

Alabama Model Parenting Plan Short Court Form MASTER

Cover Sheet

This form is submitted to the court for consideration: **(CHOOSE ONLY ONE)**

As an agreement of both parties.

OR

By only one party: _____ [insert party's name].

This form is submitted to the court for consideration as: **(CHOOSE ONLY ONE)**

A temporary Parenting Plan Court Form.

OR

A final Parenting Plan Court Form.

OR

A modification of an existing final order.

NOTE: If modifying an existing final order, you must fill out Section XIII. After completing Section XIII, fill out the section(s) of this form that you wish to change. Leave the section(s) you do not wish to change blank.

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III. Custody Arrangement

A. **Physical Custody: (CHOOSE ONLY ONE)** *Parenting time shall be addressed in Section IV.*

1. **JOINT PHYSICAL CUSTODY**

It is in the best interest of the child(ren) that the Plaintiff and Defendant have **JOINT PHYSICAL CUSTODY**.

OR

2. **SOLE PHYSICAL CUSTODY WITH VISITATION**

It is in the best interest of the child(ren) that the Plaintiff Defendant shall have **SOLE PHYSICAL CUSTODY** and the Plaintiff Defendant shall have **VISITATION**.

OR

3. **SOLE PHYSICAL CUSTODY WITH NO VISITATION**

It is in the best interest of the child(ren) that the Plaintiff Defendant shall have **SOLE PHYSICAL CUSTODY** and the Plaintiff Defendant shall have **NO VISITATION**.

B. **Legal Custody: (CHOOSE ONLY ONE)**

1. **JOINT LEGAL CUSTODY**

It is in the best interest of the child(ren) that the Plaintiff and Defendant have **JOINT LEGAL CUSTODY**.

OR

2. **JOINT LEGAL CUSTODY (with one party having sole authority to make certain decisions)**

It is in the best interest of the child(ren) that the parents have **JOINT LEGAL CUSTODY**. Both parents shall have equal rights and responsibilities for major decisions concerning the child(ren), including, but not limited to, the education of the child(ren), health care, and religious training. In the event that the parents are unable

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to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic Decisions	[]	Plaintiff	[]	Defendant
Civic/Cultural Decisions	[]	Plaintiff	[]	Defendant
Athletic/Activities Decisions	[]	Plaintiff	[]	Defendant
Medical and Dental Healthcare	[]	Plaintiff	[]	Defendant
Religion	[]	Plaintiff	[]	Defendant

OR

3. [] **SOLE LEGAL CUSTODY**

It is in the best interest of the child(ren) that the [] Plaintiff [] Defendant have **SOLE LEGAL CUSTODY**.

C. Day-to-Day and Emergency Decisions

Unless otherwise specified in this plan, each party shall make decisions regarding day-to-day care and control of each child while the child is with that party. Regardless of the allocation of decision-making in the Parenting Plan Court Form, either party may make emergency decisions affecting the health or safety of the child when the child is with that party. A party who makes an emergency decision shall notify the other party of the decision as soon as is reasonably possible.

IV. Time-Sharing Schedules

A. General Time-Sharing Schedule: *The General Time-Sharing Schedule Form shall be attached to the end of this Parenting Plan Court Form as Appendix A.*

The **General Time-Sharing Schedule** () shall apply except as modified by the **Holiday and Summer Time-Sharing Schedule**.

B. Holiday and Summer Break Time-Sharing Schedule

The **Holiday and Summer Break Time-Sharing Schedule** will take priority over the **General Time-Sharing Schedule** unless otherwise specified in subsections (1) - (7) below.

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1. **Summer Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) OR (d) BELOW)**

Summer Break is defined as starting at _____ (time) ____ (am/pm) on the _____ (day) after the last day of school and ending at _____ (time) ____ (am/pm) on the _____ (day) before the first day of school of the next school term.

The **General Time-Sharing Schedule** shall resume on the regularly scheduled weekend following the beginning of the next school term.

- a. The parents shall follow the **General Time-Sharing Schedule** throughout the summer.

OR

- b. **Week-to-Week Summer Break Time-Sharing Schedule**

During the **Summer Break**, the Plaintiff and the Defendant shall have alternating weekly parenting time with the minor child(ren). The

Plaintiff's Defendant's alternating weekly parenting time shall begin at _____ (time) ____ (am/pm) on the first _____ (day) following the conclusion of the spring school semester and shall continue every other week, with the parties exchanging the minor child(ren) every _____ (day) at _____ (time) ____ (am/pm) until three days preceding the first day of school at which time the minor child(ren) shall be returned to the Plaintiff Defendant at _____ (time) ____ (am/pm) [select the custodial parent if **SOLE PHYSICAL CUSTODY** is ordered], regardless of which parent had the minor child(ren) the prior week.

OR

- c. **Divided Summer Break Time-Sharing Schedule**

1. The **Summer Break** shall be evenly divided between Plaintiff and Defendant. The Plaintiff Defendant shall have custody

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of the child(ren) during the first half of the break beginning at _____ (time) ____ (am/pm) on the first _____ (day) following the conclusion of the spring term. The other parent will have the child(ren) during the remainder of the break. The break will end on the _____ (day) preceding the first day of the next school term at which time the minor child(ren) shall be returned to the Plaintiff Defendant, regardless of which parent had the minor child(ren) the prior week.

or

2. The parents shall follow the **General Time-Sharing Schedule** throughout the summer, except the Plaintiff Defendant will have an additional _____ weeks, which may or may not be consecutive, during the summer months when school is not in session, but not the week immediately prior to the beginning of the next school term. This visitation is to be selected by the Plaintiff Defendant by written notice to the Plaintiff Defendant by _____ (month) _____ (day) each year.

If the Plaintiff's Defendant's period of summer visitation amounts to _____ consecutive weeks, the Plaintiff Defendant shall be entitled to weekend visitation on the _____ (1st, 2nd, etc.) weekend of the consecutive weeks. If the parties cannot agree on a weekend for visitation, the visitation shall take place over the second weekend of said period, from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.

If the Plaintiff's Defendant's period of summer visitation amounts to two or more consecutive weeks, the

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Plaintiff Defendant shall shall not be entitled to the next weekend following the consecutive weeks of visitation.

A week is defined as seven (7) consecutive days, beginning at _____ (time) ____ (am/pm) on _____ (day) and ending on _____ (time) ____ (am/pm) on the following _____ (day), and shall include one of the Plaintiff's Defendant's regularly scheduled weekends under the **General Time-Sharing Schedule**.

OR

d. **Entire Summer Break Time-Sharing Schedule**

The Plaintiff Defendant shall have physical custody of the child(ren) for the entire **Summer Break** as it is defined in this subsection.

2. **Spring Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) BELOW)**

Spring Break is defined as starting from the day and time that school is dismissed and ending at _____ (time) ____ (am/pm) on the day before school resumes.

a. The parents shall follow the **General Time-Sharing Schedule**.

OR

b. **Divided Break Time-Sharing Schedule**

Spring Break will be evenly divided. During the first half of **Spring Break**, the child(ren) will be with the party whose **General Time-Sharing Schedule** includes that weekend. During the second half of **Spring Break**, the child(ren) will be with the other parent.

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OR

c. **Entire Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

1. The parents shall alternate the entire Break, with the Plaintiff having the child(ren) during the odd-numbered years even-numbered years. The other party will have the child(ren) during the Break during the alternating years.

or

2. The Plaintiff Defendant shall have physical custody of the child(ren) for the entire Break every year.

3. **Fall Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) BELOW)**

Fall Break is defined as starting from the day and time that school is dismissed and ending at _____ (time) ____ (am/pm) on the day before school resumes.

- a. The parents shall follow the **General Time-Sharing Schedule**.

OR

b. **Divided Break Time-Sharing Schedule**

Fall Break will be evenly divided. During the first half of **Fall Break**, the child(ren) will be with the Plaintiff Defendant. During the second half of **Fall Break**, the child(ren) will be with the other parent.

OR

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c. **Entire Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

1. The party shall alternate the entire Break, with the Plaintiff having the child(ren) during the odd-numbered years even-numbered years. The other party will have the child(ren) during the Break during the alternating years.

or

2. The Plaintiff Defendant shall have physical custody of the child(ren) for the entire Break every year.

4. **Thanksgiving Holiday Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) BELOW)**

Thanksgiving Holiday is defined as starting at the day and time that school is dismissed and ending at _____ (time) ____ (am/pm) on the day before school resumes.

- a. The parents shall follow the **General Time-Sharing Schedule**.

OR

b. **Divided Break Time-Sharing Schedule**

The Plaintiff Defendant shall have the child(ren) for the first half of the Break, from the day and time school is dismissed until _____ (time) ____ (am/pm) on Thanksgiving Day: **(CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

1. in odd-numbered years. The other party shall have the remainder of the Break. In even-numbered years, the parties shall alternate, with the other party having the first half of the Break and the party that did not have the first half of the Break having the remainder.

or

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2. every year. The other party shall have the remainder of the Break every year

OR

- c. **Entire Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

1. The parties shall alternate the entire Break, with the Plaintiff having the child(ren) during the odd-numbered years even-numbered years. The other party will have the child(ren) during the Break during the alternating years.

or

2. The Plaintiff Defendant shall have physical custody of the child(ren) for the entire Break every year.

5. **Christmas/Winter Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) BELOW)**

Christmas/Winter Break is defined as starting at the day and time that school is dismissed and ending at _____ (time) ____ (am/pm) on the day before school resumes.

- a. The parents shall follow the **General Time-Sharing Schedule**.

OR

- b. **Divided Break Time-Sharing Schedule**

The Plaintiff Defendant shall have the child(ren) for the first half of the Break from the day and time school is dismissed until _____ (time) ____ (am/pm) on Christmas Day: **(CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

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1. in odd-numbered years. The other party shall have the remainder of the Break. In even-numbered years, the parties shall alternate, with the other party having the first half of the Break and the party that did not have the first half of the Break having the remainder.

or

2. every year. The other party shall have the remainder of the Break every year.

OR

- c. **Entire Break Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (1) OR (2) BELOW)**

1. The parents shall alternate the entire Break, with the Plaintiff having the child(ren) during the odd-numbered years even-numbered years. The other party will have the child(ren) during the Break during the alternating years.

or

2. The Plaintiff Defendant shall have physical custody of the child(ren) for the entire Break every year.

6. **Additional Holiday Time-Sharing Schedule (CHOOSE ONLY ONE OPTION FROM EITHER (a) OR (b) OR (c) BELOW)**

- a. No **Additional Holiday Time-Sharing Schedule** shall apply.

OR

- b. **Additional Holiday Time-Sharing Schedule** as follows:

The Plaintiff Defendant shall have the child(ren) on Father's Day beginning at _____ (time) ____ (am/pm) and ending at _____ (time) ____ (am/pm).

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The Plaintiff Defendant shall have the child(ren) on Mother's Day beginning at _____ (time) ____ (am/pm) and ending at _____ (time) ____ (am/pm).

AND/OR

c. **Additional Holiday Time-Sharing Schedule** as follows:

7. **Child(ren)'s Birthday(s)**

V. Additional Visitation by Mutual Agreement

Both parties are encouraged to allow additional visitations with the child(ren) at any reasonable time and place, upon sufficient notice, by mutual agreement.

VI. Information Sharing

Unless otherwise prohibited by law or order of the court:

- A. Both parties shall be listed as "emergency contacts" for the child(ren).
- B. Each party has a continuing responsibility to provide a residential, mailing, and contact address and contact telephone number to the other party. Each party shall notify the other party in writing within 24 hours of any changes to that information.

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VII. Communication

A. Between Parties

The parties shall communicate with each other: **(CHOOSE ALL THAT APPLY)**

- | | |
|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> In person | <input type="checkbox"/> By telephone |
| <input type="checkbox"/> By letter | <input type="checkbox"/> By e-mail |
| <input type="checkbox"/> By text | <input type="checkbox"/> By internet |
| <input type="checkbox"/> Other: _____ | |

B. Between Each Party and Child(ren)

Except as limited by statute or court order, both parties shall keep the child(ren)'s contact information and shall have reasonable and private electronic communication access to the minor child(ren) while the child(ren) are in the physical custody of the other party.

"Electronic communication" includes, but is not limited to, communication via telephone, electronic mail or e-mail, texting, webcam, video-calling, other wired or wireless technologies, and other means of communication to supplement face-to-face contact.

The child(ren) may communicate with each party in all of the manners indicated:

- | | |
|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> In person | <input type="checkbox"/> By telephone |
| <input type="checkbox"/> By letter | <input type="checkbox"/> By e-mail |
| <input type="checkbox"/> By text | <input type="checkbox"/> By internet |
| <input type="checkbox"/> Other: _____ | |

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And at the following times:

Anytime

Every day between the hours of _____ (time) ____ (am/pm) and
_____ (time) ____ (am/pm).

On the following days: _____
between the hours of _____ (time) ____ (am/pm) and
_____ (time) ____ (am/pm).

VIII. Transportation and Exchange of Child(ren) Between Shared Parenting Time

A. Transportation (CHOOSE ONLY ONE)

1. The Plaintiff Defendant shall provide all transportation.

OR

2. The party who is beginning their parenting time is responsible for picking up the child(ren). **NOTE: Option 2 under "Location for Exchange" will ordinarily be selected if this choice is made by the parties.**

B. Location for Exchange (CHOOSE ONLY ONE)

1. Exchanges shall be at the Plaintiff's Defendant's home, unless both parties agree to a different meeting place.

OR

2. Exchanges shall be at the home of the party where the child(ren) is physically located at the time of the exchange, unless both parties agree to a different meeting place.

OR

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3. Exchanges shall occur at _____, unless both parties agree in advance to a different meeting place.

C. Waiting

The child(ren) and the custodial party are not required to wait for the non-custodial party for more than _____ minutes after the designated exchange time.

IX. Jurisdiction

The United States is the country of habitual residence for the child(ren).

The State of Alabama is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan Court Form is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et. seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

NOTE: Any required Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Forms shall be submitted to the court.

X. Relocation

Any relocation of the child(ren) is subject to and must be sought in compliance with existing Alabama law. [Alabama Parent-Child Relationship Protect Act, §30-3-160 et seq.]

Alabama Parent-Child Relationship Protection Act

Alabama law requires each party in this action who has either custody of or the right of visitation with a child to notify other parties who have custody of or the right of visitation with the child of any change in his or her address or telephone number, or both, and of any change or proposed change of principal residence and telephone number or numbers of a child. This is a continuing duty and remains in effect as to each child subject to the custody or visitation provisions of this decree until such child reaches the age of majority or becomes emancipated and for so long as you are entitled to custody of or visitation with a child covered by this order. If there is to be a

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change of principal residence by you or by a child subject to the custody or visitation provisions of this order, you must provide the following information to each other person who has custody or visitation rights under this decree as follows:

- A. The intended new residence, including the specific street address, if known.
- B. The mailing address, if not the same as the street address.
- C. The telephone number or numbers at such residence, if known.
- D. If applicable, the name, address, and telephone number of the school to be attended by the child, if known.
- E. The date of the intended change of principal residence of a child.
- F. A statement of the specific reasons for the proposed change of principal residence of a child, if applicable.
- G. A proposal for a revised schedule of custody of or visitation with a child, if any.
- H. Unless you are a member of the Armed Forces of the United States of America and are being transferred or relocated pursuant to a non-voluntary order of the government, a warning to the non-relocating person that an objection to the relocation must be made within 30 days of receipt of the notice or the relocation will be permitted.

You must give notice by certified mail of the proposed change of principal residence on or before the 45th day before a proposed change of principal residence. If you do not know and cannot reasonably become aware of such information in sufficient time to provide a 45-day notice, you must give such notice by certified mail no later than the 10th day after the date that you obtain such information.

Your failure to notify other parties entitled to notice of your intent to change the principal residence of a child may be taken into account in a modification of the custody of or visitation with the child.

If you, as the non-relocating party, do not commence an action seeking a temporary or permanent order to prevent the change of principal residence of a child within 30 days after receipt of notice of the intent to change the principal residence of the child, the change of principal residence is authorized.

XI. Child Support

Child support shall be governed by Rule 32 of the Alabama Rules of Judicial Administration.

NOTE: Child Support Forms required under Rule 32 of the Alabama Rules of Judicial Administration must be submitted to the court.

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XII. Other Provisions

XIII. Modification [To be completed only when requesting a modification (change) of final order]

Please explain what changes you want the court to make regarding custody or visitation to the final order and what has happened since the final order to necessitate the requested change.

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Signature of Party(ies)
[To be signed before a notary]

Dated: _____

Signature of Plaintiff

State of Alabama

County of _____

Sworn to or affirmed and signed before me on the ____ **day of** _____, **20** ____ **by**
_____, **who is known to me or was properly identified by me.**

Notary Public

My Commission expires _____

Dated: _____

Signature of Defendant

State of Alabama

County of _____

Sworn to or affirmed and signed before me on the ____ **day of** _____, **20** ____ **by**
_____, **who is known to me or was properly identified by me.**

Notary Public

My Commission expires _____

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Appendix A

**Insert Here the Selected General Time-Sharing
Schedule to Submit to the Court as Appendix A**

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Appendix B

Parent's Access to Records of Their Children As Authorized by Alabama Code §30-3-154

The undersigned, _____ and _____, are the parents of the child(ren) listed below. In keeping with current Alabama law unless otherwise prohibited by court order, statute, or other legal privileges, both parents have equal access to all records and information pertaining to the child(ren), including, but not limited to, medical, physiological, psychological, dental, scholastic, athletic, extracurricular, and law enforcement records. We agree, as parents of the child(ren) listed below, that each of us is entitled to have access to review any records of our child(ren), including access to passcodes, that are not otherwise protected from view by either or both of us by federal or state law, and we do hereby give our mutual consent and express permission to the holders of providers of such records to allow each of us full and equal access to the records pertaining to our child(ren) including the right to consult with the record holders:

Children:

_____	Date of Birth: _____
_____	Date of Birth: _____
_____	Date of Birth: _____
_____	Date of Birth: _____
_____	Date of Birth: _____
_____	Date of Birth: _____

Signature of Parents:

_____	_____
_____	_____

Typed Name

Date: _____

Typed Name

Date: _____

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Appendix B

Signature of Party(ies)
[To be signed before a notary]

Dated: _____

Signature of Plaintiff

State of Alabama

County of _____

Sworn to or affirmed and signed before me on the _____ **day of** _____, **20** _____ **by**
_____, **who is known to me or was properly identified by me.**

Notary Public

My Commission expires _____

Dated: _____

Signature of Defendant

State of Alabama

County of _____

Sworn to or affirmed and signed before me on the _____ **day of** _____, **20** _____ **by**
_____, **who is known to me or was properly identified by me.**

Notary Public

My Commission expires _____