

**Allegheny County Friend of the Court**  
**Parenting Time Policy**  
**48<sup>th</sup> Circuit Court**

**Introduction**

In order for a child/ren to successfully adjust to having two homes, it is essential that the child/ren continue to have a stable and nurturing relationship with both parents. The 48<sup>th</sup> Judicial Circuit Court and the Friend of the Court office strongly encourage parents to agree to a schedule that will ensure that the best interests of the child/ren are met. In circumstances where the parents have failed to reach such an agreement and the Court has determined that reasonable parenting time is in the best interests of the child/ren, the following policy shall be observed by the parents.

*Parenting time for all children is based upon the age of the oldest child.*

**Parenting Time Schedule for Children One Year Old and Younger**

1. Alternate weekends, Saturday 9:00 a.m. to 6:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
2. One weekday evening per week for two hours. Return time to be no later than 8:00 p.m. If the parents cannot agree upon a day, then they should use Wednesday.
3. Alternate Holidays (see the Holiday section)

**Parenting Time Schedule for Children Age One through Completion of Kindergarten**

1. Alternate weekends from 6:00 p.m. Friday to 6:00 p.m. Sunday.
2. One weekday evening each week for two hours. Return time to be no later than 8:00 pm. If the parents cannot agree upon a day, then they should use Wednesday.
3. Alternate Holidays (see the Holiday section)

**Parenting Time for Children following the completion of Kindergarten**

1. Alternate weekends from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.
2. Alternate Holidays (see Holiday section)
3. Extended parenting time as follows:
  - A. Summer – One half of summer vacation to be taken in non-consecutive two (2) week segments. Parenting time shall end no later than one week prior to the start of the school year.
  - B. One-Half of Christmas Break from school
  - C. Spring Break in alternating years

## **Holiday Section**

1. The following Holidays will be included:
  - A. New Year's Day
  - B. Memorial Day
  - C. July 4<sup>th</sup>
  - D. Labor Day
  - E. Thanksgiving Day
  - F. Christmas Eve Day
  - G. Christmas Day
  
2. Hours for holidays:

A. New Years Day	9:00 a.m. to 6:00 p.m.
B. Memorial Day	9:00 a.m. to 6:00 p.m.
C. July 4 <sup>th</sup>	9:00 a.m. to 9:00 a.m. on July 5 <sup>th</sup>
D. Labor Day	9:00 a.m. to 6:00 p.m.
E. Thanksgiving Day	9:00 a.m. to 9:00 p.m.
F. Christmas Eve Day	9:00 a.m. to 9:00 p.m.
G. Christmas Day	9:00 p.m. on Christmas Eve until 9:00 p.m. on Christmas Day
  
3. Mother's Day with Mother 9:00 a.m. to 6:00 p.m.
4. Father's Day with Father 9:00 a.m. to 6:00 p.m.

*Parenting time is contiguous for holidays that immediately precede or follow weekend parenting time of the visiting parent.*

## **General Information**

1. The Friend of the Court office cannot enforce agreements between the parties that are not written in a court order.
2. Parenting time must be exercised in a prompt manner. In the event of an emergency, a thirty (30) minute delay is allowed for picking up and returning the children. This should happen rarely.

## **Problems to Avoid:**

1. **If you are the custodial parent**, you must supply adequate clothing for parenting time and inform the other parent of necessary medication and possible illness. You **MUST** also have the child ready at the scheduled parenting time. **BOTH PARENTS** are expected to send and return clothing in the same condition received.

2. **Car seats are required by law.** Michigan law was amended in 1991 to require all back-seat passengers age 16 and under to wear seatbelts. The custodial parent should provide an infant or child car seat if the person transporting the child does not have one available. A child under the age of 12 should be transported in the back seat of any vehicle equipped with front-seat airbags.
3. **Parents should always speak positively** to a child about the other parent, or say nothing at all. Speaking negatively about the other parent accomplishes nothing and will do more harm than good.
4. If you do not have a driver's license, a relative or friend must do the driving when the child is being transported.
5. Unless otherwise ordered by the Court, the parent exercising the parenting time shall be responsible for providing transportation to and from.
6. Exceptions may be made to the above if the **CUSTODIAL PARENT** moves and as result the parties are separated by 50 miles or more.

The Friend of the Court recognizes that **each parent has his or her own individual parenting style.** Avoid passing judgment upon the other parent for what they do with their time. The child will grow into adulthood and will recognize the relationship between the child and its parents for what it has developed into.

#### **Parenting Remedy Steps:**

- A. **Read the last parenting time/visitation order.** The court speaks through its written orders. If it is not written, then it is not the order of the court. If there is no parenting time order, then the Friend of the Court cannot assist you in enforcing parenting time. It is the parent's responsibility to take the necessary steps to obtain or change an order.
- B. The complaining parent must **attempt to resolve the issues directly with the other parent** either by telephone or in writing. At all times, the communication should be sincere effort, keeping in mind what is in the best interest of the child/ren. "We cannot talk to each other" **IS NOT AN ACCEPTABLE EXCUSE** for avoiding contact with the other parent.
- C. **An attempt must be made to pickup the child regardless of threats to deny the parenting time.**
- D. The Friend of the Court Enforcement officers can do informal mediation with both parties to help resolve parenting time issues and prepare Stipulation & Orders to modify the parenting time orders, if both parties are in mutual agreement to those changes. You must file a written request for an appointment with the Friend of the Court.

- E. **If** denied parenting time, a **written complaint** must be filed with the Friend of the Court office.
1. The complaint must be submitted in writing with the days of alleged violation.
  2. The complaint must include your case number, names, address, children's names, dates and if you attempted to pick up the child/ren, whether or not you are requesting makeup parenting time and if so your proposed dates.
  3. The complaint must be signed and submitted within 7 days of the alleged violation.
- F. Please do not call the Friend of the Court office regarding possible future parenting time disputes. Your caseworker cannot predict the future or act on what **MAY OCCUR**. The Friend of the Court **MUST FOLLOW** the most recent order of the court.
- G. A 21-day notice will be processed to both parties. Following the filing of a written complaint, each party is to respond in writing within 21 days to the Friend of the Court office. Upon receiving the responses the Friend of the Court may do one of the following: a.) determine there was no violation, b) award makeup parenting time, c) file a petition or order to show cause for contempt, d) file a petition to modify the parenting time, e) set an appointment for both parties to meet with their assigned enforcement officer.

The following **excuses are not valid reasons for denying parenting time:**

1. The child had to go somewhere else.
2. The child is not home. You are responsible to see that the child is available for parenting time.
3. The parent paying support is behind in his or her obligation
4. The child wants to stay home (regardless of age). You are the parent and the court **DOES NOT BELIEVE** that the child should be making such decisions.
5. The parent does not want the child to go.
6. The child does not have any clothes to wear.
7. The child fusses when the other parent picks them up. Understand that your child will have some stresses and growth pain regardless of whether parents are together or not and may have some difficulty when going between the parties. **Take care not to jump to conclusions.** This does not necessarily indicate problems with the other parent.

The following **excuses may not be valid.**

1. The child is sick.
2. The weather is bad.

If parenting time is denied for these two reasons, the parent who denied parenting time bears the burden of proving that the denial was reasonable.

### **Other Issues.**

1. Parenting time does not have to be traumatic for the child/ren. The parents are expected to pick up and drop off the child/ren in a timely manner. It is not necessary to inspect the home. Likewise to the other parent, the other parent does not have to provide a detail on the where, what and how the parenting time will be exercised.
2. Parenting time exchanges are not the time to discuss adult issues, i.e., alimony, child support, and property. This manner of communication should be on your time, not the child's. Many disputes begin because one parent arrives with or invites in a new girlfriend or boyfriend. Your children need your full attention.
3. Keep the Kids out of the Middle. Parents should **NEVER use the child** as a source of information on the activities of the other parent. A child quickly learns to supply information they think you want to hear, and they will tailor their remarks accordingly. Such information only creates problems, and parents will discover that a child who is forced to be in the middle may become skillful in playing one parent against the other. Beware, you may get what you ask for. **Be careful not to see the child as an object or possession to be won or divided.**
4. Out-of State Vacations. Unless your court order prohibits, either parent may take the minor child/ren out-of-state for a vacation. **An order of domicile refers only to the residence of a child** being changed and does not apply to vacations unless the court order specifically addresses it. Parents must notify the other parent of a telephone number and provide a general itinerary of where the minor child/ren may be reached in case of emergency.
5. Calling the Police. The **ONLY TIME** the police should be called is if the child or the parties are in immediate danger. **Calling the police for parenting time disputes is very traumatic for the child. Most law enforcement agencies do not become involved in settling custody and /or parenting time disputes and will only refer the parents to the Friend of the Court office.**
6. **Personal Protection Orders.** Personal Protection Orders should not be used to deny custody or parenting time. It is your responsibility to inform the Court of a Custody/Parenting time court order when presenting your motion before the Judge. If you have a Personal Protection Order, it is your responsibility to provide a copy of the order to the Friend of the Court office.