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Plaintiff

Rhonda P. Webber

vs.

Defendant

Ronald Webber

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
FAMILY PART
MIDDLESEX COUNTY
Docket No.: FM-12-0000-00-Z
CIVIL ACTION
CUSTODY & VISITATION/PARENTING
PLAN

___ **PROPOSED**
___ **TEMPORARY**
___ **FINAL ORDER**

This custody and visitation/parenting plan shall determine the procedures for the day-to-day care of the children listed below.

This parenting plan is

- () the Final Parenting Plan signed by the Court pursuant to a divorce entered on **(Date)**.
- () the Final Parenting Plan signed by the Court pursuant to an Order entered on **(Date)**, which modifies a previous parenting plan or custody decree.
- () a Temporary Parenting Plan signed by the Court.
- () proposed by **(Plaintiff or Defendant)**.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I. GENERAL INFORMATION

1. FATHER'S ADDRESS AND EMPLOYMENT INFORMATION:

Name: ^
Address: ^
Soc. Sec. Number: ^
Employer and Address: ^
^
^

2. MOTHER'S ADDRESS AND EMPLOYMENT INFORMATION:

Name: ^
Address: ^
Soc. Sec. Number: ^
Employer and Address: ^
^
^

3. DEPENDENT CHILDREN INFORMATION:

Name:	Date of Birth	Soc. Sec. Number:
^	^	^
^	^	^
^	^	^

II. TYPE OF CUSTODY AND REASON FOR SELECTION

4. TYPE OF CUSTODY ARRANGEMENT:

Custody of the children in this case shall be as follows:

- () Joint legal custody with () the mother () the father having primary residential care.
- () Joint physical custody between the two parents.
- () Sole custody to () the mother () the father, Visitation to () the mother () the father
- () Other custodial arrangement

5. REASON FOR SELECTION OF CUSTODY (must give reason):

6. CUSTODIAL DESIGNATION FOR TAX PURPOSES:

For purposes of all other state and federal statutes which require a designation or determination of custody, () the mother () the father. This parent is designated the tax custodian of the children. This designation shall not affect either parent's rights and responsibilities under this parenting plan.

7. OTHER:

III. RESIDENTIAL SCHEDULE

These provisions set forth where the children shall reside each day of the year and what contact the children shall have with each parent.

8. PRE-SCHOOL SCHEDULE:

() There are no children of pre-school age.

() Prior to enrollment in school, the children shall reside with () the mother () the father, except for the following days and times when the children will reside with or be with the other parent.

From _____ to _____

() every week () the first and third week of the month

() every other week () the second and fourth week of the month

() other:

From _____ to _____

() every week () the first and third week of the month

() every other week () the second and fourth week of the month

() other:

9. SCHOOL SCHEDULE:

() Upon enrollment in school, the children shall reside with
() the mother () the father, except for the following
days and times when the children will reside with or be
with the other parent.

From _____ to _____

() every week () the first and third week of the month

() every other week () the second and fourth week of the
month

() other:

From _____ to _____

() every week () the first and third week of the month

() every other week () the second and fourth week of the
month

() other:

() The school schedule will start when each child begins
() kindergarten
() first grade
() other: ^

10. SCHEDULE FOR WINTER VACATION:

The children shall resided with the () mother () father
during winter vacation, except for the following days and
times when the children will reside with or be with the other
parent:

11. SCHEDULE FOR SPRING VACATION:

The children shall resided with the () mother () father
during spring vacation, except for the following days and
times when the children will reside with or be with the other
parent:

12. SUMMER SCHEDULE:

Upon completion of the school year, the children shall reside with the () mother () father, except for the following days and times when the children will reside with or be with the other parent:

() Same as school year schedule.

() Other: ^

13. VACATION WITH PARENTS:

() Does not apply.

() The schedule for vacation with parent is as follows:

14. SCHEDULE FOR HOLIDAYS:

The residential schedule for the children for the holidays listed below is as follows:

	With Mother (Specify Year <u>Odd/Even/Every</u>)	With Father (Specify Year <u>Odd/Even/Every</u>)
New Year's Day		
Martin Luther King Day		
President's Day		
Memorial Day		
July 4 th		
Labor Day		
Veterans Day		
Thanksgiving		
Christmas Eve		
Christmas Day		
Mother's Day		
Father's Day		

- () For purposes of this parenting plan, a holiday shall begin and end as follows (**include times for transfers**).
- () Holidays which fall on a Friday or a Monday shall include Saturday and Sunday.
- () Other:

15. SCHEDULE FOR SPECIAL OCCASIONS:

The residential schedule for the children for the following special occasions (*i.e.*, birthdays) is as follows:

With Mother (Specify Year <u>Odd/Even/Every</u>)	With Father (Specify Year <u>Odd/Even/Every</u>)
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Mother's Birthday
Father's Birthday

- () Other:

16. PRIORITIES UNDER THE RESIDENTIAL SCHEDULE

- () Does not apply.
- () For purposes of this parenting plan the following days shall have priority
 - () Parent's vacations have priority over holidays. Holidays have priority over other special occasions. Special occasions have priority over school vacations.
- () Other:

17. TRANSPORTATION ARRANGEMENTS:

Transportation arrangements for the children, other than costs, between parents shall be as follows:

18. RESIDENTIAL RESTRICTIONS DUE TO PARENTAL CONDUCT

- () Does not apply.
- () The () father's () mother's residential time with the children shall be limited or restrained completely, and mutual decision-making and designation of a dispute resolution process other than court action shall not be required, because () this parent () a person residing with this parent has engaged in the conduct which follows:
 - () Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions (this applies only to parents, not to a person residing with a parent).
 - () Physical, sexual or a pattern of emotional abuse of the children.
 - () A history of acts of domestic violence, or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

19. OTHER FACTORS:

- () Does not apply.
- () The () mother's () father's involvement or conduct may have an adverse effect on the children's best interests because of the existence of the factors which follow:
 - () Neglect or substantial nonperformance of parenting functions.
 - () A long-term emotional or physical impairment which interferes with the performance of parenting functions.
 - () A long-term impairment resulting from drug, alcohol, or other substance abuse that interferes with the performance of parenting functions.
 - () The absence or substantial impairment of emotional ties between the parent and children.
 - () The abusive use of conflict by the parent which creates the danger of serious damage to the children's psychological development.

- () A parent has withheld from the other parent access to the children for a protracted period of time without good cause.
- () Other:

These factors () serve () do not serve as a current basis for restrictions.

IV. ACCESS TO MEDICAL & SCHOOL RECORDS

Medical records shall be accessible to () mother only () father only () both parents equally.

School records shall be accessible to () mother only () father only () both parents equally.

() Other:

V. IMPACT TO CHILDREN DUE TO PARENTAL CHANGE OF RESIDENCE

- () There would be no impact to the children if parents changed residences.
- () A change in residence by either parent would impact the children in the following way(s):

Change of residence of either parent would have an adverse effect on the children's well being, unless proven otherwise. All changes of residence shall be deemed to be a substantial change of circumstances for purposes of modifying this parenting plan.

VI. DECISION MAKING

20. DAY TO DAY DECISIONS:

Each parent shall make decisions regarding the day-to-day care and control of each child while the children are residing with that parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

21. MAJOR DECISIONS:

Major decisions regarding each child shall be made as follows:

Education decisions	() mother	() father	() joint
Non-emergency health care	() mother	() father	() joint
Religious upbringing	() mother	() father	() joint
Body Piercing	() mother	() father	() joint
Tattoos	() mother	() father	() joint
	() mother	() father	() joint
	() mother	() father	() joint

22. RESTRICTIONS IN DECISION MAKING:

() Does not apply because there are no limiting factors above.

() Sole decision making shall be ordered to the () mother () father for the following reasons:

() A limitation on the other parent's decision-making authority is mandated by the Court.

() Both parents are opposed to the mutual decision making.

() One parent is opposed to mutual decision making, and such opposition is reasonably based on the following criteria:

(a) The existence of a limitation factor above;

(b) The history of participation of each parent in the decision making process;

(c) Whether the parents have demonstrated ability and desire to cooperate with one another in decision making process; and

(d) The parents' geographic proximity to one another, to the extent that it affects their ability to make timely mutual decisions.

() There are limiting factors above, but there are no restrictions to mutual decision making for the following reasons:

VII. DISPUTE RESOLUTION

() Disputes between the parties, other than child support disputes, shall be submitted to (list person or agency):

() counseling by _____ or _____

() Mediation by _____

() arbitration by _____

The cost of this process shall be allocated between the parties as ____% mother and ____% father.

() based on each other party's proportional share of income from the child support worksheets.

() determined in the dispute resolution process.

The counseling, mediation, or arbitration process shall be commenced by notifying the other party by () written request, () certified mail, () Other:

In the dispute process:

(a) Preference shall be give to carrying out this Parenting Plan.

(b) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.

(c) A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration award and shall be provided to each party.

(d) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court shall award attorneys fees and financial sanctions to the other parent.

(e) The parties have the right of review from the dispute resolution process to the superior court.

() No dispute resolution process, except court action, shall be ordered, because () a limiting factor applies or () one parent is unable to afford the cost of the proposed dispute resolution process.

VIII. OTHER PROVISIONS

- () There are no other provisions.
- () There are the following provisions.

IX. DECLARATION FOR PROPOSED PARENTING PLAN

- () Does not apply.
- () (Only sign if this a proposed parenting plan.) I declare that under penalty of perjury under the laws of the State of New Jersey that this Plan has been proposed in good faith and that the statements in this Plan are true and correct.

Mother

Date and Place of Signature

Father

Date and Place of Signature

X. ORDER BY THE COURT

It is ordered adjudged and decreed that the parenting plan set forth above is adopted and approved as an Order of this Court.

WARNING: Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense.

Violation of this Order may subject a violator to arrest.

When mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process.

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Consideration should always be given an individual child's age and developmental needs.

The court may modify or suspend a parenting plan when an allegation of domestic violence has been proven. The court may also modify or suspend a parenting plan if, after considering the special circumstances surrounding the case, adherence to the plan would not be in the best interest of the children. The court shall issue written findings of fact and an explanation of the reasons for modifying or suspending the plan.

Dated: _____
Judge _____

Presented by:

_____ Approved for entry: _____

Notice of presentation waived: _____

Attorney for Plaintiff

Attorney for Defendant