June and one week in August. Prior to April 1, **Parent B** shall select and notify **Parent A**, in writing, of the dates of the summer parenting time periods. If **Parent B** fails to provide such written notice prior to April 1, **Parent A** shall be entitled to choose those periods by notifying **Parent B** in writing by April 20. "Alternate weekends" and "alternate Mondays" continue throughout the summer. Each week shall start 10:00 A.M. on Sunday and end 6:00 PM on the following Saturday.

**12B. Children aged 36 months to under 6 years before June 1.** **Parent B** shall have the child for three (3) one-week blocks, scheduled to include **Parent B's** "alternate weekends." One week shall be in June, one week in July, and one week in August. There shall be at least two weeks between each of the one-week blocks. Prior to April 1, **Parent B** shall select and notify in writing **Parent A** of the dates of the summer parenting time periods. If **Parent B** fails to provide such written notice prior to April 1, **Parent A** shall be entitled to designate those periods by notifying **Parent B** in writing by April 20. "Alternate weekends" and "alternate Mondays" continue throughout the summer. Each week shall start 10:00 A.M. on Sunday and end 6:00 PM on the following Saturday.

**12C. Children who reach age 6 before June 1.** The parents shall share parenting time with the child on an alternating two-week block basis during the school summer vacation which shall begin at 7 p.m. on the Friday of the last week of school and end at 7 p.m. on the Sunday immediately preceding the beginning of the school year. **Parent B** shall have parenting time during the first two-week block beginning at 7 p.m. on the Friday of the last week of school.

**Parent A** will then have parenting time beginning 7 PM on the Friday at the end of the first two week block with **Parent B** and continue until 7 PM on the Friday two weeks after, and so on for the summer.

12D. Unless otherwise agreed upon by the parties in writing, all exchanges shall occur at 7 p.m. on Fridays. It is contemplated that the summer school vacation will not be an equal number of weeks each year which will cause one parent to have less time with the child than the other. This

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discrepancy will reverse the following year and thereby equalize over time. "Alternate weekends" are discontinued during the school summer vacation and resume the first weekend following the beginning of the school year.

**SECTION IV. MISCELLANEOUS PROVISIONS- ALL PLANS**

**1. Day-to-Day Decisions**

Each parent shall make decisions regarding the day-to-day care and control of the child while the parent is caring for the child. Both parents are authorized to make emergency decisions affecting the health or safety of the child.

**2. Major Decisions**

Decisions regarding the child's education, non-emergency healthcare, hair length, body piercing, tattooing, military service, and marriage as a minor are considered major decisions. Sole decision-making authority means that one parent is responsible for making these decisions. Unless the parties have agreed in writing to joint legal custody, **Parent A** shall have sole decision-making authority in major decisions concerning the child. Each parent may take the child to that parent's church or synagogue during that parent's parenting time. Each parent shall have the right to instruct and encourage participation in the religion or philosophy of their choice however neither parent shall do or say anything to disparage the religion or philosophy of the other parent.

**3. Providing Information**

3A. Unless otherwise ordered by the court, each parent shall have equal access to important information regarding the child; including, but not limited to, the child's current mailing and street address and telephone number, education, medical, governmental agency, psychological, and law enforcement records. Each parent must immediately notify the other of any emergency circumstances or substantial changes in the health of the child.

3B. Each parent shall notify the other parent of his or her contact phone number and mailing and street address and shall notify the other parent of any change in that information within 72 hours of such a change. Further, if either parent takes the child from that parent's usual residence, he or she shall notify the other parent of any emergency contact phone number and where the child will be staying.

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### 4. Communications With Child

**Parent B** and the child shall have the unlimited right to correspond with each other by regular mail and to telephone and/or e-mail each other during reasonable hours without interference or monitoring by the residential parent or anyone else in any way. However, unless otherwise agreed in writing, telephone calls between **Parent B** and the child shall be limited to no more than three per week and each call shall be limited to 10 minutes or less in duration. **Parent A** shall have the same communication rights when the child is with **Parent B**. For children under 6 years of age the calls shall not be commenced after 8:00 PM; for children 6-12 the calls shall not be later than 9:00 PM; for children 13-17 the calls shall not be later than 11:00 PM. Long distance telephone charges shall be paid by the parent receiving the call. Nothing here requires either parent to maintain a computer or an internet connection.

### 5. Parent Control of Child's Activities During Parenting Time

5A. Each parent has the right to visit with the children at school, attend their school activities including all open houses and sports activities, and have full access to school teachers and administrators for complete information about the child in school. Both parents may attend parent-teacher conferences but these do not have to be jointly with the other parent. Each parent shall be responsible for keeping himself or herself advised of each child's activities and events.

5B. **Parent A** shall have the right to register the child for activities but shall not over-schedule the child thereby depriving **Parent B** of the right to select activities for the child during **Parent B**'s parenting time.

5C. Neither parent is required to take a child to any scheduled activity. However, both parents are encouraged to make their best efforts to keep the child involved in activities scheduled by the other parent and to cooperate in these matters. Parents should understand that children will quickly resent a parent who interferes with that child's activities. As children grow older these activities become increasingly important.

**6. Clothing and toys:** Each parent is free to maintain whatever clothing and toys for the child they choose. However, **Parent A** shall be responsible for providing the child with a packed bag containing all the clothing and accessories necessary for the parenting time with **Parent B** and **Parent B** will make sure all those items are returned to **Parent A**.

### 7. Makeup of Missed Parenting Time

Personal plans of either parent or of the child, school activities, church activities and other considerations *will not* be reasons for failing to follow the parenting time schedule. The child *will not* be permitted to determine whether or not he or she wishes to be with a parent. Only substantial medical reasons will be considered sufficient for postponement of parenting time. If a child is ill and unable to visit, a makeup parenting time shall occur on the following weekend or Monday. If, however, **Parent B** fails to exercise his/her parenting time, there will be no makeup parenting time.

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**8. Exchanges of children.**

**Parent B** shall pick up the child at the residence of **Parent A** unless agreed otherwise. Pick up and drop off shall occur at the front door.

**9. On Time.**

Parents shall make every effort to be on time for child exchanges. Neither parent shall be more than 15 minutes late for child exchanges.

**SECTION V. MEDIUM AND LONG DISTANCE PARENTING**

1. Unless the parents agree otherwise in writing, when parents live more than approximately 60 miles apart, but less than approximately 120 miles apart, the nonresidential parent shall have the child according to the schedule labeled "Medium Distance"; when parents live more than approximately 120 miles apart, **Parent B** shall have the child according to the schedule labeled "Long Distance."

2. Unless otherwise agreed between the parents in writing or ordered by the Court, parents who live more than 60 miles apart shall equally pay the cost and effort of exchanging the child from one parent to the other. Unless they agree otherwise each parent shall transport the children half way.

**3. RESIDENTIAL SCHEDULE**

Unless there are significant indications of endangerment to the child that would require limiting parenting time or supervision of parenting time, **Parent B** shall have the child as follows:

**3A. Children aged birth to 6 months.**

*Medium Distance:* Three times per week for two hours each on consistent days and times in the locale where the residential parent resides.

*Long Distance:* One time per week for four hours on a consistent day and time in the locale where the residential parent resides.

**3B. Children aged 6 months to 24 months.**

*Medium Distance:* Two times per week for three hours on consistent weekdays and one day per weekend from 9 a.m. until 3 p.m. in the locale where **Parent A** resides. This weekend day may be an overnight for children 18 months and older, if **Parent B** has been actively involved raising the child prior to the parties' separation.

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*Long Distance:* One day per weekend from 9 a.m. until 3 p.m. in the locale where **Parent A** resides. This weekend day may be an overnight for children 18 months and older, if **Parent B** has been actively involved raising the child prior to the parties' separation.

**3C. Children aged 24 months to 36 months.**

*Medium Distance:* Two times per week for three hours on consistent weekdays and on alternate weekends from 7 p.m. Friday until 7 p.m. Sunday.

*Long Distance:* Alternate weekends from 7 p.m. Friday until 7 p.m. Sunday.

**3D. Children over age 36 months.**

*3D-1. Medium Distance:* For each of the months of September, October, November, January, February, March, April and May, one period of four consecutive days beginning Friday at 7 p.m. and ending Monday at 7 p.m. These parenting time periods shall be scheduled to include non-school days or national holidays whenever possible. Prior to August 1 each year, **Parent B** shall select and notify **Parent A** in writing of the dates of the parenting time periods to be scheduled during the months of September through May (excluding December). If **Parent B** fails to provide such written notice prior to August 1, **Parent A** shall be entitled to designate those periods by notifying **Parent B** in writing by August 20. If two periods of parenting time occur in one month (for example, the November four-day parenting time and Thanksgiving or the March four-day parenting time and Spring Break), unless otherwise agreed by the parties in writing, there shall be just one period -- the longest period -- of parenting time during that month.

*3D-2. Long Distance:* Between September 1 and December 1 of each year, one continuous seven-day period beginning at 9 a.m. on the first day and ending at 7 p.m. on the seventh day. Between February 1 and June 1 of each year, one continuous seven-day period beginning at 9 a.m. on the first day and ending at 7 p.m. on the seventh day. The seven-day periods may not be scheduled to immediately precede or immediately follow any of **Parent B**'s holidays named below nor may they be scheduled to interfere with any of **Parent A**'s holidays named below. Prior to August 1 each year, **Parent B** shall select and notify the residential parent in writing of the dates of the parenting time periods to be scheduled during the months of September through May (excluding December and January). If **Parent B** fails to provide such written notice prior to August 1, **Parent A** shall be entitled to designate those periods by notifying **Parent B** in writing by August 20.

*3D-3.* In addition, if **Parent B** will be visiting the locality where the child resides, **Parent B** may have two days parenting time to be exercised in that locality, provided he or she gives at least 20 days advance notice in writing, or may have one day parenting time to be exercised in that locality if he or she gives less than 20 days advance notice in writing but at least 7 days advance notice in writing. These parenting times shall begin at 9 a.m. and end at 7 p.m. on the following day or the day thereafter.

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**4. HOLIDAY AND VACATION PLANNING**

Whether or not the child is enrolled in school, the child shall spend time with his/her parents on holidays according to the following plan:

	<u>PARENT B</u>	<u>PARENT A</u>
Spring Break	Even years	Odd years
Thanksgiving	Even years	Odd years
Winter Vacation	Odd years	Even years

For the purposes of this Parenting Plan, a holiday shall begin and end as follows:

**5. SPRING BREAK**

**Children over 36 months.**

*Medium and Long Distance:* Whether or not the child is in school, **Parent B** shall have the child for spring vacation each year from 7 p.m. the day school adjourns until noon on the day before school resumes.

**6. Thanksgiving**

**6A. Children aged birth to 18 months.**

*Medium and Long Distance:* **Parent B** shall have the child on Thanksgiving Day from 9 a.m. until 5 p.m. in even-numbered years in the locale where **Parent A** resides.

**6B. Children aged 18 months to 36 months.**

*Medium and Long Distance:* **Parent B** shall have the child from noon on the day prior to Thanksgiving until 5 p.m. on Thanksgiving Day in even-numbered years.

**6C. Children over age 36 months.**

*Medium and Long Distance:* **Parent B** shall have the child from 7 p.m. on the day prior to Thanksgiving until 7 p.m. on the Sunday following Thanksgiving in even-numbered years.

**7. WINTER VACATION**

**7A. Children aged birth to 18 months.**

*Medium and Long Distance:* **Parent B** shall have the child on December 25 from 9 a.m. until 7 p.m. in odd-numbered years and on December 24 from 9 a.m. until 7 p.m. in even-numbered years in the locale where **Parent A** resides.

**7B. Children aged 18 months to 36 months.**

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*Medium and Long Distance:* **Parent B** shall have the child from 7 p.m. on December 24 until 7 p.m. on December 25 in odd-numbered years and from 7 p.m. on December 25 until 7 p.m. on December 26 in even-numbered years.

### **7C. Children over age 36 months.**

*Medium and Long Distance:* Whether or not the child is in school, during the period of school vacation in the district in which the child resides, parenting time for **Parent B** shall begin at 9 a.m. the day after school adjourns through 7 p.m. on December 26 in odd-numbered years. In even-numbered years, parenting time for **Parent B** shall begin at 7 p.m. on December 26 and end at noon the day before school reconvenes.

## **8. SUMMER VACATION**

Prior to April 1 each year, **Parent B** shall select and notify **Parent A** in writing of the dates of parenting time to be scheduled during the months of June through August. If **Parent B** fails to provide such written notice prior to April 1, **Parent A** shall be entitled to select those periods, so long as they include **Parent B's** holiday time, by notifying **Parent B** in writing by April 20.

### **8A. Children aged birth to under 24 months before June 1.**

*Medium and Long Distance:* The residential schedule remains the same as the rest of the year.

### **8B. Children aged 24 months to under 36 months before June 1.**

*Medium Distance:* The residential schedule remains the same as the rest of the year.

*Long Distance:* **Parent B** shall have the child for three "long" weekends, one in June, one in July, and one in August. The long weekends shall begin at 7 p.m. on Friday and end at 7 p.m. on Sunday. The parenting time may occur where **Parent B** resides. **Parent B** shall also have the child for three "normal" weekends, one in June, one in July, and one in August, beginning at 9 a.m. on Saturday and ending at 7 p.m. on Sunday in the locale where **Parent A** resides.

### **8C. Children aged 36 months to under 6 years before to June 1.**

*Medium Distance:* **Parent B** shall have the child for three (3) one-week blocks, one week in June, one week in July, and one week in August. Unless the parties agree otherwise in writing, each one-week block shall begin at 7 p.m. on Friday and end at 7 p.m. on the following Friday. There shall be at least two weeks between each of the one-week blocks.

*Long Distance:* **Parent B** shall have the child for three continuous weeks during the summer beginning at 7 p.m. on the first day and ending at 7 p.m. on the twenty-second day.

### **8D. Children who reach age 6 before June 1.**

*Medium Distance:* The parents shall share parenting time with the child on an alternating two-week block basis during the school summer vacation which shall be deemed to begin at 7 p.m. on the Friday of

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the last week of school and end at 7 p.m. on the Sunday immediately preceding the beginning of the school year. **Parent B** shall have the child commencing the first two-week block beginning at 7 p.m. on the Friday of the last week of school in even-numbered years and commencing the second two-week block beginning at 7 p.m. on the third Friday after the end of school in odd-numbered years. Unless the parties agree otherwise in writing, all exchanges shall occur at 7 p.m. on Fridays. It is contemplated that the summer school vacation will not be an equal number of weeks each year which will cause one parent to have less time with the child than the other. This discrepancy will reverse the following year and thereby equalize over time.

*Long Distance:* **Parent B** shall have the child for two (2) three-week blocks. Unless the parties agree otherwise in writing, each three-week block shall begin at 7 p.m. on the first day and end at 7 p.m. on the twenty-second day. There shall be at least two weeks between the three-week blocks. If the child is at least 8 years old prior to June 1 and **Parent B** has maintained regular meaningful contact with the child since the parties' separation, the summer parenting time may be exercised as one (1) six-week block, at **Parent B's** option.

### SECTION VI. CALENDARS

1. Attached to this Plan are calendars with the days marked when **Parent B** would have parenting time according to this plan. Each calendar is marked to show what age group it applies to. Separate calendars are not provided for medium and long distance plans.
2. These calendars are provided as a guide only to illustrate how the parenting plan provisions relate to real time on a calendar. Where the calendar and the written provisions of this plan conflict the written language controls over the calendars.
3. Days marked off with a "X" are over night parenting time for **Parent B**; days marked with a / are day only visits with **Parent B**. Days with no mark are parenting time for **Parent A**.

### SECTION VII. PARENTING TIME CALCULATIONS

1. Following are the number of over nights that each part of this Parenting Plan provides. Only over nights are counted, however if no over nights are provided in a plan the total number of hours that **Parent B** has parenting time is divided by 12 and this equals one over night. In addition to the days marked on the calendar each parent is entitled to one parental birthday with their child and that is included in these totals. These over night counts may be used in calculating the number of over nights spend by each parent for calculating child support.

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Over-nights averaged.

<b>Plan:</b>	<b>Overnights with Parent A</b>	<b>Overnights with Parent B</b>
Regular: 0-6 months	293	72
Regular: 6-36 months	270	95
Regular: over 36 months	253	112

**[ ] Calendars are attached.**

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