

IN THE COURT OF COMMON PLEAS  
MORGAN COUNTY, OHIO

In the Matter of

:

LOCAL VISITATION

Standard Local Visitation Guidelines  
For Domestic and Juvenile Divisions

:

Within a 100 mile radius of  
Morgan County

JOURNAL ENTRY

Pursuant to the provisions of Revised Code 3109.051(F)2, the following standard visitation guidelines are hereby adopted for all cases involving visitation orders in the Morgan County Common Pleas Court, Domestic Division and Juvenile Division. These standard visitation guidelines shall constitute visitation orders in each domestic relations case involving minor children, unless the parties agree in writing to a specific visitation schedule different from these guidelines and said schedule is approved by the Court, or unless a party requests a deviation from these guidelines and can show the Court good cause for the deviation. All visitation by grandparents and other persons shall be set by a separate order of the Court, in addition to the visitation times ordered herein and in consideration of the best interests of the children.

Standard Local Visitation Guidelines

1. For purposes of this Order, the words "child" or "children" shall be considered in either the singular or the plural form, depending upon whether there are one or more children involved in the specific case and as the context requires.
2. The children and the residential parent shall not be required to await visitation from the non-residential parent for more than thirty (30) minutes, from the beginning of visitation time.

Any non-residential parent who is more than thirty (30) minutes late for visitation shall forfeit any weekend or holiday visitation period for which he or she is more than thirty (30) minutes late. This provision shall not apply to summer visitation. The non-residential parent is required to give the residential parent at least twenty-four (24) hour notice prior to visitation, if the non-residential parent cannot exercise his or her visitation rights as scheduled, except for emergencies, in which case, notice shall be given as soon as reasonably practicable under the circumstances.

**Weekend Visitation:**

3. The non-residential parent shall have visitation with the minor children of the parties on alternate weekends, from Friday at 6:00pm until Sunday at 6:00pm. In addition, both parents are strongly encouraged to provide the children with at least one (1) weekday visitation with the non-residential parent each week, taking into consideration with parents' work schedules, the children's school schedules, and the distance between the parents' homes.

**Holiday Visitation:**

4. For purposes of visitation, there shall be twelve (12) holiday visitation periods. Those periods of visitation shall be divided equally between the parents. Said holiday visitations are as follows:

1. New Year's Day: 6:00pm on December 31<sup>st</sup> to 8:00pm on January 1<sup>st</sup>.
2. Martin Luther King Day: 6:00pm the day before to 8:00pm on the holiday
3. Presidents' Day: 6:00pm the day before to 8:00pm on the holiday
4. Easter: 6:00pm the day before to 8:00pm on the holiday
5. Memorial Day: 6:00pm the day before to 8:00pm on the holiday
6. Fourth of July: 6:00pm on July 3<sup>rd</sup> to 8:00pm on July 4<sup>th</sup>
7. Labor Day: 6:00pm on the day before to 8:00pm on the holiday
8. Columbus Day: 6:00pm on the day before to 8:00pm on the holiday
9. Veterans' Day: 6:00pm on the day before to 8:00pm on the holiday
10. Thanksgiving: 6:00pm on the day before to 8:00pm on the holiday
11. Christmas Eve: 6:00pm on December 23<sup>rd</sup> to 10:00pm on December 24<sup>th</sup>.
12. Christmas Day: 10:00pm on December 24<sup>th</sup> to 8:00pm on December 26<sup>th</sup>.

5. For purposes of holiday visitation, the non-residential parent shall visit with the children on all odd-numbered holidays as set forth above in the odd-numbered years (i.e. 2003), and the

non-residential parent shall visit with the children on all even-numbered holidays as set forth above in even-numbered years (i.e. 2004). Holiday visitation shall take precedence over weekend visitation.

6. The children of the parties shall spend Mother's Day and the mother's birthday with their mother each year. The children of the parties shall spend Father's Day and the father's birthday with their father each year. Visitation will commence at 9:00am and terminate at 6:00pm on said days, unless the children are in school, whereupon visitation shall commence after school and continue until 6:00pm. In the event that Mother's Day and father's birthday or Father's Day and the mother's birthday fall on the same day, Mother's Day visitation and Father's Day visitation shall take precedence, and birthday visitation privileges shall be lost.

7. Each child shall celebrate his or her birthday in the home of the residential parent in odd-numbered years, and in the home of the non-residential parent in the even-numbered years. Birthday visitation shall be from 9:00am to 6:00pm. In the event the child is in school, visitation shall commence immediately after school, with the visiting parent entitled to pick the child up from school, and shall end at 8:00pm. If birthday visitation conflicts with alternate weekend visitation or holiday visitation, the birthday visitation schedule shall take precedence.

**Summer Visitation:**

8. The non-residential parent shall have a two (2) week, uninterrupted period of visitation each summer, structured so that the non-residential parent shall have the opportunity to take the children on vacation. The residential parent shall also have an uninterrupted visitation schedule with the children of the parties for a two (2) week period each summer. Consequently, summer visitation shall take precedence over weekend visitation by either the residential or the non-residential parent. Summer visitation shall also take precedence over birthday visitation, and Mother's Day and Father's Day visitation.

9. It is the intention of the Court that both parents cooperate in designing summer visitation schedules that are mutually agreed upon by both parents. The Court desires the parents to amicably resolve visitation dates and times. In the event that the parties cannot amicably

schedule summer visitation with their minor children, the Court directs that summer visitation for the non-residential parent shall commence on the 7<sup>th</sup> day of July each year at 9:00am and terminate fourteen (14) days thereafter at 6:00pm, and that summer visitation for the residential parent shall commence at 9:00am on August 1<sup>st</sup> each year and terminate fourteen (14) days thereafter at 6:00pm. The number of days of visitation shall be computed by excluding the first day and including the last day. In the event that the non-residential parent does not appear for summer visitation when scheduled, the non-residential parent must notify the residential parent within twenty-four (24) hours of the exact time that he or she intends to conduct visitation. In the event that the non-residential parent does not make arrangements with the residential parent within twenty-four (24) hours of the scheduled commencement of summer visitation, the non-residential parent's summer visitation shall be forfeited.

10. In the event that the non-residential parent's weekend or holiday visitation time is cancelled because of the illness of any child, then the non-residential parent's weekend visitation for the child shall be had by the non-residential parent on the next weekend and all cancelled holiday visitation shall be made up to the non-residential parent within two (2) weeks.

11. The non-residential parent shall be responsible for transporting the minor children of the parties to and from visitation, and shall pay the costs associated therewith. Should either party move more than twenty-five (25) miles from Morgan County, the parent that moved shall bear all transportation costs.

12. The minor children of the parties shall be picked up for visitation by the non-residential parent. In the event that work schedules or other circumstances exist which preclude the non-residential parent from picking up the children for visitation, the children may be picked up by the non-residential parent's spouse, a grandparent, or some other responsible adult. It is the intention of the Court that the non-residential parent visit with the minor children of the parties during scheduled visitation and that the visitation be quality-time between the non-residential parent and the children. Consequently, the non-residential parent shall not leave the children for extended periods during visitation with third parties, but rather the non-residential parent shall be available at all times practicable to visit with the children.

13. The residential parent shall send with the children on visitation, clothing appropriate to the season and sufficient in quantity to last the entire visitation period. The residential parent shall also send, if applicable, sufficient baby bottles and toys as are necessary for use by the minor children of the parties during visitation. At the conclusion of visitation, the non-residential parent shall return ALL CLOTHING, TOYS, AND BOTTLES, or replacements for them if any have been lost or destroyed, to the residential parent.

14. In the event that the non-residential parent has purchased clothing for the minor children during the visitation, said clothing will also be returned to the residential parent at the conclusion of visitation. After summer visitation, the non-residential parent shall be responsible for cleaning and laundering all of the minor children's clothing prior to returning said clothing to the residential parent.

15. The residential parent shall be responsible for sending with the minor children of the parties sufficient medication, either prescription or non-prescription, for the entire visitation period, if said medication has been prescribed or is being given upon the advise of a physician. The residential parent shall also furnish to the non-residential parent written instructions concerning the administration of the medication to the minor children of the parties, together with the name, address, and telephone number of the physician.

16. The residential parent shall immediately notify the non-residential parent when any child suffers from any illness, disease, or injury that requires treatment by a physician, hospital, or any health care provider. The non-residential parent will immediately notify the residential parent when any child, during any visitation period, suffers any illness, injury, or contracts any disease that requires treatment by a physician, hospital, or any health care provider.

17. Both the residential and the non-residential parent shall appraise the other of their current home and work addresses and of their current home and work telephone numbers. Both the residential and the non-residential parent shall further advise each other of any changes thereto forthwith, unless a specific order of the Court exists prohibiting either or both parents from having such information.

18. Both of the parents are ordered to communicate directly with each other concerning matters regarding visitation. Neither parent shall use the children or any other household member to carry messages concerning visitation to the other, except in the case of emergency.

19. Neither the residential parent nor the non-residential parent shall discuss the other with the minor children of the parties in a derogatory manner, nor shall either the residential or the non-residential parent make derogatory statements about the other to any third party in the presence of the minor children of the parties.

**Change of Residence:**

20. Pursuant to law, if the residential parent intends to move his or her residence, the residential parent PRIOR TO MOVING, MUST DO ALL OF THE FOLLOWING:

1. File a written notice of the intention to move with the Clerk of Courts of Morgan County, Ohio, 19 East Main Street, McConnelsville, Oh 43756, containing the following information:
  - a. the case number under which the original visitation order was issued.
  - b. the residential parent's name, old address, and new address
  - c. the non-residential parent's name and present address.
  - d. payment to the Clerk of the Court in which the decree is filed the sum of five dollars (\$5.00) to cover the costs of copying, docketing, and mailing the notice (Upon receipt of this notice, the Clerk of Courts shall file, make a copy of said notice, and mail it to the non-residential parent. The Clerk shall note "Proof of Mailing" showing the date of the mailing on the notice filed in the Court file.)
2. If the residential parent intends to remove his or her residence from the State of Ohio, the residential parent, pursuant to law, shall not remove the children's residence from the State of Ohio without first obtaining a modified visitation order from the Court.

**Access to Records:**

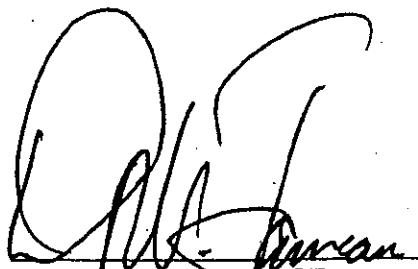
21. Subject to Sections 2301.35(G)(2) and 3319.321(F) of the Revised Code, the non-residential parent shall be entitled to access to any record relating to the minor children of the parties, including, but not limited to, school records and medical, dental, and optical records, under the same terms and conditions that access is provided to the residential parent.
22. **Notice to Keepers of Records:** Knowingly failing to comply with this Order or with Section 3109.151(E) of the Revised Code is contempt of court.
23. Pursuant to Section 5104.011 of the Revised Code, the non-residential parent shall have access to any child day care center attended by the minor children of the parties under the same terms and conditions that access is provided to the residential parent. Further, subject to the provisions of Sections 3319.321(F) of the Revised Code, the non-residential parent shall have access to any student activity involving the minor children of the parties under the same terms and conditions that access is provided to the residential parent.
24. **Notice to School Officials and Employees:** Knowingly failing to comply with this Order or with Section 3109.15(J) of the Revised Code is contempt of court.
25. It is the intention of the Court that visitation for the minor children of the parties shall be a pleasurable experience for the minor children. It is the duty of both parents to take whatever action is necessary to make visitation a pleasurable experience. The Court fully expects that both parents will do whatever is necessary to accomplish this goal. The Court further expects that both parents shall put aside any differences that they may have personally with each other concerning their children and comport themselves as adults. The Court will take a very dim view of any parent who attempts to utilize the minor children of the parties to hurt the other parent or cause the other parent problems with the minor children of the parties.

ORDER

It is, therefore, ORDERED, ADJUDGED, AND DECREED that, in accordance with the provisions of Section 3109.051(F)(2) of the Revised Code, this visitation schedule is the ordered visitation schedule in each case in the Common Pleas Court, Domestic Division and Juvenile Division, involving the minor children of the parties, unless the parties agree to a different visitation schedule and that schedule is approved by the Court upon the showing of good cause for deviation from this schedule, or unless the Court, due to unique circumstances of the case, orders otherwise. This Order shall be known as the "STANDARD ORDER FOR LOCAL VISITATION" in the Common Pleas Court, Domestic Division and Juvenile Division, and shall be in full force and effect until further Order of this Court. Standard orders of visitation for areas in excess of a one hundred (100) mile radius of Morgan County shall be promulgated by separate Order. This Entry shall take effect and be in force from and after the 2ND day of

May, 1991.

IT IS SO ORDERED.

  
D.W. FAVREAU, JUDGE

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