



Oregon Department of Justice

Oregon Child Support Program

Supporting Parents to Support Children

Parenting Time and Parenting Plans in the Oregon Child Support Program





Guidelines

- Parenting Time Credit in orders
 - In statute and administrative rule
 - Written order or plan
 - Graduated credit
- Benefits
 - Reduction in hearings
 - Recognizes cost to raise child
- Online Parenting Time Calculator
 - oregonchildsupport.gov/calculator/parenting_time





Mediated Parenting Plans Under Access and Visitation Grant

- Pilot project
- High population area
- No-cost mediation
- Files plan in court
- AV parenting plan video
 - oregonchildsupport.gov/resources/parenting_time
- “Second Chances” booklet





SECOND CHANCES

A Guidebook for Parents
Wishing to Reunite with their Children



Presented by Multnomah County
Family Court Services

Fall 2009

<http://web.multco.us/dcj/fcs>





Calendars

- Low-tech and concrete
- Loved by judges, legal aid attorneys and parties



- Good visual for children
- Promotes partnerships





Parenting Time Orders in the Child Support Program (PTOC) Grant

Staff will refer interested parties to:

- Local area contracted mediators
- Online parenting plan forms webpage
- Online interactive parenting plan webpage (when available)





Mediators

- Provide services in areas around child support offices
- Use developed “Protocol Screening Tool”
- Provide “Next Steps” instructions
- Use newly developed evaluation forms
- Quarterly conference calls





Online Parenting Plans

- Fillable online
- Different plans available
- Guides for each plan
- courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/parentingplan.page?





Plans Available

- Basic Parenting Plan
- Medium/Long Distance Parenting Plan
- Safety Focused Parenting Plans
 - Option A – Supervised/No Overnights
 - Option B – Unsupervised/No Overnights
 - Option C - Overnights





INDEX TO PARENTING PLAN MATERIALS

This brochure describes the parenting plan materials. It includes a basic introduction to parenting plans, a list of safety screening questions, and a list of other materials available on the Oregon Judicial Department's family law website.

COVER PAGE

WHAT IS A PARENTING PLAN?

This page gives a basic introduction to the concept of a parenting plan. It gives parents links to several resources to help them write their parenting plan. It includes safety screening questions to help a parent decide whether to use the basic parenting plan or the safety-focused parenting plan.

HOW DO I GET STARTED?

This section lists questions for parents to ask themselves so they may write a parenting plan that fits their own family's needs. It will help guide them through the parenting plan form.

BASIC PARENTING PLAN FORM

This is the basic parenting plan form with check boxes and simple choices. It offers opportunities throughout to help a parent write a plan that fits his or her family's needs. The form may be filled in on-line, saved, changed, emailed, or printed. A parent may print the blank form and fill it in by hand.

BASIC PARENTING PLAN WORKSHEET

This is the same basic parenting plan form with detailed instructions.

ADDITIONAL PAGES TO BASIC FORM

These attachments give parents additional choices for writing a parenting plan to meet their family's needs.

Attachment 3(c) offers a place for parents to set out a different parenting time schedule for a child whose needs are different from the other child's needs, or to include a different schedule for later, when the child's needs have changed because they are older.

Attachment 4.2 offers a place to add additional holidays or other days that may be special to a family.

Attachment 9.5 offers a place to add more paragraphs to the parenting plan.

SAMPLE SCHEDULES (BIRTH TO 36 MONTHS, THREE TO FIVE YEARS, SIX TO TWELVE YEARS, THIRTEEN TO 18 YEARS)

These are sample schedules for each age group. They provide developmental information and help guide a parent through an age-appropriate parenting time schedule. They offer at least one suggestion (sometimes more) for three different levels of parental involvement.

SOURCES USED FOR SAMPLE SCHEDULES

These sources provide references to some of the materials that were used to create the sample schedules.

BLANK CALENDAR

Parents can use the blank calendar to work out an ongoing schedule or to create a schedule for a particular month. The calendar may be filled in on line, saved, changed, emailed, or printed.

LONG DISTANCE PARENTING PLAN FORM

This form is specially designed for parents who live more than 60 miles away from each other. It is a master form with check boxes and simple choices. It offers opportunities throughout to help a parent write a plan that fits his or her family's needs.

It can be filled in on line, saved, changed, emailed or printed. A parent may print the blank form and fill it in by hand.

ATTACHMENTS TO LONG DISTANCE FORM

Attachment 4(a) is a medium distance schedule designed for parents who live 60 to 180 miles apart.

Attachment 4(b) is a long distance Schedule designed for parents who live more than 180 miles apart.

LONG DISTANCE PARENTING PLAN WORKSHEET

This is the same master form with detailed instructions.

WORDS I NEED TO KNOW

This is a list of words and terms that are used in the Parenting Plan Guide or that parents may hear in court or during the legal process.

WHERE CAN I LEARN MORE?

This is a list of books, web sites, and other resource materials. Materials for children are sorted by age group. Materials for adults are sorted by topic. Some listings also include a brief summary of the material.

FEEDBACK FORMS

Parents may fill out an on-line survey or print and fill in a form to give feedback on the parenting plan materials. This will help to improve this website and make it work better for parents.





SAFETY FOCUSED PARENTING PLAN GUIDE for Parents

Developed by the
OREGON JUDICIAL DEPARTMENT

**STATE FAMILY LAW ADVISORY COMMITTEE —
Parenting Plan Outreach Workgroup**

and the

**OFFICE OF THE STATE COURT ADMINISTRATOR
Court Programs and Services Division**



JUNE 2003 - VERSION #4

Safety Focused Parenting Plan

Do you need a Safety Focused Plan? This list can help you decide.

Has the other parent:

- < acted as though violent behavior toward you or your child(ren) is OK in some situations?
- < damaged or destroyed property or pets during an argument?
- < threatened to commit suicide?
- < pushed, slapped, kicked, punched or physically hurt you or your child(ren)?
- < had problems with alcohol or other drugs?
- < needed medication to be safe around others?
- < threatened not to return or not returned your child(ren)?
- < used weapons to threaten or hurt people?
- < threatened to kill you, your child(ren) or anyone else?
- < sexually abused anyone by force, threat of force, or intimidation?
- < been served a protection or no contact order?
- < been arrested for harming or threatening to harm you or anyone else?

If you answered yes to any of these questions, please continue to take your safety, and your children's safety, seriously. You may need to use a Safety Focused Parenting Plan.



Enforcing Parenting Plans

- [ORS 107.434](#) Statute for parenting time enforcement procedure in Oregon
- [Developing and Enforcing Your Parenting Plan](#) (1999) - Handbook prepared by the Oregon State Bar's Low Income Legal Services Committee
- “Next Steps” handout





Next Steps Handout

CONGRATULATIONS YOU HAVE A PARENTING TIME AGREEMENT!

By signing your parenting time agreement you are making a commitment to follow it.

You may be wondering what to do next. Here are some options:

- *You can keep your agreement just between you and the other parent as a way to show your commitment to your children.*
- *You can give a copy of your signed agreement to the Division of Child Support for filing with your child support order.*
- *You can take steps to make your parenting plan enforceable by filing a copy of the agreement with your local court.*

Remember, a court can force a parent to obey a written agreement **only** if it is an order signed by a judge in a court case. If you want to make your parenting plan into a court order, you need to file the agreement with the court.

If you do not have an open custody or divorce case with the court, you will need to open a court case in order to get your agreement made into an order.

For information about how to file a divorce or custody case, you can go to:

<http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/Pages/index.asp>

You may want to think about hiring an attorney. It is always a good idea to consult with an attorney and get legal advice before you file a court case. Attorneys can also review your court documents if you decide to file on your own.

Here are some legal resources:

- Oregon State Bar Lawyer Referral Program and Modest Means program: 1/800/452-7636
- Family Law Resource Lists by County:
<http://oregonchildsupport.gov/resources/pages/legal.aspx>

If you do not have an attorney, you may want to contact a court facilitator in the family law department. Court facilitators may be able to review your court documents for completeness. Court facilitators **cannot** give legal advice.

If you already have an open custody or divorce case with the court, you can make your agreement into an order by:

- Taking a copy of the signed agreement to an attorney if you have one, **or**
- Attaching a signed copy of your agreement to court filing documents for filing a judgment in your case, **or**
- Bringing a copy of your signed agreement to your next hearing and asking the judge to include it in the court order that closes your case.





Online Interactive Parenting Plans

- Small focused workgroup
 - Logic tree walkthrough
- “TurboTax” style
- File with legal action or use privately
- Specialty plans





Walkthrough

<p>I am interested in a <u>parenting plan</u>, how do I get started?</p>	<p>The first thing we need to do is collect some basic information from you. The first set of questions is optional and is necessary to ask because of the federal grant that provided the funds for this project. We are hoping that you will fill them out to help us. All answers to these questions are anonymous and confidential, and will not be part of your parenting plan.</p> <p>The next set of questions is required for the parenting plan. Thank you!</p>
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STEP 1 – Optional Information (the following information is optional but is necessary for the outcome of the grant that funded this interactive form development project)

Are you the <u>custodial</u> mother of the child(ren) in this parenting plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer take to next section; No answer continue to next question
Are you the <u>non-custodial</u> mother of the child(ren) in this parenting plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer take to next section; No answer continue to next question
Are you the <u>custodial</u> father of the child(ren) in this parenting plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer take to next section; No answer continue to next question
Are you the <u>non-custodial</u> father of the child(ren) in this parenting plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer take to next section; No answer continue to next question
Are you the grandparent or <u>legal guardian</u> of the child(ren) in this parenting plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes answer code the marital status question as N/A. No answer should given an error message that no was chosen to all answers.

In this parenting plan which “marital” status applies:

<input type="checkbox"/> Never married to each other	<input type="checkbox"/> Married to each other	<input type="checkbox"/> Separated from each other
<input type="checkbox"/> Divorced from each other		

What is your race or ethnicity:

<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaska Native	<input type="checkbox"/> Asian American
<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Black/African American	<input type="checkbox"/> White/Caucasian
<input type="checkbox"/> Hispanic	<input type="checkbox"/> Other	





Walkthrough, continued

PARENTING PLANS:

Do you want to file a <u>Basic Parenting Plan</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No	What is a <u>Basic Parenting Plan</u> ?
Do you want to file a <u>Medium</u> or <u>Long Distance Parenting Plan</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No	What is a <u>Medium</u> or <u>Long Distance Parenting Plan</u> ? <i>(clicking on yes will include the medium/long distance parenting plan questions in the interview)</i>
Do you want to file a <u>Safety Focused Parenting Plan</u> ? If you would like to know more about this type of plan click <i>here</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	What is a Safety Focused Parenting Plan? <i>(clicking on this will take the person to the safety focused questions—red path)</i> <i>(clicking on yes will take the person to the safety focused parenting plan)</i>

BASIC PARENTING PLAN SCHEDULE:

Which parent is <u>Parent A</u> ?	<i>(this name will carry through)</i>	If parenting time is or will be split 50% between the parents then it does not matter which parent is listed as Parent A.
Which parent is <u>Parent B</u> ?	<i>(this name will carry through)</i>	
Which child is this schedule for? <u>NAME</u> will be responsible for <u>child's name</u> care:	<input type="checkbox"/> Whenever <u>child's name</u> is not scheduled to be with <u>Parent B's name</u> <i>(this path will go to Parent B's scheduling)</i>	<input type="checkbox"/> On the days and times I will set out <i>(this path will bring up the weekends and weekdays schedule for Parent A)</i>
Would you like to see some sample schedules based on the age of the child? <i>(if possible, have the computer go only to the schedule for the age of this child)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer brings up the sample parenting schedules. <i>No answer continues to the next question.</i>
Would you like to learn more about parenting a child of this age? <i>(if can keep track of age of child; if not change question to: Would you like to learn more about parenting at different age levels?)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes answer brings up age specific information; <i>No answer goes to next question.</i>





IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF

 Petitioner Co-Petitioner

and

 Respondent Co-Petitioner

Case No.: _____

PARENTING PLAN
MEDIUM/LONG DISTANCE PARENTING PLAN
SAFETY FOCUSED PARENTING PLAN
(Option A) (Option B) (Option C)

Agreed upon by both parents
 Ordered by the Court

IMPORTANT NOTICE: The terms of your Parenting Plan may have important legal results. The amount of time the children spend with each parent may affect child support, tax deductions, etc. You should talk to an attorney before filing your Parenting Plan.

1. GOALS

- Parents will make every effort to ensure frequent contact with both parents
- Parents will cooperate in good faith regarding the terms of this plan.
- Parents will re-evaluate this plan when the children's needs change.

2. CHILDREN

Insert children's information here

3. PARENTS

"Parent A" is the parent the children stay with *more* than half the time, and "Parent B" is the parent the children stay with *less* than half the time. If parenting time is exactly even, it does not matter who is A and who is B.

Parent A: (name) _____
Parent B: (name) _____

(Basic, M/L) **3.1 Primary Residence**

Insert choice here

(SF options B, C) **3.1 Parents' rights.**

- Parent B has the right to spend time with the children even though Parent A will be making most or all of the parenting decisions.
- The children will be with Parent B on any schedule agreed to by the parents, but not less than is in this schedule. (Option B): The children will be with Parent A at all other times. (Option C): The children will be with Parent A at all times when they are not specifically designated to be with Parent B.

(Basic, M/L) **3.2 Temporary Changes to Parenting Time.** Temporary changes to the parenting time schedule may be made at any time as long as both parents agree ahead of time.

Insert choice here

4. PARENTING TIME SCHEDULE

Insert:

Basic parenting plan schedule here

Medium distance parenting plan schedule here

Long distance parenting plan schedule here

Safety focused parenting plan schedule here (Option A, B or C)

- Computer will put user's answers into form and complete only appropriate sections
- 5-page form but based on answers can be 1–5 pages in length at end
- Form is legally sufficient to file in the court, use as a stand-alone plan, or file with the child support order for parenting time credit





PTOC Grant Materials

Materials created for the grant:

- “Are you being hurt by someone you love?”
- “What do you need to be safe?”
- “Making Plans for Parenting Time”
- “Your Safety and Mediation”
- Parenting Time poster
- Parenting Plans in the Child Support Program
- Referral to mediator
- “Family Law Resource List” (by county)
- “Next Steps”
- oregonchildsupport.gov/resources/pages/parenting_time





Thank You!

- **Contact information**
 - **Shawn Brenizer**
Program Analyst/Access and Visitation Coordinator
 - **(503) 986-6240**
 - **shawn.brenizer@doj.state.or.us**

