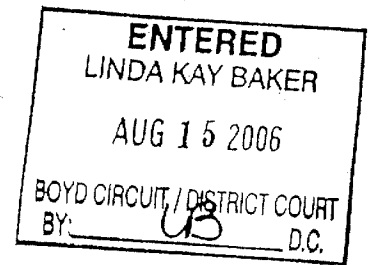


COMMONWEALTH OF KENTUCKY  
BOYD CIRCUIT COURT



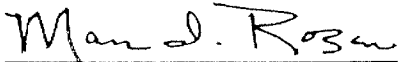
\*\*\*\*\* GENERAL ORDER \*\*\*\*\*

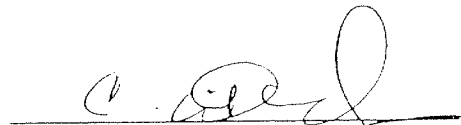
IT IS HEREBY ORDERED that, EFFECTIVE IMMEDIATELY, the attached "TIME SHARING GUIDELINES" be, and hereby are, adopted for use in the Boyd Circuit Court, Division I and Division II.

IT IS FURTHER ORDERED that the Boyd Circuit Clerk's Office maintain copies of said guidelines to be provided, upon request, to any parties, and/or their attorneys, in any Dissolution, Custody, Domestic Violence or other case involving time sharing issues with minor children.

The Court recommends that all Counsel involved in such Domestic cases maintain copies of said guidelines in their offices to disseminate to clients as needed.

ENTERED this the 15<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
Hon. Marc I. Rosen, Judge  
Boyd Circuit Court, Div. I

  
\_\_\_\_\_  
Hon. C. David Hagerman, Judge  
Boyd Circuit Court, Div. II

COMMONWEALTH OF KENTUCKY  
BOYD CIRCUIT COURT  
DIVISION I  
DIVISION II

ENTERED LINDA KAY BAKER AUG 15 2006 BOYD CIRCUIT / DISTRICT COURT BY: <u>LB</u> D.C.
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TIME SHARING GUIDELINES  
LOCAL AND LONG DISTANCE

It is ordered that the parents of the child shall have parenting time with the child at times mutually agreed to in advance by the parents and in the absence of such mutual agreement, and in the absence of a specific court order of time-sharing, it is ordered that the parents shall have parenting time with the child under the specified guidelines set out in these time sharing guidelines according to the age and location of the parents.

The time-sharing guidelines represent a **MINIMUM** amount of time that the non-primary residential parent has with the child/children until such time as a more specific Court Order is entered. The parents are encouraged to use these guidelines as a starting point and reach an agreement as to additional parenting time.

Except as otherwise provided in this guideline, the non-primary residential parent shall have the right of parenting time with the child as follows:

LOCAL or STANDARD TIME SHARING GUIDELINES

1. WEEKENDS on weekends beginning at 6:00 p.m. on the 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Friday of each month and ending at 6:00 p.m. on the following Sunday.
2. WEEKEND PARENTING TIME EXTENDED BY A HOLIDAY: if a weekend period of parenting time begins on a Friday that is a school holiday during the

regular school term or if the period ends on or is immediately followed by a Monday that is such a holiday, that weekend period of parenting time shall begin at 6:00 p.m. on the Thursday immediately preceding the Friday holiday or end at 6:00 p.m. on the Monday that is the school holiday, as applicable.

3. TUESDAYS: on Tuesday of each week, except during June and July, beginning at 6:00 p.m. and ending at the time the child's school resumes on Wednesday, except when weekend parenting time has been extended by a Monday holiday. **The non-primary residential parent shall be responsible for getting the child to school on Wednesday morning, unless other arrangements have been made.**

4. THURSDAYS: on Thursday of each week that the non-primary residential parent is **not** entitled to a weekend visit beginning at 6:00 p.m. and ending at 9:00 p.m.

5. CHRISTMAS HOLIDAYS IN EVEN NUMBERED YEARS: in even numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 25<sup>th</sup>.

6. CHRISTMAS HOLIDAYS IN ODD NUMBERED YEARS: in odd numbered years beginning at noon on December 25<sup>th</sup> and ending at 6:00 p.m. the day before the child's school resumes after the Christmas vacation.

7. THANKSGIVING IN ODD NUMBERED YEARS: in odd numbered years, beginning at 6:00 p.m. on the day the child was dismissed from school for the Thanksgiving holiday and ending at 6:00 p.m. the day before the child's school resumes after that Thanksgiving holiday.

8. SPRING BREAK AND FALL BREAK IN EVEN NUMBERED YEARS: in even numbered years beginning at 6:00 p.m. on the day the child is dismissed from school for the school's spring and fall break vacation and ending at 6:00 p.m. the day before the school resumes after that vacation.

If the school does not declare a spring break or a fall break, then the non-primary residential custodian shall be entitled to exercise a spring and fall break during the months of October and March upon 14 days written notice to the other parent. This time-sharing period shall be for a period of 7 days inclusive of weekends. **The non-primary residential parent shall be responsible for getting the child to school during these periods.**

Should the school schedule a **two week** spring break or fall break, the non-primary residential parent shall have the first choice of one of those weeks and the primary residential parent shall have the remaining week in the **even** numbered years. The primary residential parent shall have first choice of those weeks with the non-primary residential parent entitled to the remaining week in the **odd** numbered years.

9. EXTENDED SUMMER PARENTING TIME: Weekends, Tuesday night and Thursday night visitation shall not be exercised during the months of June and July by the non-primary residential parent. Said parent shall however be entitled to exercise, during the months of June and July 30 days extended summer time sharing with the child with said time period being exercised in two, fifteen (15) day periods. If the non-residential parent provides written notice by April 1<sup>st</sup>, then that parent may designate the time periods within which to exercise the extended summer time sharing. Provided that the time-sharing should be exercised in two nonconsecutive 15 day time periods with a return of at least 7 days in between the two visitation periods to the primary residential

parent. (The non-primary residential parent shall have first choice as to the selection of extended summer time provided written notice is provided to the primary residential parent as noted.) **If written notice is not provided by April 1<sup>st</sup>**, then the non-primary residential parent shall enjoy extended summer time sharing with the child from 6:00 p.m. June 15<sup>th</sup> until 6:00 p.m. June 30<sup>th</sup> and also from July 10<sup>th</sup> until 6:00 p.m. July 25<sup>th</sup>.

10. CHILD'S BIRTHDAY: the parent not otherwise entitled to parenting time with the child on the child's birthday pursuant to the applicable guideline shall have time sharing with said child beginning at 6:00 p.m. and ending at 8:00 p.m. on that day provided that that parent picks up the child from the other parent's residence and returns the child to that residence.

11. FATHER'S DAY and MOTHER'S DAY: each year, beginning at 9:00 a.m. on Mother's Day or Father's Day as applicable and ending at 6:00 p.m. on said day, the mother or father, as applicable, provided that he or she is not otherwise entitled to have the child under this order shall be entitled to parenting time with the child provided that the mother or father shall pick up the child from the other parent's residence and return the child to that same place.

12. SCHEDULES FOR CHILDREN WHO ARE INFANTS UP TO THREE (3) YEARS OLD:

A. INFANTS TO SIX (6) MONTHS:

The parents shall confer and agree upon a schedule consisting of three (3) three (3) hour time periods per week with no more than two (2) days between those times. If the parents cannot agree, parenting time for the non-primary residential parent shall be on Tuesdays and Thursdays from 5:30 p.m. to 8:30 p.m. and on Saturdays from 10:00 a.m. to 1:00 p.m.

In addition, the non-primary residential parent shall have the right to have AT LEAST one overnight of parenting time per month, from 6:00 p.m. on Friday to 1:00 p.m. on Saturday. If the parents cannot agree, it shall be the 3<sup>rd</sup> Friday of the month from 6:00 p.m. on Friday to 1:00 p.m. on Saturday.

When the non-primary residential parent's regular parenting time does not occur on Thanksgiving, Christmas or Easter, the parents shall confer and agree upon a schedule consisting of four (4) hours on each said holiday. If the parents cannot agree, the non-primary residential parent shall have parenting time from 2:00 p.m. to 6:00 p.m. on each holiday.

The non-primary residential parent's parenting time shall include at least one (1) full weekend to be agreed upon between the parents from Friday at 6:00 p.m. to Sunday at 6:00 p.m. If the parents cannot agree, the weekend shall be the first (1<sup>st</sup>) weekend following the child's attainment of twenty (20) weeks of age.

The non-primary residential parent shall be entitled to be with the children on Mother's Day or Father's Day, as appropriate, for a four (4) hour period. If the parents cannot agree, the parenting time on such days shall be from 2:00 p.m. to 6:00 p.m.

**B. SIX (6) MONTHS TO TWELVE (12) MONTHS:**

The parents shall confer and agree upon a schedule consisting of two (2) three (3) hour periods during the week with no more than two (2) days between those times, and five (5) hours every other Sunday. Additionally, the non-primary residential parent shall have two (2)

overnight parenting times per month, on the 1<sup>st</sup> Friday of each month from 6:00 p.m. on Friday to 6:00 p.m. on Saturday and on the 3<sup>rd</sup> Saturday of each month from 6:00 p.m. on Saturday to 6:00 p.m. on Sunday. The Sunday five (5) hour visits are applicable to the weekends when there is no overnight parenting time. If the parents cannot agree, the non-primary residential parent's parenting time shall be on Tuesdays and Thursdays from 5:30 p.m. to 8:30 p.m., and on Sundays from 9:00 a.m. to 2:00 p.m.

When the non-primary residential parent's regular parenting time does not occur on or is less than five (5) hours on Thanksgiving, Christmas, Easter or the children's birthdays, the parents shall confer and agree upon a schedule consisting of five (5) hours on each such occasion. If the parents cannot agree, the non-primary residential parent's parenting time shall be from 1:00 p.m. to 6:00 p.m. on each holiday or birthday.

The non-primary residential parent's parenting time shall include at least one (1) full weekend to be agreed upon between the parents from Friday at 6:00 p.m. to Sunday at 6:00 p.m. If the parents cannot agree, the weekend/s shall be the fifth Friday of the month.

The non-primary residential parent shall be entitled to be with the children on Mother's Day or Father's Day, as appropriate, for a five (5) hour period. If the parents cannot agree, parenting time on such days shall be from 1:00 p.m. to 6:00 p.m.

**C. TWELVE (12) MONTHS TO TWENTY-FOUR (24) MONTHS**

The parents shall confer and agree upon a schedule consisting of two (2) three (3) hour periods during the week with no more

than two (2) days between times, and five (5) hours every other Sunday. Additionally, the non-primary residential parent shall have two (2) overnight parenting times per month, on the 1<sup>st</sup> Friday of each month from 6:00 p.m. on Friday to 6:00 p.m. on Saturday and on the 3<sup>rd</sup> Saturday of each month from 6:00 p.m. on Saturday to 6:00 p.m. on Sunday. The Sunday five (5) hour parenting times are applicable to the weekends when there is no overnight parenting time. If the parents cannot agree, the non-primary residential parent's parenting time shall be on Tuesdays and Thursdays from 5:30 p.m. to 8:30 p.m., and on Sundays from 9:00 a.m. to 2:00 p.m.

When the non-primary residential parent's regular parenting time does not occur on or is less than five (5) hours on Thanksgiving, Christmas, Easter or the children's birthdays, the parents shall confer and agree upon a schedule consisting of five (5) hours on each such occasion. If the parents cannot agree, the non-primary residential parent's parenting time shall be from 1:00 p.m. to 6:00 p.m. on each holiday or birthday.

The non-primary residential parent shall be entitled to be with the children on Mother's Day or Father's Day, as appropriate, for a five (5) hour period. If the parents cannot agree, parenting time on such days shall be from 1:00 p.m. to 6:00 p.m.

In addition to the foregoing, the following rights of extended parenting time shall be enjoyed by the non-primary residential parent which include two (2) four (4) day periods at least four (4) weeks apart from 6:00 p.m. on Friday to 6:00 p.m. on the following Tuesday.



**LONG DISTANCE TIME SHARING GUIDELINES**  
**(FOR CHILDREN FIVE AND OLDER-YOUNGER ON CASE BY CASE BASIS)**

Modified standard or local time sharing guidelines can be used when the distance between the residences of the parents do not exceed approximately 120 miles. However, more than approximately 120 miles distance between parents normally causes standard or local guidelines to be deficient. Therefore, the following guidelines shall apply in the absence of a mutual agreement between the parents or in the absence of a specific court order.

1. The weekend and weekend parenting time extended by holiday provisions as set forth in the standard or local guidelines shall apply. However, the non-primary residential parent shall be specifically entitled to all long weekends during the school year including the weekend and following Memorial Day as well as the weekend and following Labor Day. Should those extended weekends not fall on the 1<sup>st</sup>, 3<sup>rd</sup> or 5<sup>th</sup> weekends, the non-primary residential parent shall have the long weekend and the primary residential parent shall have the weekend following the long weekend. In addition, the exchange for Christmas shall take place at noon on December 26<sup>th</sup> rather than at noon on December 25<sup>th</sup>. The parents shall alternate spring break and fall break as provided in the standard or local guidelines.

2. EXTENDED SUMMER PARENTING TIME: each summer the non-primary residential parent shall be entitled to 75% of the school vacation period. (The parents shall compute the total number of days including weekends the children will be out of school, starting the day after school lets out through the day school starts in the fall and multiply the percentage times that number of days to determine the non-primary

residential parent's share. i.e. If the children get out of school on June 2 and are to return to school on August 9, the summer break consists of 77 days. 75% of that time equals 57.75 days or 58 days of parenting time.) The time period shall be continuous unless the parents agree to split the time in two or more different periods, considering the distance to be traveled, the welfare of the children and the cost of travel. If the parents cannot otherwise agree, the non-primary residential parent's extended summer possession shall begin on the 5<sup>th</sup> day after school lets out and continue the number of days computed. -

3. If the children attend a year round school with no regular summer vacation, the extended parenting time of the non-primary residential parent shall be determined by the Court if the parents cannot agree.

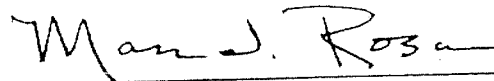
4. The non-primary residential parent shall have the right to have telephone contact with the children at least twice each week and unlimited e-mail communications with the children if the parents and/or children possess the necessary equipment for e-mail. If the parents are unable to agree on the days and times, the calls shall be on Monday and Thursday between 5:30 p.m. and 6:30 p.m. (according to the time zone in which the children reside.) Placing the calls shall be the responsibility of the non-primary residential parent.

The children shall be allowed to converse with the other parent in private and neither the primary residential parent, nor the non-primary residential parent during extended summer parenting time, shall eavesdrop or interfere with the telephone calls or e-mails.


The primary residential parent shall have the same rights to telephonic and e-mail communication as the non-primary residential parent during the extended summer parenting time.

SO ORDERED.

Entered this the 15<sup>th</sup> day of August, 2006.



MARC I. ROSEN  
JUDGE, BOYD CIRCUIT COURT  
DIVISION I



C. DAVID HAGERMAN  
JUDGE, BOYD CIRCUIT COURT  
DIVISION II