

PINELLAS COUNTY FAMILY LAW DIVISION

“Time-Sharing Schedule” Suggestions

NOTE 1: The Court Does NOT adopt an official time-sharing schedule.

NOTE 2: The attached sample time sharing plans are not necessarily appropriate for every case. They are simply a guide to assist you in establishing a schedule that is in the best interest of your children and that takes into consideration the particular needs of your family and children.

Effective October 1, 2008, concepts of primary residence, secondary residence, and visitation are abolished in Florida law. Parties must thereafter have a “parenting plan” defined as a document to govern the relationship of the parties relating to the decisions that must be made regarding their children. The parenting plan must contain a time-sharing schedule for the parents of the child. A “time-sharing schedule” is a timetable that specifies the time, including overnights and holidays, that a minor child will spend with each parent.

Florida law requires, at a minimum, each parenting plan to describe in adequate detail how the parents will share and be responsible for the daily tasks associated with the upbringing of the child; the time-sharing schedule arrangements that specify the time that the minor child will spend with each parent; a designation of who will be responsible for any and all forms of health care, school-related matters, and other activities; and the methods and technologies that the parents will use to communicate with the child.

TIME SHARING MUST NOT BE VIEWED AS A PRIVILEGE TO BE EXERCISED AT THE WHIM OF THE PARENT, BUT AS A RESPONSIBILITY WHICH MUST BE FULFILLED ABSENT NECESSARY CAUSE.

TIME SHARING IS FOR THE PRIMARY BENEFIT OF THE CHILD OR CHILDREN AND NOT THE PARENT.

Children should not be exposed to hostility or conflict between the parents. It is not appropriate for a child to be used to deliver messages between parents. Parents should arrange an alternative means of communicating by phone or email.

Attached are some general time-sharing provisions that other families have found suitable. The following time-sharing schedules assume that a child will be with one parent (Parent A), either father or mother, all of the time except for the time provided to the other parent (Parent B).

Note: 50-50 Time-Sharing Arrangement—The court may order a time-sharing arrangement that divides time equally between Parent A and Parent B upon findings of the best interests of the child. However, the courts are skeptical of such an arrangement and will probably require an evidentiary hearing to consider the issue. As a condition for

the court's approval of a 50-50 Time-Sharing Arrangement, the parties may be required to agree that failure of such a plan to continue working for the parties will be considered a substantial change of circumstances which would allow the Court to modify the time sharing arrangement upon consideration of best interests of the child.

Examples of some factors that parents should consider when creating their own time-sharing schedule and which may affect the appropriateness of the sample time-sharing plans provided below:

- The age(s) and specific needs of the child(ren) and any unique social circumstances.
 - Parents should keep in mind that the time sharing schedule selected should be age appropriate. Child experts (and many parents) recommend that more frequent but shorter periods of time sharing be scheduled for younger children, while older children often benefit from longer but less frequent periods of time sharing.
 - Consequently, the time sharing schedule may need to be modified as the child(ren) age. It is important that the parents work together to establish the most suitable time sharing arrangement for the specific needs of their child(ren).
 - Additionally, parents of younger child(ren) may need to schedule time sharing earlier in the day (such as beginning immediately after daycare) to accommodate the child(ren)'s earlier bedtime schedule.
- Transportation and travel time of the child(ren) to and from scheduled time sharing.
- The logistics involved in arranging the time sharing.

Many parents have also found it valuable to take into consideration issues such as:

- Details concerning the exchange of the child(ren), including the parent responsible for transportation and the place and time when the exchange will occur.
- School schedule, including
 - the place and time for pickup of the child(ren) after school or after extra-curricular activities; and
 - the official school calendar for holidays and seasonal breaks. Some parents find it helpful to use the Pinellas County School calendar even if the child(ren) are not enrolled in school. Even if the child(ren) are not school age, the school calendar gives parties a good general reference of when child(ren) are available for time sharing. Also, the current annual calendar shows the actual holidays which may differ from year to year. See www.pcsb.org. Alternatively, parents of very young child(ren) may decide to use the holiday and break schedule for the preschool or daycare that their child(ren) attend.
- Methods of communication between the parties and between the parties and child(ren), including telephone, videophone, email, and text messaging. It is not appropriate for a child to deliver messages between parents. Some parents

find it useful to prohibit communication through any third party, whether related to the parties or not.

- Timely notice of cancellation of time sharing or deviation from the time-sharing plan.
- Itinerary when vacations are scheduled.
- Right of first refusal when a parent is out of town or in the hospital.
- Religious holidays and schedules.
- Whether to agree that the children shall be prohibited from calling anyone other than the Mother or Father names like “Mommy,” “Daddy,” “Mother,” or “Father.”
- Any other matters that may be unique to the particular needs of the family.

Some families like the following as fitting the best interest of the children:

Timesharing Agreement

The Mother/Father (circle one) shall have timesharing with the child at the following times:

1. Every other weekend, from 6:00 p.m. on Friday until 6:00 p.m. Sunday.
2. 6:00 P.M. until 9:00 P.M. on the Monday following the weekend.
3. Three (3) uninterrupted weeks during the summer to start no sooner than one full week after the last day of school and to end no later than one full week before the first day of school.

The parent will designate his or her choice in writing for the three (3) week summer time sharing **no later than April 15** of any given year.

Each parent shall have the same (3) week uninterrupted privilege each summer. Thus, once a parent elects his or her three (3) weeks, the other parent shall by May 15 designate in writing his or her three (3) week period that may eliminate only one weekend of the other parent's weekend visits.

4. **HOLIDAY AND SPECIAL OCCASIONS**

a. **Christmas:**

The first part of the school winter break break in even years. The other parent will have the last part. This will reverse in odd-numbered years.

The school winter break will be determined according to the child's official school calendar. If the child is not enrolled in school, the Pinellas County school calendar applies. See www.pcsb.org.

The first part may not be exactly one-half of the break. It will be determined by dividing the number of full days between the day school ends and the day it reconvenes. All days off (including weekends) are included but the last day of school in December is not counted and neither is the first day back in January. If the total is an even number of days, both parents get one-half of the total.

- b. **Thanksgiving:** From 6:00 p.m. on Wednesday, Thanksgiving Eve until 6:00 p.m. on the Sunday following Thanksgiving. This arrangement will alternate, on a yearly basis, with the following provisions:

If Thanksgiving falls on one parent's regular time sharing weekend, he or she will enjoy the additional two days and nights of time. If Thanksgiving should fall on a weekend wherein it is a parent's time-sharing weekend,

but it is that parent's turn for having the child or children for Thanksgiving, then and in that event, the parent will have his or her regular time sharing the **following** weekend.

- c. **Spring Break:** From 6:00 p.m. of the first full day of Spring Break until 6:00 p.m. the evening before the last full day of Spring Break (i.e. if school starts back on a Monday, the child or children would be returned at 6:00 p.m. on the preceding Saturday.) This arrangement will alternate on a yearly basis. Any conflicts between regularly scheduled weekend time sharing and alternate yearly Spring Break will be handled the same manner in which the Thanksgiving alternate yearly time sharing is handled (see subparagraph B. above).
 - d. **Mother's Day and Father's Day:** Each parent shall have the child or children with her or him from 6:00 p.m. the evening before this day until 6:00 p.m. on this day, **no matter what the time-sharing schedule would otherwise be.** There will be **no** make up day for a parent should his or her weekend time sharing be cut short as a result of the Mother's Day/Father's Day entitlement.
 - e. **Birthdays:** The parent not scheduled to have overnight timesharing on the child's birthday shall have timesharing from the end of the school day until 6 p.m.
 - f. **Jewish and non-Christian religious holidays and festivals:** The parents will alternate, on a yearly basis, these occasions, keeping in mind the custody, beliefs, and practices of their faith and the right of the child or children to maintain, without interruption, the said customs, beliefs and practices of their faith.
5. Both parents shall be expected to maintain any regularly scheduled **important** events while exercising time sharing (i.e. religious observances, team sports, music instruction, etc.).
 6. Both parents shall also maintain, **without fail,** any and all medical prescription dosages and/or medical therapy as may be prescribed for the child or children.
 7. Finally, both parents shall advise each other as to the whereabouts of the child or children during any time-sharing period; especially if vacations or trips out of the immediate area are planned.
 8. Reference to School Calendar:
The courts suggest parties refer to the public school calendar at www.pcsb.org. Even if children are not school age, the school calendar gives parties a good general reference of when children are available for visits. Also, the current annual calendar shows the actual holidays which may differ from year to year.