



## **INSTRUCTIONS - PARENTING PLAN**

**Please read in detail before beginning the Parenting Plan paperwork sent to you by the Ferrell Law Firm, PLLC. Make sure as you read the Permanent Parenting Plan you read thoroughly to understand the agreement which each party is signing.**

### **PAGE 1**

Fill in the Plaintiff (party suing for divorce) and Defendant (party being sued for divorce) full names and indicate which is Mother and which is Father by checking the boxes.

Fill in the child(ren)'s names and dates of birth.

**I. A.** Indicate which parent will be the Primary Residential Parent (the parent with whom the children will live for the majority of the time - even if the custody is split perfectly evenly, a Primary Residential Parent must be selected).

Calculate the number of days each parent will reside with the children. A "typical" calculation is 285 for the Primary and 80 for the other parent - this provides for an every-other-weekend visitation schedule with some holidays.

**B.** Check the box next to the Primary Residential Parent, and then indicate the days and times the other parent shall have responsibility for the children (i.e. "From Friday at 6:00 p.m. to Sunday at 6:00 p.m. every other week."). This section continues on to Page 2 to allow for additional times.

### **PAGE 2**

The parenting schedule generally begins on the date of the Court's order.

**C.** Fill in **each** and **every** holiday field, writing "N/A" if a specific holiday does not apply. Write "ODD," "EVEN," or "EVERY" to indicate which parent will spend which holiday with the children. "ODD" indicates that the parent will spend the holiday with the children in odd years (i.e. 2009, 2011, 2013), while "EVEN" indicates the parent will spend the holiday with the children in even years (i.e. 2010, 2012, 2014). "EVERY" indicates the parent will spend the holiday with the children every year. Indicate if there is any variation from having a holiday begin at 6:00 p.m. the night before the holiday and ending at 6:00 p.m. the night of the holiday at the bottom of this section.

**D.** Indicate any variation from the day-to-day schedule for Fall Vacation, keeping in mind school schedules.

### **PAGE 3**

**E.** Indicate how the parties will split visitation of the children for Winter (Christmas) Vacation. Define the first and second periods by day/date and time (i.e. "the first period from December 23rd at 12:00 p.m. until December 26 at 12:00 p.m. .... the second period from the day and time indicated above until January 1 at 12:00 p.m." OR "the first period from 5:00 p.m. the last day of school until December 26 at 12:00 p.m. ... the second period from the day and time indicated above until 5:00 p.m. the night before school begins"). Include another agreement if necessary in the space indicated.

**F.** Indicate any variation from the day-to-day schedule for Spring Vacation, keeping in mind school schedules.

**G.** Indicate any variation from the day-to-day schedule for Summer Vacation, keeping in mind school schedules.

Indicate if written notice of any visitation is required for Summer Vacation, and the number of days required. (i.e. If the non-Primary Residential Parent is taking the children for two weeks at any period from May 30 to August 1, the Primary Residential Parent may require written notice of thirty days of the exact dates the other parent intends to take the children).

**H.** Please give a detailed location for the meeting place for exchanging the children (i.e. "Paternal grandmother's home" or "123 Normal St., Memphis, TN 38123" or "Mother's home" or "Place of mutual agreement").

Indicate which party or parties will pay for long distance transportation costs should they arise. A selection **must** be made.

**I.** If supervision of parenting time is necessary, please check mark the box "Check if applicable".

Give a detailed location for the meeting place, the person or organization supervising ("Paternal grandmother" or "Exchange Club Family Center"), and the person responsible for any cost.

**J.** Indicate **ANY** other provisions that shall apply. This can include such items as but not limited to: people not allowed around the children, places the children may not be, restrictions on parental relocation, decision-making regarding specific events or persons related to the children, etc.

#### **PAGE 4**

**II. A.** States that each parent shall make day-to-day decisions regarding the care of the child when the child is residing with that parent.

**B.** Indicate which parent (or both) will make major decisions regarding the care of the children.

**III. A.** Fill in each parent's gross (before taxes) income, rounded to the nearest dollar. Section (1) shall be filled out by your attorney, but designate if the receiving parent (that parent being paid the child support) wants to be paid the child support on a weekly, monthly, twice per month, or every two weeks timeline.

If the receiving parent wishes to accept a deviation (i.e. "Mother accepts a one-time downward deviation of \$100.00 per month in exchange for Father paying off Chase Visa account at \$100.00 per month.") please make note of that in the space indicated.

If there is any retroactive child support owed to the receiving parent, please indicate the amount under section 2 and the manner in which it will be repaid.

Under payments shall begin, typically "Date of court's order" is entered to indicate that upon entry of the Final Decree of Divorce in the divorce matter, child support payments shall begin. It is difficult to put a specific date into the agreement because of the timeline of the divorce process.

## **PAGE 5**

Indicate how the child support payments shall be made by selecting the appropriate box. If it shall be paid to the Central Child Support Receiving Unit, please fill in the address of the receiving parent. If it shall be paid by direct deposit, please indicate the bank name and last four digits of the account number.

**B.** Select which parent will be receiving the child support payments. If you do not yet know, please leave this section blank for your attorney to fill out. Indicate by name which parent shall claim which child or children for the Federal Income Tax Exemption.

Next select which parent is paying child support, if they are claiming any children on taxes. Indicate which years (alternate or each) the parent paying child support may claim the children.

Finally, select the receiving parent as the parent that shall furnish IRS Form 8332 to the parent paying child support (if the parent paying child support is claiming children on taxes).

**C.** Please read this section on Proof of Income and Work-Related Child Care Expenses.

## **PAGE 6**

**D.** Select which parent shall maintain health insurance on the child or children. Next indicate which parent (or both, pro rata - meaning divided based upon income, or other) shall pay uncovered reasonable and necessary medical expenses as listed. Lastly indicate which parent, if the option becomes available through work, shall maintain dental, orthodontic, and optical insurance on the child or children.

**E.** Generally the judges wish to see that both parents are willing to maintain life insurance that names the other parent as trustee for the benefit of the children so that the children are provided for in case anything should happen. It is our experience that the minimum amount they wish to see held is \$50,000.00 by each parent. Please indicate either or both parent's willingness to maintain life insurance and the minimum amount they will maintain. Select if they are naming the other parent as primary beneficiary or another party (i.e. paternal grandfather or uncle, etc.).

**IV.** Select which parent will be the primary residential parent (spending the majority of residential time with the children).

**V.** Please read this section and continue to Page 7.

### **PAGE 7**

Nearly every case selects that disputes must be submitted to "Mediation by a neutral party...". Tennessee emphasizes collaborative divorce processes that put the children's needs first, and mediation assists parents in obtaining neutral assistance in arbitrating disputes. It must generally be commenced by written request. Please read the rest of this section.

**VI.** Please read the Rights of Parents. These rights are given under Tennessee law and cannot be taken from either parent. This section continues to Page 8.

### **PAGE 8**

**VII.** Please read the Notice Regarding Parental Relocation.

**VIII.** Each parent is required to take a Parent Education Class (a one-day class) by the courts. Please ask your attorney or their assistant for a list of class providers, if it has not already been given to you. This class must be taken and certificates of completion given to your attorney(s) by the date of the Final Hearing in your divorce matter.

### **PAGE 9**

Please do not sign this page until you have received the finalized version from your attorney. At that time please sign in the space indicated in the presence of a notary public, write in where you signed the document, and have it stamped by the notary. Have the other parent do the same.

Once the document is signed by both parties, your attorney and (if applicable) the opposing party's attorney will sign this page as well.

### **PAGE 10**

Select which parent (or both) shall be responsible for any court costs that may arise.

The judge in this matter will sign the document upon its filing with the courts.