



# Parenting Plan Template



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## Preparation of the *Parenting Plan Template*

The *AFCC-O Parenting Plan Template* has been prepared by the Ontario Chapter of the Association of Family and Conciliation Courts (AFCC-O) to assist parents and their professional advisors in developing child-focused parenting plans. The material in this *Template* provides discussion and suggestions for possible clauses that may be used or adapted by parents and their advisors. The *Template* is intended to be used in conjunction with the *AFCC-O Parenting Plan Guide*, which offers suggestions for positive co-parenting, and discusses age-appropriate residential schedules for children and the making of a parenting plan. The *Guide* should be read before the *Template* is used. The central premise of the *Guide* and *Template* is that in most cases it is in the best interests of children for parents to co-operate, reduce conflict between them and for their children to have a significant relationship with both parents. These materials are intended to help parents to do this.

The project to develop these materials was supported by the Board and membership of the AFCC-O. While the members of the Task Force listed below took the lead in the drafting of this material and approved the final product, many others contributed ideas and specific suggestions as the work progressed. The *Template* is a collaborative effort, with ideas and inspiration from many sources. Some of clauses proposed here are adapted from the Justice Canada, *Parenting Plan Tool*. The Sample Parenting Plan in the Appendix is based on a precedent provided by Justice Andrea Himel. The AFCC-O gratefully acknowledges financial support from the Law Foundation of Ontario for the preparation of these materials.

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# **AFCC-ONTARIO PARENTING PLAN TEMPLATE**

## **Using this Parenting Plan Template**

A parenting plan is a written document that outlines an agreement by both parents about how they will raise their children after separation or divorce. This *Parenting Plan Template* provides a starting point for drafting a detailed plan. However, each plan should be unique, reflecting the individual needs and circumstances of the parents and children involved. This *Template* is intended to offer suggestions and options for provisions that you and your professional advisors may wish to consider and adapt to meet your situation.

Preferably, both parents will work together to develop their parenting plan, often with the assistance of professional advisors such as lawyers, mediators or mental health professionals. However, if you are unable to work with the other parent to complete a parenting plan, you might prepare your own draft of a preferred parenting plan, and then present it to the other parent as a proposal for their consideration. Being clear about what you want in a parenting plan can help clarify both differences and similarities in the ideas of each parent.

One parent preparing a parenting plan alone as a proposal can be an important first step towards reaching an agreement. A parenting plan proposed by one parent can also be helpful if a case later proceeds to court, both to show what that parent wants and how they are prepared to support and involve the other parent with the child. However, a parenting plan prepared by only one parent alone will not bind the other parent.

***While having a parenting plan based on the agreement of both parents is usually valuable, in situations where there are on-going partner abuse concerns or one parent has serious mental health or substance abuse problems, it may be necessary to have a court-imposed order or plan to protect a vulnerable parent and children.***

## **Professional Advice**

Parents working together can make a parenting plan without seeking professional help. However, it can be useful to first consult with a family law lawyer who can help you understand your legal rights and responsibilities. It is also a good idea to seek independent legal advice before finalizing a parenting plan. A parenting plan that has been agreed to by both parents may be a binding document that has legal effect and can be incorporated into a court order, even if they have not consulted lawyers and hence may not fully appreciate its legal significance. While the *Parenting Plan Template* focusses on “parenting” issues, the type of plan and the parenting time schedule or residential arrangements made will often have a relationship to financial and legal issues, such as child support and possession of the family home.

Parents may also benefit from getting advice or assistance from other professionals, such as counsellors, mediators or therapists.

In Ontario, there are [mediation services affiliated with the Family Courts](#) throughout the province that provide services without charge to low income persons and on a geared to income basis for others, and that can provide valuable assistance to parents in reaching agreements, whether or not they have lawyers.

There are family lawyers who are willing to provide advice or consultation to parents on a “limited scope” basis, charging a fee, usually an hourly rate, to review a parenting plan or other agreement, without providing full representation. See [website of the Ontario Family Law Limited Scope Legal Services Project](#) for more information about this type of legal service, and names and contacts for lawyers doing this work.

## Issues to Address

Each section of this *Template* addresses different issues for you to think about as you decide on your parenting arrangements. They include:

- general principles to guide your co-parenting relationship;
- when your children will spend time with each parent, including plans for vacations and holidays;
- how you will make significant decisions about your children, for example decisions regarding schools or health-care;
- sibling relationships, and children being able to visit with one another;
- new adult relationships of a parent that might affect your children;
- the use of technology to keep in touch with your children;
- protocols for exchanging information and communicating about your children’s needs;
- taking account of your children’s views in developing the parenting plan;
- handling medical and school appointments and other practical arrangements for your children;
- planning for extracurricular activities for your children;
- cultural and linguistic heritage, religious observance and faith issues;
- obtaining medical care or counselling for your children;
- travel arrangements;
- considerations for relocation by a parent;
- disability or death of a parent;
- how to resolve disputes as they arise in the future; and
- reviewing, monitoring and changing the parenting plan



It is important to note that this *Template* does not address issues related to child support or other financial issues. To learn more about child support, you may consult the material of the [Community Legal Education Ontario \(CLEO\) on Child Support](#) or use the [federal child support guidelines and worksheets](#).

There may be other issues that are not addressed in this document that you or the other parent may wish to address. This *Template* should not be regarded as an exhaustive list of all issues that could be addressed in a parenting plan.

Many parents will decide that some of the issues identified in this *Template* do not need to be addressed in their plan, as they have clearly agreed about how to deal with them, or their children are too young (or too old) for them to be relevant. If parents do not consider it necessary to address an issue mentioned in this *Template* when making their plan, it may be wise to avoid trying to anticipate issues that may arise in the future but seem remote. For example, if a plan is being made for a child in Grade 1, it will typically not be useful to address issues about high school attendance. The experience of co-operating in implementing a parenting plan may make it easier to make joint plans in the future, and in any event the future circumstances of the children and parents will affect the plans made.

Many of the options discussed require you and the other parent to co-operate and communicate well with one another. Some of the options may not be appropriate for your situation or may not be relevant until later when your children are older.

**Note that if there has been family violence or there are ongoing safety issues for you and your children, options that would require you and the other parent to interact frequently may not work. If you have concerns about safety for yourself or your children, you should consult a lawyer, a local shelter or the police, and may need to seek an order from the court for your protection.**

## **Making a Parenting Plan**

All families are different. A parenting plan needs to be individualized to meet the needs of specific children and parents. This *Template* is intended to be used in conjunction with the *AFCC-Ontario Parenting Plan Guide*. This document offers examples of clauses you may want to use or adapt for your parenting plan.

The terms in this *Template* are only examples. Your parenting plan needs to be tailored to meet your children's specific needs. For example, if one or more of your children have any special medical or learning needs that must be taken into consideration, you may wish to create separate parenting schedules or even separate plans for each child. This will allow you to select different options that better reflect your family's and children's specific needs. At the same time, it is important that your plan be simple enough to follow, and that you do not create unrealistic expectations for the parents or the children.

If it is likely that there will be conflict between you and the other parent about certain parenting issues, you should think about addressing them in more detail in your plan.

This may help to reduce conflict later. On the other hand, only include the details that are really necessary. It is important to remember that you and the other parent will both need to comply with the rules you include in your plan.

Children's needs change over time, especially as they go through different developmental stages, and the circumstances of parents may change, including relating to health, income or new relationships. It is a good idea to recognize that you may need to revisit your parenting plan as the children get older. You may also need to revisit the plan if your children's medical or educational needs change. The last part of this *Template* addresses the issue of future modifications to the plan.

## Family Background

A parenting plan should begin by identifying the children and parents to whom it applies, and making a statement that it is intended to have legal effect (assuming that is the expectation of the parents).

### **SAMPLE PARENTING PLAN BETWEEN [PARENT #A] AND [PARENT #B]**

The following parenting plan applies to the children of [parent A] and [parent B], being [child #1 full name], born [birth date of child #1] and [child #2 full name], born [birth date of child #2]. This parenting plan is intended to be a "domestic contract" under the *Family Law Act* (Ontario), and is also intended to have effect in proceedings under the *Divorce Act*. The parties agree that it may be incorporated into a court order.

## General Principles

You may wish to include general statements about your parenting relationship and your responsibilities to your child at the beginning of your parenting plan. These statements are meant to provide guiding principles about how both parents should conduct themselves to protect their children from the conflict. The general statements help keep the focus on the children and can reinforce the importance of children having a good relationship with both parents. To protect the children from adult conflict, the general statements can also be about ways that you and the other parent will communicate and co-operate with one another about the needs of your children.

Here are some general statements of principle, some or all of which might be included or adapted for your parenting plan.

### ***Responsibilities to Our Children***

Child(ren) of separated parents do best in both the short term and in the long run when they feel loved and cared for by both parents. We recognize this requires we co-operate, and that we support our child(ren) having good relationship with both parents.

We are both responsible for and will contribute to the care and upbringing of our child(ren).

We agree that we will make decisions that are in the best interests of our child(ren) and will put their interests ahead of our own.

We will find an appropriate way to consider our child(ren)'s views and preferences when making decisions involving them.

We will make it clear to our child(ren) that although we are asking for their input, they are not responsible for the final decision(s) or final plans. We, their parents, are responsible for making these decisions.

Our child(ren) and the other parent should know well in advance about important changes that will affect them, such as if one parent is planning to relocate or have a new partner move into their home.

We will keep our child(ren) out of our conflict. We will not ask them to pick sides, carry messages, or hear our possible complaints about the other parent. We will not speak with the child(ren) directly or indirectly about specific disagreements that we may have, including any disagreements about child or spousal support, property, or any other financial issues. We will not share or provide child(ren) with access to our documents related to our disagreements or legal proceedings.

We will not tell the child(ren) to ask or question the other parent about parenting arrangements that have been agreed to.

We agree that we will communicate in a civil manner with each other, and we will not argue in front of the child(ren) or involve them in any conflict between us. We will each encourage our child(ren) to respect the other parent.

We agree that we will seek counselling services from a mental health professional to assist us in parenting our children post-separation and divorce.

### ***Supporting the Child's Relationship with the Other Parent***

Our child(ren) have the right to love and be loved by both parents, without feeling guilt or disapproval.

We each recognize the importance of supporting our child(ren)'s relationship with the other parent and extended family, and accordingly we will refrain from engaging in behaviour such as:

- a) Telling the child(ren) how much a parent misses them when they are with the other parent; except that the parent may tell the child(ren) once when they first greet the child(ren) that they missed them;
- b) Telling the child(ren) how sad or unfortunate it is that a parent cannot spend more time with the child(ren);
- c) Telling the child(ren) how unfair, sad, or unfortunate it is to communicate using Zoom, Facetime, Skype, or other form of virtual contact and not face-to-face [or not under supervision if the visitation is being supervised];
- d) Using body language or verbal cues (for example, the rolling of eyes when the other parent's name is mentioned, sighing upon the ending of the parent's parenting time, or using a tone of voice to convey negative feelings about the other parent);
- e) Interfering directly or indirectly with the other parent's time with the child(ren), for example by telling the child(ren) about interesting or fun activities that are planned for when the child(ren) are scheduled to be with the other parent.

### ***Responsibilities to Each Other***

We will both promote our child(ren)'s relationship with the other parent. We will not speak negatively about the other parent in the presence of the child(ren), and we will encourage our children to spend time with their siblings, the other parent, and their extended family. We will discourage family members and friends from speaking negatively about the other parent in the presence of the child(ren).

We have jointly explained to our child(ren) the circumstances of our separation.

We will not talk negatively about the other parent to the child(ren), and we will not talk at length to the child(ren) about our relationship with each other, even if it is "just to explain".

We will exchange educational, medical, religious, and extra-curricular information about our child(ren) using the communication protocols developed.

We recognize the importance of exchanging contact information (parents' address, telephone numbers, email address), so we can communicate effectively and exchange information about our child(ren).

We will be polite and respectful to each other at all times, especially in the presence of the child(ren). At transition times we will only exchange pleasantries or immediately needed information. If one parent considers that a discussion is not courteous, that parent will simply say "we will talk about this later" and at that point, both will discontinue the conversation and will take the issue up at a different time.

We will respect each other's privacy, and towards that end, we will refrain from initiating discussion or questioning the child(ren) about the other parent's personal life and activities.

We recognize that new intimate relationships of either parent may impact our child(ren). We agree that we will carefully consider how to introduce any new partners and possible step-siblings to our child(ren). We will discuss these issues with the other parent before **introducing new partners to our child(ren)**.

### ***Alternative for Statement About New Partners***

We recognize that new intimate relationships of either parent may impact our child(ren). We agree that we will carefully consider how to introduce any new partners and possible step-siblings to our children. We will discuss these issues with the other parent before there is significant involvement of a new partner in the lives of our child(ren) (e.g a vacation with a new partner, cohabitation, remarriage, a pregnancy is announced as a result of a new relationship).

### ***Reviewing this Parenting Plan***

We recognize that as our child(ren) grow up and as our lives change, we will need to review this parenting plan and adjust it from time to time.

From time to time, we may need to change this parenting plan to reflect our child(ren)'s changing needs. Any such changes will be discussed as early and as often as required at parent meetings, as well as where appropriate with our child(ren). We expect to review and seek input from our child(ren) about this parenting plan as the child(ren) become older.

We will use a non-court family dispute resolution process (e.g. mediation) if we are unable to agree to changes needed to the parenting plan. We will avoid litigation that places our child(ren) in conflict about the parenting plan.

## Parenting Time Schedule

The parenting time arrangement (or parenting time schedule) is an important part of a parenting plan. The parenting time schedule that you agree to should be based on an assessment of your children's best interests, as well as the parents' lives, in particular your work schedules. There are several examples below of schedules for school-aged children, but there may be other parenting time arrangements that would work better in your situation. It is important to think about practical issues in developing a parenting time arrangement that is best for your children and realistic for you. For example, work schedules, transportation and how far you live from the other parent will likely affect the parenting time arrangement.

The parenting schedule should be responsive to the needs and best interests of the children. Before deciding on a parenting time schedule, parents may benefit from consulting with a mental health professional or counsellor to help them understand the various scheduling options and how these may impact the needs of their children.

Parents also should be aware that some parenting arrangements will affect child support obligations and entitlement to some government benefits. In particular, if a parenting schedule results in a child living with each parent at least 40% of the time, that may result in equal or near equal parenting time for the purposes of the *Child Support Guidelines*, and may affect entitlement to the Canada Child Benefit and the Eligible Dependent Credit for tax purposes.

Many parents find that having a detailed, written parenting time schedule helps ensure that parents are entering into a plan with common expectations and facilitates planning. However, if there is a written schedule and your circumstances change (as they almost inevitably will), you should change the written schedule. While there is nothing improper about parents changing their actual schedule without altering the written parenting plan, agreements to changes that are not confirmed in writing may lead to problems later on if there are disputes about parenting or child support.

Sometimes instead of setting out a specific schedule, agreements or orders use language like "reasonable" or "generous" parental time with the children. This leaves it up to parents to decide parenting time arrangements on a flexible, ongoing basis. While this works well in some cases, in others it can result in disputes and conflict.

There are many possible parenting schedules. As discussed in the *AFCC-Ontario Parenting Plan Guide*, the schedule needs to be appropriate for the age of the children and the specific circumstances of the children and parents.

It will be very helpful to read the section of the *Parenting Plan Guide* that considers age appropriate schedules before starting to make a plan. It may also be helpful to start with a blank 4 week schedule as you begin to discuss this issue. Many parents use a visual

schedule that starts on Monday, which reflects the school week, but some prefer the commonly used Sunday to Saturday calendar.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

Many parents have a “regular” parenting time schedule, and also have some provisions for special arrangements for holidays or the summer. Here are some examples of regular schedules to consider. Keep in mind that some of these examples include details that may not be necessary in your plan, or may not include details that are very important for the success of your plan.

***Alternating Weekends and One Overnight Per Week with One Parent, Rest of Time with the Other Parent***

The children will live with Parent B every second weekend from after school on Friday until the start of school on Monday morning. The children will live with Parent B from after school on Wednesday until school on Thursday. If a child is sick or unable to attend school on the Monday or Thursday when Parent B would take the child to school, Parent B will be responsible for the child’s care until the end of that school day. If a weekend that the children are scheduled to live with Parent B coincides with a school long weekend that includes a Friday, then the children will be with Parent B on Thursday overnight beginning after school and for the rest of the weekend. If the weekend includes a Monday, then Parent B’s weekend time will continue until the start of school on Tuesday morning.

The child(ren) will live with Parent A the rest of the time.

***Alternating Weekends and One Evening Per Week with One Parent, Rest with the Other Parent***

The child(ren) will live with Parent B every second weekend from after school on Friday until Sunday at 4pm and the balance of time with Parent A. Parent B will also pick the child(ren) up from school on Wednesday and drop them off at Parent A’s residence at 8pm that evening. On the weekends when the child(ren) live with Parent B, Parent B will pick the child(ren) up from school on Friday. If there is a school long weekend when Parent B has the child(ren) and the long weekend includes Friday, Parent B’s time will start at the end of school on Thursday. If the long weekend includes Monday, Parent B’s time will continue to Monday at 4pm. Parent B will be responsible for picking up the child(ren) at school and taking them to Parent A on the relevant days.

**Residence with One Parent, Supervised Weekend Time with the Other Parent**

The child(ren) will live with Parent A. Parent B will have parenting time with the child(ren) from 10am to 4pm every second Saturday at the home of B’s parents. One of B’s parents and/or his sister will be responsible for the child(ren) and supervising B’s time with them and will pick up and return the child(ren) to the home of Parent A at the start and end of the visits.

**Shared Equal Time: Alternating Weeks**

The child(ren) will live alternating weeks with Parent A and Parent B. If the child(ren) are living with Parent A in a given week, Parent A or a delegate will pick up the child(ren) on Monday after school and drop them off at school the following Monday morning. Parent B or a delegate will do the same the following week.

**Shared Equal Time: Split-Week (2-2-5-5) Rotation**

Our parenting time schedule is a two week rotation based on two consecutive days with each parent and then five consecutive days with each parent. As a result, each parent will have two uninterrupted weekends a month with the child(ren). During each two week period the child(ren) will live with:

1. Parent A from Monday after school until Wednesday morning before school;
2. Parent B from Wednesday after school until Friday before school;
3. Parent A from Friday after school until the following Wednesday morning before school;
4. Parent B from Wednesday after school until the following Monday morning before school.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent A	Parent A	Parent B	Parent B	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent A	Parent A	Parent B	Parent B	Parent B	Parent B	Parent B

**Shared Equal Time: Split Two-Week (2-2-3-2-2-3) Rotation**

Our parenting time schedule is a rotation over a two-week period. In each week, the schedule is based on two consecutive days with one parent, then two consecutive days with the other parent, and then three consecutive days with the first parent. As a result, each parent will have two uninterrupted weekends each month with the child(ren). During each two-week period, the child(ren) will live with:

1. Parent A from 7pm on Sunday until Tuesday before school;
2. Parent B from Tuesday after school until Thursday before school;
3. Parent A from Thursday after school until 7pm on the Sunday beginning week 2;
4. Parent B from 7pm on the Sunday beginning week 2 until Tuesday before school;
5. Parent A from Tuesday of week 2 after school until Thursday before school;
6. Parent B from Thursday of week 2 after school until 7pm on the following Sunday.



<b>Sunday</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B

## **Transfers of Care of the Children**

While arrangements for transport of children will often be made based on parental work schedules and logistical factors, if possible the parent who has care prior to the transfer should deliver the child to the other parent. This helps the child get the sense that each parent values the child being with the other parent: one parent is giving over care to the other parent, who is welcoming the child into their home, rather than having the child feel that one parent is taking them away from the other parent. This type of transfer arrangement also gives the parent transporting the child responsibility for getting the child dressed and packed up, which may help to avoid situations where a parent picking up a child from the other home is required to wait in or around that home while the child's belongings are organized.

Drop offs and pickups at the start and end of school or day care may also be easier for the child, and minimize the number of overall transitions between the parents that the child experiences. However, drop offs and pickups at school often work better for a child if they are not required to bring too many personal items with them to school (i.e. school uniforms, toiletries, sets of clothing, sports equipment, toys.) Some alternatives for transfers are as follows:

### ***Transporting the Child(ren) to the Other Parent's Home***

When a parent's time with the child(ren) begins while the child(ren) are in the care of the other parent, the parent who has the care of the child(ren) before the transfer is responsible for transporting the child(ren) to the other parent's home.

### ***Picking Up the Child(ren) from the Other Parent's Home***

When a parent's time with the child(ren) ends, the parent with whom the child(ren) will next be spending time is responsible for transporting the child(ren) to their home.

### ***Picking Up the Child(ren) from School***

When a parent's time with the child(ren) begins after school, that parent is responsible for picking up the child(ren) at school. When the parent's time ends on a school morning, that parent is responsible for dropping off the child(ren) at school and ensuring that the child(ren) has what they need for the day at school.

### ***Exchanges in Neutral Settings***

Parents will use a neutral place for all transfers of the child(ren) at a specified time and location [fill in time and location].

### ***Exchanges in Safe Settings***

Parents will use a neutral safe third-party professional to supervise all transfers of the child(ren) (e.g. supervised access and exchange programs, or parking lot of fast food location).

## **Long Weekends, School Breaks, Holidays and Special Days**

The “regular” parenting schedule will typically apply during the school year, and may or may not continue during some or all of the summer. Most parents will want a holiday and vacation schedule to take precedence over the regular schedule for at least part of the summer break from school, as well as making some provision for some celebratory days, such as the birthdays of the parent or child.

Many parents, especially those with some form of alternating weekends schedule, choose to adjust the regular schedule for statutory holidays and PA days by adding 24 hours to the parent who has time with the children on the weekend immediately before or after the holiday, while some parents treat long weekends the same as other weekends.

Some parents choose to alternate some of the long weekends and special days on an “even or odd” year arrangement, or they may decide to equalize the statutory holidays over the course of one year. However, this needs to be done with some care, or it will create a situation where one parent has three weekends in a row, unless an adjustment is made. If there is a variation of the regular schedule for specified long weekends, it is often preferable to adjust the regular schedule to accommodate the long weekend so that each parent has two weekends in a row over a four-week period, which allows for a smooth transition back to a regular alternate weekend schedule.

Many plans have special provisions for the Winter and Spring School breaks, and for celebratory times, like, for some families, Christmas or other religious holidays. Below are examples of some possible approaches to these holidays and school breaks:

### ***Christmas Break and New Year's Eve***

Regardless of the regular parenting schedule, in even-numbered years the child(ren) will be with Parent A from December 24 at 11am to December 25 at 11:00 am and with Parent B from December 25 at 11:00 am to December 26 at 11:00 am, and with Parent B from December 31 at 11am to New Year's Day at 11am. In odd-numbered years this schedule will be reversed.

### **Possible Added Provision for *Christmas School Break to Allow for Travel***

It is contemplated that either parent may, from time-to-time, wish to alter the Christmas schedule to take the child(ren) on a holiday for up to 10 continuous days. The parties acknowledge that it is intended that if a change in the Christmas schedule is agreed to by the non-requesting party, the requesting party will be expected to reciprocate the following year on the same terms. Where one parent wishes to change the Christmas schedule for a given year, the requesting party will give the other party at least four weeks' notice of the proposed change and they will attempt to resolve the issue directly. In the event they cannot resolve the issue between themselves, they will use the dispute resolution provisions of this Parenting Plan to resolve the issue.

### **Alternative for *Christmas School Break to Allow for Travel***

In even numbered years Parent A will have the child(ren) from Friday after school at the start of the Christmas break until Saturday in the middle of the break at 4pm. Parent B will have the children for the rest of the break and return the child(ren) to school on the first day of school in January. This will be reversed in odd-numbered years.

### ***Holiday Schedule (Jewish)***

The holiday schedule will supersede the regular residential schedule. It will be as follows until otherwise agreed to by the parties, or ordered by the Court.

#### ***Passover and March School Break***

The child(ren) will reside with Parent A for the Passover Holiday and Spring School break, commencing on the last day of school and ending on the morning that school re-commences. The Parent A may travel with the child during the Break. If Parent A chooses to remain in Toronto, that Parent will facilitate one overnight stay with Parent B.

In the event that the child has Spring Break that does not coincide with Passover, the parents will share the Spring Break and the Winter Break in that school year equally with an exchange at 4:00 p.m. on the day in the middle of the break.

#### ***Rosh Hashana***

In odd-numbered years the child will reside with Parent B on Erev Rosh Hashana from 4:00 pm and is to be returned to the other parent's home the following day at 4:00 pm. The child will reside with Parent A from 4:00 pm on the first day of the holiday to 4:00 pm on the second day. This will be reversed in even-numbered years.

#### ***Yom Kippur***

In odd-numbered years the child(ren) will reside with Parent B on Erev Yom Kippur (Kol Nidre) from 4:00 pm until the next day at 2:00 pm. The child(ren) will reside with Parent A from 2:00 pm on Yom Kippur to return to school or the other's parent's home the following day at 12:00 pm. This will be reversed in even-

numbered years. The 2:00 pm exchanges will take place at the synagogue or at the other parent's home as agreed upon.

### ***Winter School Break***

The child(ren) will reside with Parent B for the Winter school break, commencing on the last day of school and ending on the morning that school re-commences. The Parent B may travel with the child(ren) during this school break. If Parent B chooses to remain in Toronto, he/she will facilitate one overnight with Parent A each week.

In any school year that Parent A does not have Spring Break in its entirety, the Winter school break will be shared equally and the child(ren) will reside with Parent B from after school on the last day of school to 7:00 pm on the Saturday in the middle of the vacation, and with Parent A until a return to school at the end of the break.

### ***Muslim Eid holiday***

The parties will alternate the Muslim Eid holiday dates every year. For the 2021-2022 school year, the child(ren) will be with Parent B for the first Eid (which coincides with the end of Ramadan) from 10 am until 7:30 pm (if they are not otherwise in the Parent B's care) and with Parent A for the second Eid (Haj) from 10 am until 7:30 pm (if they are not otherwise in the Parent A's care). For the 2023-2024 school year, they will be with Parent A for the first Eid and with Parent B for the second Eid. This schedule will alternate every year.

### ***Diwali (Hindus, Sikh, Jain and some Buddhist families)***

(a) Both parents will cooperate with each other to allow the child(ren) to attend the Diwali celebration with each parent, including the religious ceremonies at home or temple, family gatherings and community events. The parties will share their parenting time with the child(ren) during Diwali - the annual religious festival of lights celebrated for 5 days - giving priority to their family tradition.

(b) The parties will alternate having child(ren) for Padwa (Day 4) and Bhai Duj (Day 5) holidays for each year. In even numbered years the child(ren) will be with Parent A for Padwa (Day 4) and Bhai Duj (Day 5) with Parent B. This arrangement will be reversed for odd numbered years.

### ***Alternative for parenting time for Diwali celebrations***

(b) If the child(ren) have school on both of the last two Diwali days (Padwa and Bhai Duj), the child(ren) will have the Saturday with one parent and the Sunday with other parent for the weekend following the Diwali days. For even numbered years, the child(ren) will be with parent A for the Saturday following Diwali from 10 AM until 8 PM (if not otherwise in their care for that day), and with Parent B on Sunday from 10 AM until 8 PM (if not otherwise in their care for that day). This arrangement will be reversed for odd numbered years.

### ***School March Break (No Special Religious Days)***

Regardless of the regular parenting schedule, the parents will alternate March breaks from Friday at the end of school until the start of school on the Monday morning after the school break, with Parent B having the child(ren) for the entire March break in odd-numbered years, and Parent A having the child(ren) in even-numbered years. The parent with care of the child for March break may travel with the child(ren).

#### ***Alternative for March Break***

In even-numbered years the child(ren) will reside with Parent B commencing with the Monday (am) and ending on the Friday (pm) of the March school break, which will attach to his regular weekend. In odd-numbered years the child(ren) will reside with Parent A.

#### ***Alternative for March Break***

The child(ren) will reside with Parent B for the first half of the March Break, commencing on the last day of school and ending on the Wednesday at 4pm, and Parent A will have the child(ren) until school resumes at the end of the March Break morning that school re-commences.

### ***Summer Vacation***

Each parent will have the child(ren) for three continuous weeks each summer. In even-numbered years, by May 1 Parent A will inform Parent B of the three weeks that they want to spend with the child(ren). In odd-numbered years this will be reversed.

#### ***Alternative for Summer Vacation***

Each party will have a two week period of uninterrupted time with the child(ren) during July and August, preferably attached to his/her regular weekends. Parent A will have her first choice of weeks in odd-numbered years, and Parent B in even-numbered years. The party with the first choice will advise the other in writing by January 15 annually. The party with the second choice will advise the other in writing by January 22 annually. The balance of the summer school break will follow the regular schedule.

It is also possible to vary the regular schedule for long-weekends, but if parents have a regular schedule that includes alternating weekends with each parent, varying that schedule for long weekends may create situations where one parent has the children three weekends in a row. Most parents find it easier to vary the regular schedule by adding a day, recognizing that over the years the long weekends tend to average out, or just maintain the regular schedule.

The next clause does not vary the schedule, except to make the “long weekends longer”, and is premised on an alternate weekend schedule. The second example is more detailed and complex, and, without detailed re-scheduling may result in one parent having three weekends in a row despite an alternate weekends regular schedule.

### ***Long Weekends***

If there is a long weekend (whether due to a Statutory Holiday or Professional Development Day), the parent with time scheduled for that weekend will have responsibility and care of the child(ren) until the start of school on Tuesday, or if the day off from school is a Friday, will be responsible for picking up the child(ren) after school on Thursday.

### ***Alternative for Long Weekends***

Regardless of the regular schedule, the parents will have the children with them as set out for the following holiday long weekends (except that, for any weekend set out below that takes place during a party's summer vacation with or without the child(ren), that summer vacation schedule will prevail).

- (a) Family Day Weekend: with Parent A in even-numbered years and Parent B in odd-numbered years.
- (b) Easter Weekend: with Parent B in even-numbered years and Parent A in odd-numbered years (from Thursday after school until Tuesday morning when school starts.)
- (c) Victoria Day Weekend: with Parent A in even-numbered years and Parent B in odd-numbered years.
- (d) Canada Day Weekend: with Parent B in even-numbered years and Parent A in odd-numbered years.
- (e) August Civic Holiday Weekend: with Parent A in even-numbered years and Parent B in odd-numbered years.
- (f) Labour Day Weekend: with Parent B in even-numbered years and Parent A in odd-numbered years.
- (g) Thanksgiving Weekend: with Parent A in even-numbered years and Parent B in odd-numbered years.

### ***Hallowe'en***

In even-numbered years Parent A will have first right to take the child(ren) trick-or-treating if s/he wishes. If Parent A does not wish to take the child(ren) trick-or-treating for that year, Parent B will have the option of trick-or-treating with the child(ren). This will be reversed in odd-numbered years.

For all years, if a parent takes the child(ren) trick-or-treating when he or she is the non-resident parent at that time, that parent will pick up the child(ren) from school on October 31 (or at 3:00 pm from the resident parent, if October 31 falls on a weekend) and return the child(ren) to their schools the next morning or, if the next morning falls on a weekend, to the other parent at 10:00 am the following day. The parent who takes the child(ren) trick or treating will be responsible for their costumes.

### **Alternative for *Hallowe'en***

The non-resident parent will have the option of taking the child(ren) out for one hour of his/her choice at Hallowe'en. The non-resident parent will give the resident parent two weeks' notice of the hour selected. The resident parent on Hallowe'en will be responsible for the child(ren)'s costumes.

### ***Snow Days and Other Unanticipated School Closures***

The resident parent for a given day is responsible for the care of the child(ren) whose school is closed that day for a professional activity, a snow day, and any other day when the school closure is otherwise than on account of a long weekend (which days are specifically dealt with under this Parenting Plan).

Where a school closure is both unanticipated and takes place on a "transition day" (*i.e.*, when the child(ren) are with one parent for the overnight and then the other parent after school ends the following day), the parent who had the child(ren) for the overnight of the transition day will be responsible for the child(ren)'s care during the closure. This transition day exception will not apply to anticipated closure days (*e.g.* a professional activity day) and in such cases the resident parent for the day of the closure will be responsible for the child(ren) with him or her, as set out above.

### ***Parents' Honoured Days (Mother's Day and Father's Day)***

If not otherwise in parent's care, regardless of the regular schedule, the child(ren) will spend time with the honoured parent from Saturday at 7:00 p.m. to Sunday at 7:00 p.m. (or a return to school on Monday).

### ***Alternative for Parents' Honoured Days (Birthdays)***

A parent celebrating his or her birthday when he or she is the non-resident parent will have the option, upon providing two weeks' notice to the resident parent, that he or she wants the child(ren) to be with him or her for dinner that day. The celebrating parent will pick the child(ren) up after school or at 4pm if not a school day, and will return the child(ren) at 8pm.

Some parenting plans make special provision for the birthdays of parents or children, though many do not. While it is understandable that parents want to enjoy celebrations with their children, children often appreciate having "two birthdays" rather than dividing time on their actual date of birth. Further, children may want the opportunity for a party with their friends on their birthday. It is also understandable that parents want their children to celebrate their birthdays, but most children do not necessarily expect this to be on the anniversary of their parent's birth, and variations of a parenting schedule can add complexity, especially if they are in the summer or the holiday period in December.

### ***Children's Birthdays***

The non-resident parent may take the child(ren) out for dinner for up to 2 hours on each child's birthday.

### ***Parents' Birthdays***

A parent celebrating his or her birthday when he or she is the non-resident parent will have the option, upon providing three weeks' notice to the resident parent, that he or she wants the child(ren) to be with him or her for that day. In such case, the child(ren) will be with that parent from 10am on the day of the parent's birthday (if a weekend or holiday) and/or after school (as applicable) until the start of school or 10 am the following day, at which time the regular schedule will resume.

## **Flexibility in Response to Unexpected Events and "Missed Time"**

You should expect that to meet the needs of your children, you will at times need to be flexible with the parenting schedule. For example, you might need to adjust the schedule if you will be taking the child to an out-of-town sports tournament during your time with the child, and that tournament will continue past the time that the other parent is scheduled to assume care of the child.

There will also inevitably be unexpected personal and family emergencies, such as the death of a close relative, that will require flexibility. A good way to respond to situations when you are asked to be flexible to an unexpected event or emergency faced by the other parent is to think about how you would want them to respond if you were faced with a similar situation or emergency.

Most parents can resolve missed time issues on a flexible, informal basis as situations arise, and, if appropriate, arrangements can be made for any makeup time at the same time as the variation is being sought, so many parenting plans do not have specific provision for this. However, an example of a clause that could deal with this situation is:

### ***Rescheduling and Make-up Time***

If a parent is faced with an unexpected situation such as illness or a death in the family, or an irregular event like a family wedding, the other parent will make every effort to accommodate a request for a change in the schedule. If the change in the schedule results in the child(ren) missing considerable time with the accommodating parent, reasonable "make-up time" will be arranged by the parents.

## **Childcare (Right of First Refusal or Priority for Parental Care)**

Some parents agree that if the parent with scheduled time with the child is unable to personally be with child, the other parent should have the first option to provide childcare and should be contacted before alternate childcare arrangements are made. In many cases, however, these types of provisions in an agreement can cause conflict between the parents or may feel intrusive, so it may be better to have no provision for a "right of first refusal."



Issues of make-up time or right of first refusal are most likely to be a concern if children have only limited scheduled time with one parent, or if there are likely to be absences for a significant period of time (for example, due to work-related travel). Parents who are co-operating reasonably well can usually deal with these situations without specific provision, but some possible clauses are:

***Parent Unable to Provide Care and “Right of First Refusal”***

We agree that if childcare is required for more than twenty-four hours, the parent with whom the child(ren) are residing will notify the other parent and give them the opportunity to spend the period for which childcare is required with the child(ren). If the other parent cannot accommodate the request, the resident parent is responsible for arranging and paying for alternate childcare and will inform the other party of who will be caring for the child(ren).

***Ask other parent when practical***

We agree to communicate with the other parent (using our communication protocol), whenever it is practical, for childcare needs, giving the other parent an opportunity to decide if they can parent during these times.

***Residential parent has sole responsibility***

We agree that when the child(ren) are residing with one parent, that parent will have the sole responsibility for making childcare arrangements.

## **Persons Authorized to Pick Up and Drop Off the Children**

Sometimes one parent is not able to pick up or drop off the children as scheduled and may arrange for someone else to do this. In most cases, this should not cause problems and it should be the right and responsibility of the parent with care of the children to determine who will do this. But, in some cases, one of you may have concerns about who picks up and drops off your children. If you do, it is a good idea to discuss this issue and decide how you will handle it.

***Pick Up and Drop Off***

If it is not possible for Parent A or Parent B to pick up or drop off the child(ren) as provided for in the parenting time arrangement, the parent who is responsible for the pick up or drop off may delegate another person to pick up or drop off the child(ren).

***Alternative for Pick Up and Drop Off***

If it is not possible for Parent A or Parent B to pick up or drop off the child(ren) as provided for in the parenting time arrangement, the following people may pick up or drop off the child: [insert names of all individuals who may do this].

## **Children’s Personal Items**

Children often have favourite clothing, toys, or communication devices that they would like to have with them, wherever they are living. Even if these are gifts from one parent, it is normally appropriate to recognize the child’s attachments and rights to personal property. If there is potential for conflict on this issue, it can be important to be clear about where the children may take these items.

### ***Children's Personal Items***

We agree that Parent A will transport our child(ren)'s favourite items to Parent B during the transfers with the child back and forth.

### ***Alternative for Children's Personal Items***

The child(ren) may take personal items (for example, clothing, toys, sports equipment, cell phone) between the homes of Parent A and Parent B, regardless of which parent purchased these items. We will not restrict the child(ren)'s ability to take these items between our homes. The parents will each have toiletries, pajamas and as many belongings as possible for the child(ren) in their homes; these items will not travel back and forth.

## **Virtual Parenting Time (Telephone, Texting, Video Calls and Other Contact)**

In addition to agreeing upon a regular parenting schedule, many parents like to address the issue of virtual parenting time in their parenting plan, including details regarding communication initiated by both children and the other parent.

If there is the potential for conflict on this issue, it can be important to set out some ground rules for contact with a parent while the child is in the care of the other parent. When this is not clear, misunderstandings can sometimes arise about one parent "interfering" with the time of the other parent.

You may need to decide if and how much telephone/texting or other contact will meet the child's needs. For example, some children who are doing well spending time with a parent may become upset just by hearing the other parent's voice on the phone. For other children, this is not an issue. Think about what will work best for your individual child.

Before resolving this issue, you may wish to speak with your child about how they like to communicate. Do they prefer to use the telephone, text, email, video calls or other forms of virtual communication? If there is conflict between you and the other parent and the child is old enough, it is often preferable to use a form of communication that the child can use privately on their own.

It is also important to remember that the type and length of communication your child can use will depend on many factors, including their age and stage of development. For example, young children may find it difficult to have a conversation by telephone or become bored and restless if the call is more than a few minutes.

It is also important to remember the purpose of such communication. A statement of the agreed upon purpose of communication provisions can help promote child-focused communication and limit future conflict. Here are some general statements of principle, some, or all, of which you may wish to include in your parenting plan:

We will ensure that the child(ren) feel comfortable calling the other parent and we will afford them the privacy and space to do so.

We agree that the purpose of any telephone call or virtual parenting time is to briefly check in with the child(ren) about their day/weekend, to remind them that they are loved, and to wish them a nice day/evening. The call is for the child(ren); making the call tells them that they are on the mind of the other parent, who wants them to enjoy their time where they are.

If our calls or virtual parenting time put us in communication with each other, we will exchange a brief, amicable greeting before passing the telephone to the child(ren).

We agree that we will not use our telephone calls or virtual parenting time as a way to seek information as it pertains to the other parent or the other parent's parenting practices.

We have agreed not to place the child(ren) in the middle or in the position of "spy"/"informant" by asking him/her to show areas of the other parent's home on a video call or otherwise provide access to private information pertaining to the other parent and their home life.

We agree that we will not record the child(ren) in any conversation between either of us. This includes both audio and visual recordings.

Examples of possible specific communication provisions include the following:

***Communication Initiated by Child(ren)***

During the regular parenting time schedule, the child(ren) may contact each parent whenever they wish, within reason.

***Alternative for Communication by Child(ren)***

The child(ren) may call the non-resident parent or extended family members as they wish, within reason.

***Communication Initiated by Parent***

During the regular parenting time schedule, Parent A may call the child(ren) between [insert time] and [insert time] when they are with Parent B, and Parent B may call the child(ren) between [insert time] and [insert time] when they are with Parent A.

***Alternative for Communication Initiated by Parent***

During the regular parenting time schedule, Parent A may call the child(ren) between [insert time] and [insert time] when they are with Parent B, and Parent B may call the children between [insert time] and [insert time] when they are with Parent A. Calls will normally be no more than 10 minutes.

We may call the child(ren) no more than twice a day when the child(ren) are with the other parent, taking care to not disrupt routines and meals. The resident parent may

provide the other parent with best times to call and these times will be respected and adhered to by the calling parent.

### **Alternative for *Communication Provisions for Young Children***

Given the child(ren)'s ages, telephone calls and virtual parenting time will need to be facilitated by the resident parent. The resident parent will facilitate the children's attention by minimizing distractions such as television or toys.

If children are able to hold the phone or operate the communication device on their own, it is recommended the children be afforded privacy during their call with the non-resident parent.

## **Social Media**

For some parents, the use of social media by the child, and use of pictures or other material about the child on parental social media, are contentious issues that should be addressed in a parenting plan. Other parents can deal with this on a flexible, evolving basis. Some possible clauses to address this issue include:

### ***Social Media***

Neither parent will post any pictures on social media of the other parent nor make any derogatory comments about the other parent on social media.

### **Alternative for *Social Media***

Each parent may post pictures of the child(ren) on social media, which may include pictures of the child(ren) with the other parent, but there will be no derogatory comments or embarrassing pictures posted about the other parent on social media.

Neither parent shall establish and/or maintain a social media/networking account for the child or in the child's name. This includes, but is not limited to, Instagram, Snapchat, Facebook and YouTube. All existing accounts for the child should be closed immediately.

The parents agree that the child(ren) should not have access to any social media platform until they reach the age of X years, and thereafter they will both monitor social media usage to ensure that it is safe and does not cause embarrassment to either parent.

The parents agree that the privacy settings will be adjusted so that only family / close friends can view the photographs of the child(ren) or other parent.

## **Time with Other Significant Adults**

In many cases, children, while in the care of a parent, may also spend time with other people important to them, like grandparents or other extended family members. Sometimes, parents may decide to include a clause in their parenting plan that specifically provides for contact between the child and another person. For example,

this may apply when a person has been very involved in the care of the child and it is important to the child to maintain that relationship by setting up regular visits. When you are thinking about this type of provision, it is important to keep in mind the child's overall schedule as well as their involvement in activities.

### ***Visits with Specified Persons (Grandparents)***

The child(ren) will spend from [insert time] to [insert time] the [insert regularly occurring day, e.g. the last Sunday of every month] with [insert name of individual]. [insert name of individual] will be responsible for picking up the child(ren) from Parent [insert Parent A or B depending on the parenting time arrangement] and dropping off the child(ren) to Parent [insert Parent A or B depending on the parenting time arrangement].

The child(ren) will spend from 10am to 4pm the last Sunday of every month with Grandma A. Grandma A will be responsible for picking up the child(ren) from Parent A and dropping off the child(ren) to Parent B.

## **Blended Families**

If one or both parents have new partners who have children, the parents should discuss involvement of new partners and family with their children, and may wish to provide for time with step or half-siblings, either in a schedule or with a more general statement such as:

Parent A acknowledges that the child(ren) have an important relationship with their half-brother X, who resides with Parent B and his new partner, and Parent A will support that relationship.

## **Making Decisions About Your Children**

You and the other parent need to decide how you will make decisions about your children. Examples of significant decisions that may require the involvement of both parents to implement include decisions about:

- choice of school and other educational issues;
- medical treatment, including any special dietary needs, and other health care needs;
- participation in extracurricular activities; and
- attendance at religious observances and/or customary cultural events, and development of knowledge of various languages.

You and the other parent may agree to make these significant decisions jointly, have them made solely by one parent, or divide responsibility for different decisions between you. Although it is usually preferable for children if parents consult with each other and make major decisions jointly, sometimes this is not possible when parents have

separated. (Even when parents live together, joint decision-making about children can sometimes be challenging). As well, as children mature, parents should actively seek out the views and preferences of children and consider them in making decisions.

In contrast, day-to-day and emergency decisions are usually made by the parent who is with the child at any given time. These include decisions about matters such as homework, bedtime routines, chores, etc. Even for day-to-day decisions and routines, it is often preferable for parents to consult and communicate with each other, as well as involving their children. While it must be recognized that each parent has the right to set "house rules", it is helpful for children, especially young children, to have consistency and stability in their routines. For some issues, the health of a child may require certain standards of care.

Additionally, what may constitute a day-to-day decision to be made by the parent with care at the relevant time will have different significance for some parents or families. For example, for some families, issues related to meals may have religious significance. When such differences exist for personal, cultural, religious, or other reasons, it will be important for parents to identify and discuss them.

#### ***Joint Decision-Making***

We will make significant decisions together about our child(ren)'s education, health care, extracurricular activities, language, and spirituality, and encourage input from our child(ren). If we cannot come to an agreement about a significant decision, we will use the dispute resolution process set out in this document.

#### ***Parents Consult, with One Having Final Responsibility***

Parent A will make significant decisions about our child(ren)'s education, health care, extracurricular activities, language, spirituality and any other significant decisions, after consulting with Parent B and the child(ren). When the child(ren) are in the care of Parent B, Parent B will follow the plans made by Parent A about these matters.

#### ***Parents Consult, with Division of Responsibility***

Parent A will make significant decisions about our child(ren)'s education and extracurricular activities, after consulting with Parent B and the child(ren). Parent B will make significant decisions about our child(ren)'s health care, language, and spirituality, after consulting with Parent A and the child(ren). When the child(ren) are in the care of a parent, that parent will follow the plans made by the parent with responsibility for making this type of decision.

#### ***Sole decision making***

Parent A will make significant decisions about our child(ren)'s education, health care, and religion, culture, language, spirituality and/or cultural events and any other major decisions about the child(ren), and keep Parent B informed of those decisions. When the child(ren) are in the care of Parent B, Parent B will follow the plans made by Parent A about these matters.

### ***Day-to-Day Decisions***

During the period when our child(ren) are living with or in the care of a parent, that parent can make day-to-day decisions about our children, for example about, doing homework, meals, visiting with their friends, use of computer, etc.

### ***Emergency Decisions***

In a health emergency, the parent with care of our child(ren) at that time will make the treatment decision, on the advice of medical personnel. If a parent makes an emergency health decision, the parent who has made the decision must immediately contact the other parent.

### ***Medical Emergency Decisions or Death of a Parent***

In the event of a parent's medical emergency, the other parent will assume the significant decision-making responsibilities of our child(ren) until the situation becomes resolved.

In the event of the death of one parent, the other parent will care for our child(ren), but the surviving parent will ensure that our child(ren) have continued relations with the relatives of the deceased parent.

## **Scheduling Extra-Curricular Activities**

In the absence of a provision in a parenting plan or the agreement of the other parent, one parent should not schedule extra-curricular activities during another parent's scheduled time with a child. Scheduling an activity in the other parent's time, without their consent, is very inconsiderate, as it either forces that parent to do something that they did not agree to, or results in the child not engaging in that activity, which may be upsetting to the child or disruptive to the organizers of the activity.

### ***Scheduling Extra-curricular Activities***

Neither of us will schedule extra-curricular activities during the time the child(ren) are living with or in the care of the other parent, unless the other parent agrees. The other parent will not unreasonably withhold their agreement.

### ***Alternative for Scheduling Extra-curricular Activities***

Each parent may select and pay for one extra-curricular activity that occurs no more than once a week for the child, and the other parent will be expected to take the child to that activity and support the child's participation during the time that the child is in their care.

Extracurricular activities that both parents are not willing to support may also be addressed by a parenting schedule, so that the parent who supports an activity has the care of the child when that activity occurs.

As discussed below, a parenting plan may also provide that one parent will have primary responsibility for making decisions about extra-curricular activities, and that the other parent will support those decisions by taking the child to those activities (or alternatively that the other parent will not be expected to support the child's participation in the activity.)

## **Sharing Information and Communicating About the Children**

Good communication is important for a positive co-parenting relationship so that both parents can best meet the needs of the children. It is important to set ground rules about what information you will share with each other about the children and how this will be done. It is also a good idea to decide how you will discuss parenting issues that come up from time to time. Some possible clauses to deal with communication are offered here.

### ***Information About the Children***

We agree to share information with each other on a regular basis about our child(ren)'s welfare, including their education and school work, medical needs, health and dental care, counselling, religious, extra-curricular activities and other important aspects of their life.

We agree that we may both ask for and be given information directly from the child(ren)'s teachers, other school officials, health care providers (including both doctors and dentists), and any other person or institution involved with the children. Each parent will sign all necessary consents for the other parent to receive such information.

We agree that the parents will each have the names, addresses and phone numbers of professionals or organizations associated with the child(ren) including: health care, education and extracurricular activities. Each parent will share such contact information with the other.

We agree that we will use a mutually agreed technological calendaring schedule (e.g., ourfamilywizard.com, with any fee to be split equally) to communicate and schedule events.

### ***Communicating About the Children***

We agree that we will speak [indicate when or how often] by phone to discuss any issue related to the parenting of our child(ren). In addition, we will communicate with each other by email or text message as needed.

### ***Alternative for Communicating About the Children***

We agree that we will meet every four months to discuss how our child(ren) are doing, and make plans for the coming months. In addition, we will communicate with each other by email as needed.



Some parents have considerable difficulty communicating with one another in a child-focused way, and require more structured protocols to ensure communication patterns remain child-focused and emotionally disengaged. It is suggested that it is best when communication is “brief, informative, friendly, firm.” (See discussion of B.I.F.F. in the *AFCC-O Parenting Plan Guide*.) Here is an example of a structured protocol for parental communication:

### ***Structured Communication Protocol***

All communications between the parents will be child-focused, cordial, brief, clear, and to the point. We shall remain courteous and polite in communications with each other at all times.

Communications should be devoid of profanity, insults, threats, and inflammatory or threatening comments.

No exclamation points, words in bold or capital letters, repeated question marks, unnecessary adjectives, emojis, sarcasm nor rhetorical questions will be used in communication between the parents to ensure emails remain cordial and respectful.

Communications should avoid rehashing, blaming, criticizing or making personal judgments of the other parent or past events. Communication must pertain to the child(ren) only. The communication should be either:

- a. Future-focused regarding an emerging problem; or
- b. Informative, such as providing information about a medical appointment

Communications will be limited to no more than X a week by email (or through an agreed upon communication platform), except for emergencies. All communication shall be guided by the following notations in the subject line of communications:

- (a) PR (please reply; the other parent shall reply within 24 hours or sooner)
- (b) FYI (for information only, no reply required)
- (c) TS (Time Sensitive; response required *within x hours*)

If a reply requires more time, owing to the need to gather more information or consider the situation, an email will be sent within the 24 hours acknowledging receipt of the email and advising the other parent that a full reply cannot be given within the 24-hour time frame. The parent will advise the other parent when a full reply can be expected.

Telephone will be used in the event of an emergency (i.e. child in need of emergency medical care, death, car accident, other accidents).

### ***Exchange of Contact Information***

We each agree that we will provide to the other parent our telephone number(s), email address, and home address. We also agree that if this contact information changes, we will provide the new contact information to the other parent immediately.

### ***Attendance at Parent-Teacher Meetings***

We agree that it is in the child(ren)'s interests that we both attend parent-teacher meetings together.

### ***Alternative for Attendance at Parent-Teacher Meetings***

We agree that we will each arrange our own parent-teacher meetings.

### ***Alternative for Attendance at Parent-Teacher Meetings***

We agree that Parent A will attend all parent-teacher meetings and will advise Parent B of the child(ren)'s progress.

We agree that both parents will be provided with separate report cards for the child(ren). We agree that we will both notify the school authorities to request that separate report cards be provided.

### ***Attendance at Child-Related Events***

We agree that both parents may attend school events and extra-curricular activities.

### ***Alternative for Attendance at Child-Related Events***

We agree that the parent with whom the child is residing at the time of the school event and extracurricular activity will be the sole parent to attend these events.

## **Medical & Dental Appointments**

There are many decisions and arrangements that you will need to make for your children, including who will take the children to different appointments with doctors, dentists or counsellors. It is often helpful for parents to agree to and identify the child's doctor, dentist and any other health care professionals or therapists in their Parenting Plan, and agree that, apart from emergencies, other health care professionals will only be involved with the consent of both parents.

Many parents address these issues on an ongoing and informal basis. If you think, however, that these issues may result in conflict between you and the other parent, you should be clear about the issues in your parenting plan. It may also be helpful to consult with a counsellor, mediator, parenting co-ordinator or other family justice professional to assist during times of conflict.

### ***Medical Appointments***

The parents will jointly make decisions about medical and dental care, and Parent A will have primary responsibility for making medical and dental appointments and taking the child(ren) to these appointments, and will keep Parent B informed of all diagnoses and treatment.

### ***Alternative for Medical Appointments***

The parents will jointly make decisions about medical and dental care, and Parent A will have primary responsibility for making medical and dental appointments. The parents will each take the child(ren) to any appointments that fall within their parenting time, regardless of who made the appointment.

### ***Alternative for Medical Appointments***

Parent A will be responsible for taking the child(ren) to all appointments with a family doctor, and Parent B will be responsible for taking the child(ren) to all other dental and health care appointments (for example, counselling, physiotherapy).

### ***Information About Health Care Provided the Children***

Promptly following any appointment where the child(ren) has received service from a medical or health professional, the parent who arranged for this appointment and accompanied the child will provide a medical update to the other parent.

In case of a medical emergency, every effort will be made by immediate telephone call, text message or email to notify the other parent at the time of an emergency child visit to a physician, specialist, or hospital, as soon as it is feasible to do so.

It is also important for parents to discuss and agree to issues of payment for medical and dental treatment, including payment for prescription drugs. In some cases, parents may have insurance from an employer that covers some expenses, which may affect which parent takes the children to some appointments or purchases medication. Issues related to payment may be addressed in a parenting plan, or in a Separation Agreement as part of the arrangements for child support.

## **Buying Clothes and Sports Equipment**

Children's clothing, sports equipment and toys will need to be purchased on a regular basis.

Many parents address these issues on an ongoing and informal basis. If one parent is paying child support to the other under a Separation Agreement or Court Order, it will often be expected that the recipient of child support will have the primary responsibility for paying for major purchases for the child, such as winter clothing. In some cases the agreement or order may specify how certain expenses, such as those related to extracurricular activities, are allocated. If the parents have a "shared parenting time" arrangement under the *Child Support Guidelines* section 9, with roughly equal parenting time, it may be more important to address responsibilities for significant expenditures in the parenting plan.

### ***Major Purchases for Children***

Parent A will be responsible for making major clothing and sports equipment purchases for the child(ren) including winter clothes and boots, rain gear, and shoes. Parent A will pay for these from child support payments received. Each parent may choose to supplement the basic needs of the child(ren) by making gifts of clothing or other items to the child; any such gifts will become the property of the child(ren), who may take them back and forth or leave them where the child(ren) chooses. Both parents will ensure that outdoor clothing and sports equipment travels back and forth with the child(ren).

### ***Alternative for Major Purchases for Children***

Parent A will be responsible for making major clothing and sports equipment purchases for the child(ren), including winter clothes and boots, rain gear, and shoes. Parent A will pay for these and keep track of these expenses, and every six months, seek reimbursement from Parent B for half of these expenses (providing receipts). Both parents will ensure that outdoor clothing and sports equipment travels back and forth with the child(ren).

## **Religion, Culture, Language and Ethnicity**

For some parents, their religious, cultural, linguistic or ethnic heritage are very important, and they want to share their faith, culture or language with their children, while for other parents these may be less significant issues. If the parents have different faiths, spoken languages, or cultural or ethnic identities that are important to them, addressing these issues may be especially important but challenging. Some possible clauses to deal with these issues are:

### ***Religious Observance***

The parents will each educate and expose the child(ren) to their own religion and cultural heritage as they see fit. Each parent will promote the child(ren)'s respect for the religion and cultural heritage of the other parent, but neither will be expected to take the child(ren) to services, ceremonies or events related to the other parent's religion or culture.

### ***Alternative for Religious Observance***

Even though Parent A is not Catholic, the parents agree that the child(ren) will have First Communion in the Catholic Church, and that the child(ren) will continue to be raised in the Catholic faith by Parent B until the child(ren) reach an age of maturity and make their own decisions about religion and faith observance.

### ***Alternative for Religious Observance: Jewish Faith and Hebrew Language***

Even though Parent A is not an observant Jew, the parents agree that the child(ren) will be raised in the Orthodox Jewish Faith, and both parents will ensure that the dietary and other life rules of that faith are followed by the children until they reach the age of 15 years, when each child may make their own decisions about faith observance. Both parents will support the children having instruction in the Hebrew language.

### ***Ethnic and Racial Heritage***

The parents acknowledge that Parent A identifies as of Caribbean-Canadian ethnicity and the Black race, while Parent B does not. The parents agree that the child(ren) may be identified at school or for other purposes as Black (Caribbean-Canadian), and Parent B will ensure that they are aware of and proud of this heritage.

## **Indigenous Heritage**

If one or both parents have Indigenous identity, status, heritage, language, traditions or culture, there may be specific issues to be addressed in a Parenting Plan. Some issues might relate to involvement and attendance at community events or ceremonies. If the parents are not from the same Indigenous community, this may raise issues such as where to register the children, which they may want to address in their Parenting Plan.

### ***Indigenous Heritage***

The parents acknowledge that Parent A is a member of the Tyendinaga Mohawk Nation and that the child is a registered member of that Nation. The parents agree that the child may be identified at school or for other purposes as a member of that Nation. Parent B will ensure that the child is proud of this heritage. The parents also acknowledge that Parent B is of Italian heritage, and Parent A will ensure that the child is proud this heritage.

## **Special Needs**

Both parents should understand the health, mental health and special needs of their children and preferably should agree upon appropriate interventions involving doctors, therapists, treatment providers, and special education services. While this will require flexibility and good communication, it may be useful to set out some terms in a Parenting Plan for one or more children with special needs.

There may need to be provisions about testing, assessment, diagnosis, treatment and interventions. This will require decision-making, making of plans and implementation. There should also be consideration of costs and insurance issues, either in the Parenting Plan, or in a Separation Agreement or Court Order.

### ***Special Needs of Child 2***

Both parents acknowledge that Child 2 has been diagnosed with X. After consulting with Parent B, Parent A will make all decisions regarding [Child 2's diagnosis], including any decision regarding medication or other forms of treatment or management. Parent A will keep Parent B informed about assessments and interventions, and Parent B will support the implementation of any plan made by Parent A related to the [Child 2's diagnosis].

## Documents

There are important documents related to your children such as health cards, immunization records, SIN cards, birth certificates and passports. It is important to decide who will obtain and be responsible for keeping these documents secure.

### ***Documents***

Parent A will keep the passport issued in the child's name, his SIN card, and his birth certificate [insert any other relevant documents] at their home, and these documents will be made available to Parent B as needed. Both parents will have copies of all of the important documents.

## Passports

When parents are separated or divorced, Canadian passport officials have rules about which parents' signatures are needed on passport applications. Unless both parents apply together, passport officials will usually want a copy of a parenting plan or court order to make sure that the parent who applies has the legal right to apply and that there are no restrictions on travel. You can help avoid delays in getting a passport for your children if you include a clause that sets out which of you must consent on the passport application.

Please note that in the second option below, Canadian passport officials will only issue a passport to one parent alone if the child lives with that parent the majority of the time.

### ***Passports***

Parent A and Parent B must both consent for the purposes of a passport application for [insert child's name].

### ***Alternative for Passports***

Parent A can apply for the passport of [insert child's name] without the consent of Parent B.

## Vacations and Travel

When one parent plans to travel with the children, especially on a long or faraway trip, it is important to give the other parent notice so they know:

- where the children are;
- how to contact the children while they're away; and
- when the children are returning.

The Government of Canada strongly recommends that children travelling across international borders carry a consent letter proving they have permission to travel from every person with the legal right to make major decisions on their behalf, if that person is not with them on the trip. You may wish to include a provision in your parenting plan

that deals with consent letters. You may also wish to use the government [recommended consent letters for children travelling abroad](#).

### ***Vacations and Travel***

If Parent A or Parent B plans a vacation with the child(ren), that parent will give the other parent at least 30 days' notice before the planned trip, providing the flight information, the trip itinerary, as well as contact information for the child(ren) during the trip.

### ***Alternative for Travel***

Where Parent A or Parent B plans international travel with the child(ren), that parent will prepare, for the signature of the other parent, a consent letter proving that the child(ren) have permission to travel. The other parent will not unreasonably refuse to sign the consent letter.

## **Restrictions on Travel**

Sometimes, a parent may be concerned about letting the child leave the province or country. This may happen, for example, where one parent is worried that the other parent might try to take the child to live in another country. If you are concerned that the other parent may try to take your child to another country without your consent, it is very important that you speak with a family law lawyer to make sure your parenting plan protects your child.

You should note that placing a restriction on your child's travel can affect passport applications. If your parenting plan says that the children cannot be removed from a certain province or territory (Option 1 below), passport officials may decide not to issue a passport. You would have to make a new agreement or obtain a court order that allows the child to travel. In cases where you and the other parent decide that the child cannot be removed from the country (or a city, province or territory) without the consent of both parents (Option 2 below), you may both need to sign the passport application. If you don't, passport officials might not issue a passport.

Option 1: [insert child(ren)'s name] cannot be removed from Ontario [ or Canada].

Option 2: [insert child(ren)'s name] cannot be removed from Ontario [ or Canada] without the written consent of both parents.

Option 3: [insert child(ren)'s name] can only be taken from Ontario [or Canada] with the permission of both parents, and no permission will be given for a trip of more than \_\_\_ days. The parents both agree that for the purposes of the *Divorce Act* and the *Hague Convention on Child Abduction*, the child(ren)'s habitual residence will remain Ontario, and that this will only be changed with permission of a court order or the explicit agreement of both parents.

## Local Moves

If you or the other parent moves within a local area, this will affect your parenting arrangement. For example, the other parent needs to know where to pick up and drop off the child. Legislation now requires that each parent give the other notice of any change of residence, though this requirement may be waived by a court if there are family violence concerns. You may also want to give this information to extended family members. Your parenting plan can include provisions to make sure you and the other parent exchange address and contact information.

### **Local Moves**

If either parent proposes to change their residence within the city of [insert city], at least 60 days before the move, they will provide the other parent with the new address, **telephone number and the date of the move.**

### **Alternative for *Local Moves***

If either parent proposes to change their residence within the city of [insert city], at least 60 days before the move, they will provide the other parent and the child(ren)'s grandparents with the new address, telephone number and the date of the move.

## Relocation

Moves of even relatively short distances can have a significant impact on children and their relationship with their parents, especially if children are going back and forth between the homes on their own, or the parents rely on public transit for moving the child. Relocation is defined in both the *Divorce Act* and *the Children's Law Reform Act* as a change in the residence of a parent or child that is "likely to have a significant impact on the child's relationship" with a parent.

Both pieces of legislation have identical provisions regarding relocation, and generally require a parent who plans to move to give 60 days' written notice to the other parent through a form available on the [Department of Justice Canada website](#).

Even if you do not anticipate either parent relocating, circumstances may change for either parent and this can be a contentious issue if not addressed in a parenting plan.

### **Relocation**

Neither parent may change their place of residence more than X kilometers from their present location within the city of [insert city], without providing the other parent with 60 days' notice of the proposed move and obtaining the written consent of the other parent or a court order to allow the move. The notice must include the location of the proposed new place of residence, the date of the proposed move, and, if necessary, a proposal for modification of the parenting time arrangement.

### **Alternative for *Relocation***

Parent A, with whom the child(ren) have their primary residence, may change the children's place of residence from the city of [insert city], but will not move the children more than ten miles from the present location. If Parent A proposes to change the child's



place of residence, they must provide Parent B with 60 days' notice of the proposed move. The notice must include the address of the proposed new place of residence, the date of the proposed move, and if necessary a proposed parenting time arrangement.

If Parent A and Parent B cannot agree on revised parenting arrangements that may result from one parent relocating, they will use the Family Dispute Resolution process set out in this document to resolve all issues with respect to the proposed move.

Parents who live in a large urban area may want to be precise about the area where they will both continue to reside, as a move within that area may affect travel times for schools and employment. It is, for example, preferable to avoid saying that both parents will continue to reside in the "Greater Toronto Area," but rather to say that both will continue to reside in Scarborough.

## **Reviewing, Monitoring and Changing the Parenting Plan**

It is likely that as your children grow older, their needs and your circumstances will change, so you may have to make changes to your parenting plan. As children grow older, their views should be considered in reviewing the parenting plan.

If you are considering making significant changes, especially related to the child's living arrangements or child support, it is advisable to discuss the issues and show your draft amended parenting plan to a lawyer before you sign it to ensure that you understand your legal rights and responsibilities. This is particularly important if the terms of your parenting plan are a part of a formal Separation Agreement or have been included in a Court Order, as those documents should be updated to make the changes legally enforceable.

### **First Parenting Plan Review**

To make sure your parenting plan is working for your child and is practical for you and the other parent, you may want to include a provision for a "first review." This would set a time for you to meet to discuss the parenting plan and how it is working. If your child is older, you should consider how to seek the input of your child about whether the parenting plan is meeting their needs. If you want to include a provision for a first review, it is important to allow enough time to try out the parenting arrangement first. For example, you may decide to meet after three months, and then annually or more often if issues arise.

Natural breaks in the year are often good times to start or end a new arrangement. For example, the end of the school year, the end of the summer or major school breaks are good times to make changes.

#### ***Plan Review***

This plan will be reviewed on [insert date]. At this time, Parent A and Parent B will discuss the parenting plan and negotiate any changes that they agree are appropriate.

## Regular Parent Meetings

Children need different things from you at different ages and stages of development, and their schedules will change as they grow older. This is especially true as children become more involved in activities. The younger your child at the time that you make the initial plan, the more you can expect that their needs will change and you will need to adjust your parenting plan. Think about whether your parenting plan should include a provision that you and the other parent meet regularly to look at the parenting plan and how it is working for your children.

### ***Parent Meetings***

Parent A and Parent B agree that they will meet [insert time period, e.g. annually, twice a year, three times a year], before the end of [insert a month or months, if applicable], to discuss the parenting plan. Prior to this meeting, each parent will review the parenting plan and bring a written list of issues for discussion to the meeting.

If Parent A and Parent B are unable to agree to changes to the parenting plan within 30 days of the [insert time period] meeting, they will use the dispute resolution method set out in this document.

## Unanticipated Changes

Sometimes, you may have changes in your life that you didn't expect when you wrote your parenting plan. Even if you decide to hold regular meetings with the other parent, issues may come up between meetings. For example, if one of you has a new work schedule, you may need to change your parenting plan. It is a good idea to decide how you will address these types of changes.

### ***Unanticipated Changes***

If the circumstances of the child change, including the ability of Parent A or Parent B to meet the child(ren)'s needs, we agree to the following process to amend the parenting plan: the parent who proposes a change to the parenting plan will advise the other parent in writing of the proposed change, and we will discuss the proposed change and attempt to come to an agreement to resolve the issue. If it is not possible to come to an agreement within 30 days [or some other time period], we will use the family dispute resolution process set out in this document to resolve the issue.

## Family Dispute Resolution

An important reason for developing a parenting plan is to limit future conflicts. However, things you were not expecting can happen and can affect your parenting plan. You and the other parent may not be able to agree on how to handle these issues. Also, if your parenting plan provides that you will make some decisions jointly, you may not always be able to agree on every issue.

It is valuable to include a provision in your parenting plan that says how you will resolve disputes. For example, you may agree that before you make a court application to have

a judge resolve a disagreement, you will try a type of non-court family dispute resolution process. An example of a clause to address this is provided below. While this example refers to mediation, you may wish to try other types of family dispute resolution, like collaborative law, arbitration, parenting co-ordination, or consultation with a respected community member. You may also wish to set out how you will divide the costs of the family dispute resolution process between you.

***Family Dispute Resolution***

If there is a future dispute between us that we cannot resolve on our own, we agree that we will ask [name a respected community member] to decide.

***Alternative for Family Dispute Resolution***

If there is a future dispute between us that we cannot resolve by negotiating on our own or with the assistance of lawyers, we agree that we will enter into mediation before we seek to have the issue resolved in court.

***Costs of Mediation***

The parents will share the costs of the mediation equally.

Parent A will pay [choose percentage] and Parent B will pay [choose percentage] percent of the costs of the mediation.

## **Signing and Witness of Signatures**

Both for purposes of clarity and to help ensure legal enforceability, each parent should sign the Parenting Plan, and each signature should be witnessed. If professionals like lawyers have been involved in assisting the parents in making a parenting plan agreement, they would normally be the witnesses.

## APPENDIX – EXAMPLE OF A PARENTING PLAN

*Each parenting plan should be a unique, individually negotiated and drafted document, and reflect the needs and circumstances of the specific parents and children. The following is NOT intended to be a precedent, but it is just one example of a plan, provided to illustrate how different parts of a parenting plan might relate to one another. There are issues that some parents might want to address that are not included in this Example, while others might decide that not all of these issues need to be addressed in their plan.*

*It is made by two parents who have children aged 6 and 9 years at the time that the parents made the agreement. Both parents were involved in the care of their children before separation, though the mother had a somewhat larger role in their care, and took 1 year maternity leaves after the birth of each child. Both are employed full time, with the mother's employment responsibilities including teaching a college class on Wednesday evenings. The children both attend the same school.*

*The parents are both Catholic, and Christmas is a major family holiday for them.*

*The parents separated four months before they completed this plan. They have agreed to have parenting time schedule based on the interim arrangements that they have developed, which takes account of some extracurricular activities of the children and the work schedules of the two parents. It gives significant parenting time to each parent, but more nights and responsibilities to the mother. In their Separation Agreement, the parents have agreed that the Father, who has a higher income, will pay child support to the Mother.*

## **Parenting Plan**

**September 1, 2021**

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### **INTRODUCTION**

1. The following parenting plan applies to the children of Justin Jones and Sari Smith, who are Melissa (born August 1, 2012) and David (born December 13, 2014.) This parenting plan is intended to be a domestic contract under the Family Law Act (Ontario) and is also intended to have effect in proceedings under the Divorce Act. The parties agree that it may be incorporated into a court order.
2. The parents are committed to this parenting plan, and will share in the parenting of their children. This plan does not address child support obligations or other legal issues, which will be resolved separately.
3. This plan sets out how we will share our parenting rights and responsibilities, starting with the principles that will guide our co-parenting of our children. The plan addresses two major issues:
  - (i) how major child-related decisions are to be made; and
  - (ii) the time the children will spend with each parent, including both a regular and holiday schedule.
4. Our parenting plan also deals with a number of other issues related to our co-parenting arrangement, including parental communication, what to do if changes are required, (e.g. telephone contact with the children, extra-curricular activities, residential moves, etc.).
5. We are committed to the spirit of the parenting plan, which recognizes the children's need for positive and ongoing relationships with both parents. Our primary goal is to ensure smooth implementation of a parenting plan, and to maximize healthy development of our children.
6. We recognize all possible changes in the circumstances of our children and ourselves cannot be foreseen when this plan is being made. Our children will mature and change, as will their needs. The parents may change residence (as per the terms in this plan) or employment, or repartner, possibly precipitating new living arrangements and new family dynamics. The parenting plan, including the parenting time schedule may require revision over time, always considering the children's developmental and emotional needs as the primary objective.
7. In the event there is a disagreement between the parents with respect to parenting arrangements or the parenting plan, or a future change in the parenting plan, the parents will follow the procedures for resolving disputes set out below regarding

Future Dispute Resolution, with an emphasis on resolving disputes in a child-focused way and without resort to the courts.

8. For clarity, in this parenting plan, when the children are in the care of Mother, she will be referred to as the “resident parent,” and when the children are in the care of Father, he will be referred to as the “resident parent.” The term “non-resident” may refer to either parent, as the context requires.

## **PARENTING PRINCIPLES**

9. The parents will use their best efforts to parent cooperatively, keeping the children’s best interests at the forefront. Their needs will be paramount when addressing child-related issues and concerns.
10. The parents will support the parenting plan in all ways. The parents will recognize the children’s needs for positive and ongoing relationships with the other parent and make every effort to facilitate the relationships of the children with the other parent and each parent’s extended family.
11. Neither parent will denigrate or disparage the other parent or members of their extended family, either overtly or covertly, in any communication with the children or in their presence. Each parent will advise others, including their extended families and friends, to maintain the same standards, refraining from criticizing the other parent to or in front of the children.
12. The parents will not speak with the children directly or indirectly about any issues related to child or spousal support, property and financial issues between them.
13. The parents will not ask the children to relay information between them and they will not be “letter carriers,” but rather the parents will communicate directly with one another about issues related to this plan or other contentious issues. The parents will not communicate with each other about parenting or other issues about their relationship at transition times, joint activities or special events, except to address immediate childcare issues.
14. The parents will be polite and respectful to each other at all times, especially when the children are present or nearby. In the presence of the children or in public places, the parents will greet each other cordially. The parents will not discuss contentious issues in front of the children. If one party considers that a discussion is not courteous, they will discontinue the conversation and will take the issue up at a different time.

15. The parents will respect each other's privacy and towards that end will refrain from initiating discussion or questioning the children about the other parent's personal lives and activities.
16. The parents will not interfere directly or indirectly into the lives, activities, or routines of the children when they are with the other party. Unless required otherwise in the parenting plan or in any court order or arbitration award or in the absence of these, without the consent of the other party, neither parent will schedule activities during the children's time with the other parent.
17. The parents will make every reasonable effort to ensure that the children attend special occasions involving their extended family (e.g., special birthdays and anniversaries). While it is understood that this may not always be feasible, where possible the parents will schedule these occasions when the parents know the children will be resident with them.
18. Where possible, access exchanges will take place at the children's school. When the school is not open, the children will normally be picked up and dropped off at Mother's home by Father or a person designated by him.
19. The parents will advise each other about any significant changes in their intimate adult relationship before telling the children (including but not limited to: travel with children and a new partner, cohabitation, re-marriage, or new baby).

## **PARENTAL COMMUNICATION**

20. The children have one life and two homes. They will reap benefits from knowing that both of the parents know about and are involved in their significant life events, whether those are positive or negative. In an effort to foster consistency, predictability, stability and continuity of care for the children, the parents will communicate regularly regarding their routines, activities and experiences. For now, and until the parents agree otherwise, the parents may communicate by email, text, telephone or in-person. For time sensitive matters, when Melissa or David is ill or during emergencies, the parents will communicate by text or telephone.
21. Under regular circumstances, each parent will respond to communication within 24 hours. If the parents become aware or anticipate that the parents will not be able to do so, the parents will let the other party know. If a reply to a question and/or a request for a change requires more time than the agreed to response time of every 24 hours, the parents will advise that the requested information cannot reasonably be ascertained by then and advise when a response can be expected.

22. When Melissa or David is ill or is residing with either parent for uninterrupted vacation time, the resident parent will provide text or telephone updates and, if requested to do so, will facilitate a skype or facetime call.
23. All communications, written or otherwise, will be child-focused, cordial, and to the point about the children. The parents will remain courteous and polite in communications with each other at all times. In addition, the parents will refrain from including information that reflects the personal opinions and feelings about the other party and concentrate on deciding what is in the children's best interests. Any concerns or questions are permitted and will be presented neutrally without blame or criticism. There will be mutual respect for differences in parenting style/approach between the homes.

### REGULAR SCHEDULE

24. Until otherwise agreed to by the parents or ordered by the Court, we agree on the regular schedule as set out here. The children will reside with the Father:
- (i) on alternate weekends from Friday after school until Monday before school
  - (ii) every Wednesday overnight from Wednesday after school until Thursday before school
  - (iii) on Tuesday evenings following a weekend that the children have resided with the Mother, from after school until 8 p.m
  - (iv) on Thursday evenings following a weekend that the children have resided with the Father, from after school until 8 pm.

Otherwise, the children will reside with the Mother.

Week	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	Mother	Father (to 8pm)	Father	Mother	Father	Father	Father
2	Mother	Mother	Father	Father (to 8pm)	Mother	Mother	Mother
3	Mother	Father (to 8pm )	Father	Mother	Father	Father	Father
4	Mother	Mother	Father	Father (to 8pm)	Mother	Mother	Mother

25. The resident parent will be responsible for taking the children to school and bringing them home, arranging for after school transport and activities as he/she thinks appropriate.
26. If Melissa or David is ill in the morning and cannot attend school, the resident parent will contact the other party as soon as possible. Unless mutually agreed to otherwise, the ill child will remain in the care of the parent who had care of the child



in the morning. If it is a transition day, the ill child will be taken to the home of the other parent by the resident parent at the time that school normally ends.

27. If the school calls and asks that Melissa or David be picked up early, the party reached by the day school will contact the other party to advise. Unless mutually agreed to otherwise, the party who is scheduled to get the children from school that day will pick up the children from school and assume care as per the regular or holiday schedule.

## **HOLIDAY SCHEDULE**

28. The holiday schedule will supersede the regular residential schedule. It will be as set out below until otherwise agreed to by the parties or ordered by the Court.

(a) Christmas and New Years: The regular parenting schedule will be suspended during the two week Christmas School Break, which begins after school on the last day of school before the Break and ends on the Monday morning that school resumes. In odd-numbered years, the children will reside with Father from December 24 at 11 a.m. to December 25 at 11:00 a.m and with the Mother from December 25 at 11:00 a.m. to December 26 at 11:00 a.m. The reverse will be in effect in even-numbered years. The balance of the Christmas School Break will be shared equally with the Mother having the first half and the Father having the second half, with each parent's share potentially interrupted by the period between December 24 and December 26. In 2021, the Christmas School Break will be shared as follows: the children will be with the Mother from December 17 after school until December 24 at 11 am, then with the Father until December 25 at 11 a.m., then with the Mother until December 26 at 11.am, then with the Father for the remainder of the Break.

(b) March Break – Commencing in March 2022, in even-numbered years the children will reside with Father commencing with the Monday (am) and ending on the Friday (pm) of the school break and will attach to his/her regular weekend. In odd-numbered years the children will reside with Mother.

(c) Summer Break – Summer commences on the Friday after the last day of school and ends on the Sunday before the return to school. Each party will have a two-week period of uninterrupted time with the children during July and August, preferably attached to his/her regular weekend. Mother will have her first choice of weeks in odd-numbered years, and Father in even-numbered years. The party with the first choice will advise the other in writing by January 15 annually. The party with the second choice will advise the other in writing by January 22 annually. The balance of the summer school break will follow the regular schedule.

(d) Statutory Holidays / Long Weekends / PA Days – The resident parent will have the additional 24 hours added to his/her regular weekend. The non-resident parent will have 3 hours time on the Easter weekend and Thanksgiving weekend to celebrate a holiday meal with the children. This statutory holiday provision will not apply during the summer if the children are with either parent for his/her uninterrupted summer vacation time.

(e) Children's Birthdays – The non-resident parent may take the children out for dinner for up to 2 hours on each child's birthday.

### **RIGHT OF FIRST REFUSAL**

29. When the parents cannot be available to care for the children during the regular or holiday scheduled time for one overnight or longer, the other party will be given the "right of first refusal" to care for the children prior to any other person providing childcare. If the other party cannot accommodate the request, the resident parent is responsible for arranging and paying for alternate childcare and will inform the other party of who will be caring for the children.

### **CHANGES TO SCHEDULE**

30. This applies when either parent would like to have the children for a special occasion when the scheduling of this occasion is out of their control. The parents recognize the importance of the children being able to celebrate special occasions with family and good friends (e.g. family weddings, birthdays, special anniversaries, etc.) and every effort will be made for them to attend.

31. notice as possible. A response will be provided as soon as possible and in any event within 24 hours of receiving the notice. If a definite answer cannot be given within that time, the parent will advise when they expect to be able to respond about whether or not the change is agreeable. Important requests will not be denied (e.g. a wedding or funeral).

32. Neither parent will make plans for the children when they are scheduled to be with the other parent, without first having the consent of the other parent. In addition, the parents will canvas proposed changes to the schedule first with the other parent, and prior to mentioning anything to the children about a change or a special activity.

33. Either parent may make an urgent request for assistance from the other if he/she or the children are ill, or if an urgent situation arises. Each parent will use his/her best efforts to accommodate such a request.

34. In emergencies or for unforeseen circumstances (e.g., illness, inclement weather), significant changes in the drop-off and return times will be communicated to the

other party by text, email and telephone as soon as these changes become known to the parent having to make them.

## **EXTRA-CURRICULAR ACTIVITIES & LESSONS**

35. The children's preferences regarding activities and lessons will be considered and given age-appropriate weight. Either parent may enroll the children on his/her time with the children. The parent enrolling a child in an activity will be responsible for any expenses associated with the activity, unless the parents agree otherwise. Neither parent will enroll the children in any activities that extend to the other parent's time with the children, absent the written consent of the other parent.
36. The parents will provide full information about any and all activities to the other parent, within a reasonable time of the children being enrolled in same.
37. The parents will encourage the children to fully participate in their activities and lessons. It is understood that they will attend these activities reasonably consistently and the resident parent is responsible for transportation to and from the activities. The resident parent will decide when from time to time the children will not attend because of illness or other special circumstances.
38. Both parents and any guests may attend "public events" related to extracurricular activities (e.g., games, recitals, performances, etc.). The parents will remain cordial and not discuss child-related arrangements or any contentious issues at that time and will require any of their guests to also remain cordial to the other parent.

## **THE CHILDREN'S CLOTHING AND BELONGINGS**

39. The parents will each have toiletries, pajamas and as many belongings as possible for the children in their homes. These items will not travel back and forth.
40. Mother will send one extra set of clothing in the children's backpack, which will be returned clean. The parents will ensure that any clothing, electronic devices or toys that move between the two homes rotates freely and is returned promptly.
41. Mother will have responsibility for the purchase of winter and other expensive clothing and footwear, and this clothing will move back and forth between the homes.

## **SOCIAL MEDIA**

42. The parents will protect the privacy and safety of the children and each other by limiting their exposure on social media as follows:
- (a) If pictures are posted on Facebook, the posting parent will not identify the other parent;
  - (b) The privacy settings will be adjusted so that only family / close friends can view the photographs of the children or other parent;
  - (c) Family members and friends will be asked to comply with the above terms; and
  - (d) Neither parent will post on any social media any comments about the other parent or any disputes between the parents.

## **FACETIME, TELEPHONE AND TEXT/EMAIL ACCESS**

43. The parents acknowledge that Facetime and telephone communication are alternate forms of access that can be beneficial for the children. The parents also recognize that the children may be unwilling to spend more than 5 or 10 minutes on any call.
44. Mother will provide each child with a cellphone that has text capabilities and an email address by their 12th birthday. Until that time, each child may text or email Father from Mother's account. Mother will pay all costs related to each cellphone.

## **DECISION-MAKING**

45. The parents will jointly make decisions regarding the children, in accordance with the provisions of this parenting plan. However, if they cannot agree, after consulting with Father, Mother may make the final decision about issues affecting the children's medical treatment and education.

## **General Medical and Health Care**

46. The children's healthcare professionals will be: Dr. Norad (family doctor) and Dr. Kay (dentist). These professionals may be changed by the Mother with notice from her to Father.
47. Mother will provide Father with the names, addresses and phone numbers of any additional professionals providing health care to the children (e.g., psychologists, social workers, counselors, physicians, occupational therapists, orthodontists, osteopath etc.).
48. The parents will both sign any consent forms required for the children to receive health care treatment.

49. The parents will each provide the other parent with copies of any medical or professional reports and records the parents have pertaining to the children. Either parent may obtain reports directly from any professionals associated with the child. If required by that professional, the parents will sign all necessary consents for the other parent to receive such information.

50. Mother will arrange and attend medical and dental appointments with the children.

### **Daily Health Decisions**

51. The resident parent will make day-to-day decisions. The resident parent will advise the other of the diagnosis and treatment plan when a child is ill.

52. Timely updates within 24 hours by e-mail or text will be provided by Mother regarding the outcome of all medical or other healthcare appointments.

53. Mother will keep the children's health cards and vaccination records, and will provide Father with photocopies.

54. The original health card will accompany the children when they travel outside the City of London.

### **Medical and Health**

55. Every effort will be made to notify the other parent by email and telephone at the time of an emergency visit by a child to a physician, specialist or hospital, as soon as it is feasible to do so. Both parents will make emergency decisions together, unless, after a concerted effort, one parent cannot be reached, in which case the present parent may make emergency decisions in consultation with the medical professionals.

56. Mother will notify Father of any potential major medical decisions, as well as provide Father with the name and number of the attending health care professionals.

57. Together or separately, the parents may consult with the health care professionals. The parents will use their best efforts to make mutually agreeable decisions in consultation with the treating health care professionals. In the event the parents cannot agree, Mother will make the final decision.

### **Religion**

58. The children will be raised Catholic.

## **Education**

59. The children will continue to attend George Frank Junior School.

60. The parents will each contact the school and provide their name and contact information. The school will have the names and contact information for both parents to call in case of an emergency. The parents will notify one another of any changes to the contact information.

61. The parents may attend parent-teacher meetings together or separately.

62. School calendars are available from the school. Both parents have the right to make inquiries and to be given information from the school about any issues arising with respect to the children's education. Both parents will be entitled to receive directly from the school, copies of report cards and any other documents. It is each parent's responsibility to stay up to date on any relevant educational matters (e.g., professional activity days, special events, field trips, concerts, parent-teacher meetings, etc.). Each parent will make their own arrangements with the school directly to receive all the notices, newsletters, report cards, etc.

63. Mother will notify Father of any potential major educational decisions (e.g., program, school class placement, psycho-educational testing, remedial assistance, enrichment, speech therapy, tutoring, etc.), and provide Father with the names and numbers of the involved professionals. Together or separately, the parents will consult with the educational professionals. The parents use their best efforts to make mutually agreeable decisions in consultation with the professionals. In the event the parents cannot agree, Mother will make the final decision.

## **TRAVEL**

64. When a parent travels without the children, that parent will provide a reliable telephone number to the resident parent in case of a child-related emergency or if the children want to contact the traveling parent.

65. With notice in writing, the parents may travel with the children during their regular or holiday scheduled time with them. Proposed travel that would involve changes to the regular or holiday schedule requires the consent of the other parent.

66. The parents agree to sign a travel consent letter for the authorities and the parents will each have a notarized copy of this letter. In addition, the parents will provide full itinerary information (i.e., dates of departure and return, location, accommodation,

name and address, flight or train number) to the other parent at least 30 days before the departure.

67. The travelling parent will arrange for travel health insurance for the children when travelling outside of Canada.
68. Mother will be the keeper of the children's Canadian passports and birth certificates and will provide photocopies to Father. She will ensure the passports are current and have at least six (6) months remaining in the expiry period. She will obtain passports for the children, without the signed consent of Father, and will provide him with the passports to facilitate his travel with the children.

### **RESIDENTIAL AND JURISDICTIONAL MOVES**

69. A parent planning to move residences will give at least 60 days written notice to the other parent prior to any residential move.
70. The parents agree that their two residences should be reasonably close to facilitate effective implementation of the parenting arrangements. Neither parent will move their permanent residence more than 15 km from the other parent's current residence without the other's written consent or court order.
71. The parents agree that the children will not be relocated outside the London without the agreement of both parents or a Court Order.

### **NO CHANGE OF NAME**

72. Neither parent will take any action to change the name of either child without the written consent of the other parent.

### **FUTURE DISPUTE RESOLUTION**

73. In the event of a dispute about our parenting plan that we are unable to resolve on our own or with the assistance of lawyers, we agree to participate in mediation before resorting to the court.
74. The mediator will be Fauzia Singh, and if she is unwilling or unable to serve, such other mediator as agreed to by the parents.
75. The fees for the mediator will be shared equally.

### **EVIDENCE OF THE AGREEMENT OF THE PARENTS**

76. The parents have each signed this Agreement at London, Ontario on the 1<sup>st</sup> day of September 2021 in the presence of a witness.

\_\_\_\_\_  
June Flower (witness)

\_\_\_\_\_  
Justin Jones

\_\_\_\_\_  
Bill Barnes (witness)

\_\_\_\_\_  
Sari Smith



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August, 2021