

## BUTLER COUNTY CUSTODY/ PARTIAL CUSTODY POLICIES

The following Butler County Custody Policies are presumed to apply in all Court Ordered custody, partial custody, and visitation arrangements unless specifically indicated otherwise by the Court.

**Exclusive time and holiday partial custody.** Holidays and exclusive time take precedence over any custody or partial custody.

The parties may stack their exclusive time next to one of their regularly scheduled weekends, if weekends are part of the partial custody. If a party fails to choose their exclusive time by the date indicated, they do not lose that time, but the other party will choose their own time first.

Generally, shared or alternating holidays do not include overnights unless otherwise indicated. That is, where the child is overnight during said holiday period will depend upon the regular custody schedule of the parties with the children.

**Child care arrangements.** Each party shall provide appropriate supervision for the child/ren at all times. The parties should also inform one another of the name and address of any other person providing child care. If a party must be away from the child/ren on an overnight basis, the other party has the first option to provide child care.

**Transportation.** When a person is responsible for transportation, it may be done by the parties personally, or by a responsible adult known to the other party.

**Shared Information.** Each party is entitled to equal access to all medical and school records regarding the child/ren. The parties should make available to the other all activity schedules as soon as practicable as they come into their possession.

Each party shall inform the other immediately if any medical emergency occurs when the children are with either of them.

If the minor child/ren must take medication, the medication and written instructions for same will be exchanged between the parties and administered appropriately.

Each party shall provide for the child/ren's proper nutrition and hygiene. Each party shall also ensure the child/ren is dressed appropriately for the particular season. This is not to say that each party provide completely separate wardrobes for the child/ren. Where the period of partial custody is relatively short, such as a weekend, the custodial parent should provide sufficient clothing for that period of time, and the non-custodial parent should return said clothing in a clean condition at the end of the partial custody. Favorite toys of the children may be exchanged between the parties and returned at the end of the partial custody.

Each party shall ensure the minor child/ren attend regularly scheduled organized activities when they are with them. The parties shall discuss with one another which organized activities the child/ren will be involved in. These shall not unduly interfere with the non-custodial parent's partial custody time.

Each party shall provide the other a current telephone number where they can be reached. The parties shall inform one another within 7 days of any change of address or telephone number. Furthermore, neither parent shall block the other parent's phone number, either on their own phone or their children's phones.

If a party is taking the child/ren out of the jurisdiction on an overnight basis for a

vacation or otherwise, they shall inform the other party of the address and phone number where they may be reached.

**Enforcement/Makeup.** The parties recognize the importance of the times involved. The custodial parent shall have the child/ren ready at the appointed times, and the non-custodial parent shall pick up the child/ren at the same times.

In the event the child/ren are not ready at the appointed time, makeup time will be provided to the non-custodial parent at the conclusion of that partial custody. In the event the non-custodial parent is more than one-half hour late picking up the child/ren at the beginning of a scheduled partial custody without having provided notice to the custodial parent of the emergency reason for their being late, then they may forfeit that partial custody at the custodial parent's option. In the event the non-custodial parent is more than one-half hour later returning the child/ren at the end of a scheduled partial custody without having provided notice to the custodial parent of the emergency reason for their being late, then they may forfeit the next like period of partial custody at the custodial parent's option.

If the minor child/ren are sick such that medically speaking they should not go out of the custodial parent's residence, or the partial custody time granted to a non-custodial parent is not made available for any other reason based on the child's situation, makeup time will be made available to the non-custodial parent as soon as possible, but within sixty (60) days.

Partial custody is for the non-custodial parent's benefit. If they must be away for all of the scheduled non-overnight partial custody, that period is waived unless an agreement to reschedule can be reached. If the scheduling conflict is permanent, a substitute day should be chosen by the parties.

The Conciliator may attempt to informally settle any post-conference disputes between the parties. If the parties remain in dispute, they may be ordered to participate in conflict counseling at their own expense.

If a party is denied Court-Ordered partial custody without legally sufficient reason, the Court may find the offending party in contempt. Any party found in contempt may be imprisoned or fined. In addition, extra makeup time is generally awarded to the party who is unjustifiably denied their physical custody time.

Enforcement of a custody/partial custody order shall only be by means of a civil contempt action filed by either party. Custody will not be enforceable by law enforcement agencies due to the civil nature of this action.

**Miscellaneous.** Neither party should make any negative comments about the other party when the children are with them, nor should they allow anyone else within their control to make any negative comments.

Neither party should discuss any issues outstanding between them with the child/ren.

Each party shall be entitled to telephone contact with the child/ren once per day when the child/ren are with the other party. In addition, the children shall be entitled to call either parent without restriction and without interference by the other party, as long as the contact does not unduly interfere with the other party's custodial time.