

KALISPEL TRIBAL COURT

In re the Parenting and Support of:

Child(ren)	No.
Petitioner	Parenting Plan <input type="checkbox"/> Proposed <input type="checkbox"/> Temporary <input type="checkbox"/> Final Order
Respondent.	

This parenting plan is:

- the final parenting plan signed by the court following a hearing on _____.
- the final parenting plan approved by the court and based on the agreement of the parties
- the final parenting signed by the court following a hearing on a motion to modify a previous parenting plan. The hearing took place on _____.
- a temporary parenting plan signed by the court.
- the parenting plan proposed by _____ [Name].

It is Ordered, Adjudged and Decreed:

I. General Information

This residential schedule applies to the following children:

Name

Age

II. Bases for Restrictions

Under certain circumstances, as outlined below, the court may limit or prohibit a parent's contact with the child(ren) and the right to make decisions for the child(ren).

2.1 Parental Conduct (RCW 26.09.191(1), (2))

- Does not apply.
- The mother's father's time with the child(ren) shall be limited or restrained completely because:
 - Willful abandonment that continues for an extended period of time.
 - Substantial refusal to perform parenting functions.
 - Substantial neglect in the performance of parenting functions.
 - Physical, sexual or a pattern of emotional abuse of a child.
 - A history of acts of domestic violence.
 - An assault or sexual assault which causes grievous bodily harm or the fear of such harm.
 - Inability to consistently perform parenting functions based on drug, alcohol, or other substance abuse.
 - An established and continuing emotional or physical impairment that substantially interferes with the performance of parenting functions.
 - The absence of significant emotional ties between parent and child.
 - The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological or emotional development.
 - Other:

III. Residential Schedule

The residential schedule sets out where the child(ren) shall reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the child(ren) shall have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the child(ren) and individual needs of their family. Paragraphs 3.1 through 3.9 are one way to write your residential schedule. If you do not use these paragraphs, write in your own schedule in Paragraph 3.13.

3.1 Schedule for Children Under School Age

- There are no children under school age.

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

from: _____ [day and time] to _____ [day and time]
 every week every other week the first and third week of the month the second and fourth week of the month other:

3.2 School Schedule

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

from _____ [day and time] to _____ [day and time]
 every week every other week the first and third week of the month
 the second and fourth week of the month other:

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

3.3 Schedule for Winter Vacation

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

3.4 Schedule for Other School Breaks

The child(ren) shall reside with the mother father during other school breaks, except for the following days and times when the child(ren) will reside with or be with the other parent:

3.5 Summer Schedule

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

Same as school year schedule.
 Other:

3.6 Vacation With Parents

- Does not apply.
- The schedule for vacation with parents is as follows:

3.7 Schedule for Holidays

The residential schedule for the child(ren) 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	_____	_____
Presidents' Day	_____	_____
Memorial Day	_____	_____
July 4th	_____	_____
Labor Day	_____	_____
Veterans' Day	_____	_____
Thanksgiving Day	_____	_____
Christmas Eve	_____	_____
Christmas Day	_____	_____
_____	_____	_____
_____	_____	_____

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

3.8 Schedule for Special Occasions

The residential schedule for the child(ren) for the following special occasions (for example, birthdays) is as follows:

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

	With Mother (Specify Year <u>Odd/Even/Every</u>)	With Father (Specify Year <u>Odd/Even/Every</u>)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other:

3.9 Priorities Under the Residential Schedule

- Does not apply.
- If the residential schedule, paragraphs 3.1 - 3.8, results in a conflict where the children are scheduled to be with both parents at the same time, the conflict shall be resolved by priority being given as follows:

- Rank the order of priority, with 1 being given the highest priority:

____ school schedule (3.1, 3.2)	____ vacation with parents (3.6)
____ winter vacation (3.3)	____ holidays (3.7)
____ school breaks (3.4)	____ special occasions (3.8)
____ summer schedule (3.5)	

Other:

3.10 Restrictions

- Does not apply
- The mother's father's residential time with the children shall be limited because circumstances marked in paragraph 2.1. The following restrictions shall apply when the children spend time with this parent:

3.11 Transportation Arrangements

Transportation arrangements for the child(ren) between parents shall be as follows:

3.12 Designation of Custodian

The child(ren) named in this parenting plan is/are scheduled to reside the majority of the time with the [] mother [] father. This parent is designated the custodian of the child(ren) solely for purposes of all other tribal, state and federal laws that require a designation or determination of custody. This designation shall not affect either parent's rights and responsibilities under this residential schedule.

3.13 Other

3.14 Relocation of a Child

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child.

If the move is outside the child's school district, the relocating person must give notice by personal service or by mail requiring a return receipt. This notice must be at least 60 days before the intended move. If the relocating person could not have known about the move in time to give 60 days' notice, that person must give notice within five days after learning of the move. The notice must contain the following information:

- The specific street address of the intended new residence, if known, or as much of the intended address as is known, such as city and state;
- The new mailing address, if different from the intended new residence address;
- The new home telephone number;
- The name and address of the child's new school and day care facility, if applicable;
- The date of the intended relocation of the child;
- The full name and date of birth of any person over the age of 16 who will be residing with the child(ren); and
- A proposal in the form of a proposed parenting plan for a revised schedule of residential time or visitation with the child, if any.

If the move is within the same school district, the relocating person must provide actual notice by any reasonable means. A person entitled to time with the child may not object to the move but may ask for modification of the parenting plan.

Notice may be delayed for 21 days if the relocating person is entering a domestic violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health and safety.

If information concerning the new residence is protected under a court order or an address confidentiality program, it may be withheld from the notice.

A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk.

Failure to give the required notice may be grounds for sanctions, including contempt.

If no objection is filed within 30 days after service of the notice of intended relocation, the relocation will be permitted and the proposed revised parenting plan may be confirmed.

A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice.

If an objection is filed a copy must be served on all persons entitled to time with the child.

The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

If the objecting person schedules a hearing for a date within 15 days of timely service of the objection, the relocating person shall not move the child before the hearing unless there is a clear, immediate and unreasonable risk to the health or safety of a person or a child.

IV. Other Provisions

- There are no other provisions.
- There are the following other provisions:

V. Declaration for Proposed Parenting Plan

- Does not apply.
- (Only sign if this is a proposed parenting plan.) I declare under penalty of perjury under the laws of the Kalispel Tribe of Indians that this parenting plan has been proposed in good faith and that the statements in Part II of this Plan are true and correct.

Mother

Date and Place [City and State] of Signature

Father

Date and Place [City and State] of Signature

VI. Order by the Court

- Does not apply.
- 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 under Kalispel Law and Order Code, Chapter 9, Section 7.07. Violation of this order may subject a violator to arrest.

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

Dated: _____

Judge

Presented by:

Approved for entry:

Signature of Party or Lawyer/KTC No.

Signature of Party Lawyer/KTC No.

Print or Type Name

Print or Type Name