GUIDE

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PARENTING PLAN CLAUSE KIT: PLAIN-ENGLISH OPTIONS FOR SCHEDULES, DECISIONMAKING, HOLIDAYS, AND SAFETY

A step-by-step clause kit that turns legalese into calendar-ready parenting plan options for moms—covering decision-making, weekly schedules, holidays, exchanges, ROFR, relocation, communication, make-up time, and dispute resolution. Built to copy, adapt, and drop into your state's official forms with a safety-first lens.

FROM EPISODE

PARENTING PLANS 101: SCHEDULES, DECISIONMAKING, AND THE CLAUSES MOMS ACTUALLY NEED

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Use this guide while you're drafting or revising your parenting plan. It translates the nine core components into plain-English options you can copy, adapt, and review with local counsel or your court's self-help center. Not legal advice; laws and form names vary by state.

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1) START HERE: TRANSLATE YOUR STATE'S TERMS AND FIND THE RIGHT FORMS

Different states use different words for the same ideas. Translate first so you search and fill out the right forms.

- Texas: "conservatorship" (decision-making) and "possession and access" (schedule)
- California: "legal custody" (decision-making), "physical custody/parenting time" (schedule)
- Illinois: "allocation of parental responsibilities" (decision-making) and "parenting time" (schedule)
- New York: "custody and visitation/parenting time"
- Florida: "parental responsibility" and "time-sharing"

Search like a local (examples):

- Texas: "Texas Standard Possession Order holiday times"
- California: "FL-341(C) holiday schedule attachment"
- Illinois: "Illinois Parenting Plan standardized form transportation exchanges"
- New York: "NYC Family Court parenting plan handout holidays"
- Florida: "Florida Parenting Plan 12.995 communication time-sharing"

Form anchors to locate: your state's official parenting plan or custody/time-sharing attachments (often on .gov court sites). You'll copy final language there once you choose clauses below.

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2) DECISIONMAKING AUTHORITY (LEGAL/PARENTAL RESPONSIBILITY)

What this section controls: who decides on medical, educational, extracurricular, travel, and religious issues.

Plain-English structures you can adapt:

- Joint with tiebreakers by topic: "Parents share decision-making. Mother has final say on non-emergency medical and mental-health care after good-faith consultation. Father has final say on educational placement and IEP/504 services after good-faith consultation. Either parent may make routine day-to-day decisions during their parenting time."

- Joint with mediation step: "For major decisions (medical, educational, religious), parents will confer in writing. If no agreement in 7 days (2 days for urgent matters), the parents shall participate in mediation within 21 days. Court is the last resort."

- Sole on specified topics: "Parent A has sole decision-making for [medical/education], with Parent B receiving advance notice when feasible and copies of all records."

Define urgency to stop "I didn't see it" fights:

- "Urgent matters include medical emergencies, immediate safety concerns, or time-sensitive school decisions. Response within 24 hours. All other matters are routine; response within 48 hours."

Must-Do vs. Strategy:

- Must-Do: Name each decision category and any tiebreaker or mediation step.
- Strategy: Keep everyday parenting decisions (bedtime, meals) with the on-duty parent to avoid micromanagement.

Safety check: If there's a history of control or abuse, avoid clauses that require constant real-time approval. Use written, reviewable channels only.

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3) PARENTING TIME SCHEDULE (PHYSICAL/POS-SESSION/TIMESHARING)

What this section controls: the default weekly rhythm, exchange days/times, and school-year vs. summer differences.

Common, livable cadences (pick one and set exact times):

- 2-2-5-5: "Week 1: Parent A Mon after school → Wed morning drop-off. Parent B Wed after school → Fri morning. Weekends alternate as 5-day blocks (Fri after school → Wed morning). Exchanges at 6:00 PM unless otherwise stated."
- Alternating weeks: "Exchanges Sundays 6:00 PM. During the school year, mid-week dinner with the non-residential parent Wednesdays 5:30–7:30 PM."
- Texas-style weekends: "Parent B has first, third, and fifth weekends from Fri 6:00 PM → Sun 6:00 PM, plus Thu 6:00–8:00 PM during the school year. Summer extended time: [specify weeks and notice]."

Crucial details people miss (add them):

- Early-release days and teacher workdays ("treat as regular school days for exchanges unless stated").
- Exact pickup/drop-off times and locations ("6:00 PM at [School Name] main entrance").
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Summer schedule and notice windows (“By April 1 each year, Parent B selects two non-consecutive weeks”).

Sample clause to copy:

- “Regular schedule: Parent A has Sunday 6:00 PM → Wednesday 6:00 PM; Parent B has Wednesday 6:00 PM → Sunday 6:00 PM. Exchanges occur at [location]. If the exchange location is closed, exchanges occur at [backup location].”

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4) HOLIDAYS AND SCHOOL BREAKS (OVERRIDE RULES)

Holiday orders should clearly override the regular schedule. Define who gets which holiday and the exact start/end.

Set precedence:

- “Holiday and school-break schedules supersede the regular parenting schedule.”

Odd/even rotation starter (edit to fit):

- Thanksgiving: Odd years Parent A; even years Parent B — Wed 6:00 PM → Sun 6:00 PM.
- Winter break split: Odd years Parent A from last day of school → Dec 26 at 12:00 PM; Parent B from Dec 26 at 12:00 PM → evening before school resumes (swap in even years).
- Spring break: Alternates yearly, Fri 6:00 PM before break → Sun 6:00 PM before school resumes.
- Mother’s Day/Father’s Day: Child with the honored parent 9:00 AM → 7:00 PM, regardless of the regular schedule.

Define the period, not just the day:

- “Fourth of July: July 3 at 6:00 PM → July 5 at 10:00 AM.”

DIY holiday ladder (quick worksheet):

- Make a two-column list: Odd Years | Even Years. Fill in each holiday, the parent, and exact times. Attach it to your plan.

Safety check: If exchanges on holidays are high-conflict, schedule handoffs at school or a supervised/neutral site, or reduce same-day swaps (e.g., alternate the whole period).

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5) EXCHANGES, TRANSPORTATION, AND COMMUNICATION

Exchanges: decide where, who drives, and what happens if someone is late. Communication: keep it written and time-boxed.

Exchanges and transportation options:

- "Exchanges occur at [public location/school]. The parent ending their parenting time transports the child to the exchange point. The receiving parent picks up within 15 minutes of the scheduled time."
- "If a parent is more than 30 minutes late without notice, the exchange is deemed missed unless both agree otherwise in writing."
- "Parents share transportation equally; if one parent relocates farther than [X] miles after orders, that parent bears the additional driving or cost."

Communication between parents:

- "Parents communicate about the child using written methods that create records (email, court-approved app, or text). Urgent: response within 24 hours. Routine: within 48 hours."

Child's contact with the off-duty parent:

- "Each parent may have one video or phone call during the other's time, up to 15 minutes, between 6:00–7:30 PM, child-led and respectful of activities."

Do-not rules to lower conflict:

- “No recording the child’s calls, no interrogations about the other parent’s household, no using the app/text to harass or monitor.”

Safety check: If face-to-face contact is unsafe, use school-based exchanges, police-department lobbies, or supervised visitation centers, and specify no direct contact between parents.

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6) RIGHT OF FIRST REFUSAL (ONLY IF IT TRULY HELPS)

Right of First Refusal (ROFR) = you must offer the other parent time before using third-party childcare. It can reduce sitter costs—or become a surveillance tool. Only use it if it helps your reality.

Workable ROFR structure:

- “ROFR applies when a parent will be away for 6+ consecutive hours during their parenting time. Offer by text/email at least 2 hours before (or ASAP in emergencies). No ROFR for work hours, medical appointments, or the child’s school-sponsored activities. If declined within 60 minutes or no response, the parent may arrange other care.”

If you include ROFR, define:

- Minimum duration (2h, 4h, overnight only).
- Notice window and reply window.
- Common-sense exceptions (work, medical, school, family events already planned).

When to skip ROFR:

- High-conflict or coercive-control histories, shift-work households, or long distances that make “offers” impractical.

Safety check: Never allow ROFR to require live location-sharing or constant check-ins. Keep offers written and brief.

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7) RELOCATION AND LONGDISTANCE TRAVEL

Relocation rules vary sharply by state. Build a notice clause that meets or exceeds your state’s baseline, and add long-distance travel details.

Baseline to capture in plain English:

- “A relocating parent must give written notice at least [state-specific number, e.g., 45] days before a proposed move, including new address (or city if safety requires redaction), reason, proposed schedule, and travel plan. If no written consent, the move requires court approval.”

Long-distance logistics to specify (even without a move):

- Who pays for airfare/gas and how (e.g., 50/50; or the moving parent covers the differential).
- How tickets are booked and shared (e.g., itineraries sent within 24 hours of purchase).
- Passports/IDs custody and timelines to hand over.
- Make-up time if flights cancel.

Child-focused stability guardrails:

- Minimize school-night travel; prefer school-based exchanges; align big blocks with school calendars.

Must-Do: Check your state’s relocation threshold and process before you finalize numbers in this clause.

Safety check: If address confidentiality is needed, use a P.O. box or program address and exchange at neutral sites. Put that in writing.

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8) MAKEUP TIME, MODIFICATIONS, AND THE DIS-PUTERESOLUTION LADDER

Life happens. Decide now how you'll adjust without court, and how you'll document issues if you must go back.

Make-up time (clear, limited, scheduled):

- "If a parent misses time due to illness, travel, or emergency, they may request up to one equivalent period of make-up time within 60 days, scheduled by mutual written agreement. No 'stacking' missed periods. No make-up time for voluntary schedule trades."

Temporary changes (how to confirm):

- "Any deviation from this plan must be confirmed in writing (text/email/app) and applies only to the stated dates."

Dispute-resolution ladder (court last):

- Step 1: Direct discussion by written message within 3 days of the issue.
- Step 2: If unresolved, one 60-minute mediator session within 21 days; split cost unless the mediator allocates differently.
- Step 3: Court as last resort.

Periodic review:

- "Parents will review this plan each May to adjust for the next school year, and when the youngest child enters middle school."

Evidence-friendly documentation (Monica's Binder method):

- Keep a simple log: date, scheduled time, actual time, neutral note. Example: “June 15—pickup 6:00 PM; actual 6:47 PM; no notice.” Keep confirmations, calendars, and receipts. Stay factual; no editorializing.

Safety check: Documentation protects you; it should not become a running argument thread. Keep notes offline if tech safety is a concern.