

PARENTING PLAN CLAUSE KIT: PLAIN - ENGLISH OPTIONS FOR SCHEDULES, DECISIONMAKING, HOLIDAYS, AND SAFETY

A step-by-step clause kit that turns legalese into calendar-ready parenting plan options for moms—covering decision-making, weekly schedules, holidays, exchanges, ROFR, relocation, communication, make-up time, and dispute resolution. Built to copy, adapt, and drop into your state's official forms with a safety-first lens.

FROM EPISODE

PARENTING PLANS 101: SCHEDULES, DECISIONMAKING, AND THE CLAUSES MOMS ACTUALLY NEED

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Use this guide while you're drafting or revising your parenting plan. It translates the nine core components into plain-English options you can copy, adapt, and review with local counsel or your court's self-help center. Not legal advice; laws and form names vary by state.

1) START HERE: TRANSLATE YOUR STATE'S TERMS AND FIND THE RIGHT FORMS

Different states use different words for the same ideas. Translate first so you search and fill out the right forms.

- Texas: "conservatorship" (decision-making) and "possession and access" (schedule)
- California: "legal custody" (decision-making), "physical custody/parenting time" (schedule)
- Illinois: "allocation of parental responsibilities" (decision-making) and "parenting time" (schedule)
- New York: "custody and visitation/parenting time"
- Florida: "parental responsibility" and "time-sharing"

Search like a local (examples):

- Texas: "Texas Standard Possession Order holiday times"
- California: "FL-341(C) holiday schedule attachment"
- Illinois: "Illinois Parenting Plan standardized form transportation exchanges"
- New York: "NYC Family Court parenting plan handout holidays"
- Florida: "Florida Parenting Plan 12.995 communication time-sharing"

Form anchors to locate: your state's official parenting plan or custody/time-sharing attachments (often on .gov court sites). You'll copy final language there once you choose clauses below.

2) DECISIONMAKING AUTHORITY (LEGAL/PARENTAL RESPONSIBILITY)

What this section controls: who decides on medical, educational, extracurricular, travel, and religious issues.

Plain-English structures you can adapt:

- Joint with tiebreakers by topic: "Parents share decision-making. Mother has final say on non-emergency medical and mental-health care after good-faith consultation. Father has final say on educational placement and IEP/504 services after good-faith consultation. Either parent may make routine day-to-day decisions during their parenting time."
- Joint with mediation step: "For major decisions (medical, educational, religious), parents will confer in writing. If no agreement in 7 days (2 days for urgent matters), the parents shall participate in mediation within 21 days. Court is the last resort."
- Sole on specified topics: "Parent A has sole decision-making for [medical/education], with Parent B receiving advance notice when feasible and copies of all records."

Define urgency to stop "I didn't see it" fights:

- "Urgent matters include medical emergencies, immediate safety concerns, or time-sensitive school decisions. Response within 24 hours. All other matters are routine; response within 48 hours."

Must-Do vs. Strategy:

- Must-Do: Name each decision category and any tiebreaker or mediation step.
- Strategy: Keep everyday parenting decisions (bedtime, meals) with the on-duty parent to avoid micromanagement.

Safety check: If there's a history of control or abuse, avoid clauses that require constant real-time approval. Use written, reviewable channels only.

3) PARENTING TIME SCHEDULE (PHYSICAL/POSSESSION/TIMESHARING)

What this section controls: the default weekly rhythm, exchange days/times, and school-year vs. summer differences.

Common, livable cadences (pick one and set exact times):

- 2-2-5-5: "Week 1: Parent A Mon after school → Wed morning drop-off. Parent B Wed after school → Fri morning. Weekends alternate as 5-day blocks (Fri after school → Wed morning). Exchanges at 6:00 PM unless otherwise stated."
- Alternating weeks: "Exchanges Sundays 6:00 PM. During the school year, mid-week dinner with the non-residential parent Wednesdays 5:30–7:30 PM."
- Texas-style weekends: "Parent B has first, third, and fifth weekends from Fri 6:00 PM → Sun 6:00 PM, plus Thu 6:00–8:00 PM during the school year. Summer extended time: [specify weeks and notice]."

Crucial details people miss (add them):

- Early-release days and teacher workdays ("treat as regular school days for exchanges unless stated").
- Exact pickup/drop-off times and locations ("6:00 PM at [School Name] main entrance").
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Summer schedule and notice windows ("By April 1 each year, Parent B selects two non-consecutive weeks").

Sample clause to copy:

- "Regular schedule: Parent A has Sunday 6:00 PM → Wednesday 6:00 PM; Parent B has Wednesday 6:00 PM → Sunday 6:00 PM. Exchanges occur at [location]. If the exchange location is closed, exchanges occur at [backup location]."

4) HOLIDAYS AND SCHOOL BREAKS (OVERRIDE RULES)

Holiday orders should clearly override the regular schedule. Define who gets which holiday and the exact start/end.

Set precedence:

- "Holiday and school-break schedules supersede the regular parenting schedule."

Odd/even rotation starter (edit to fit):

- Thanksgiving: Odd years Parent A; even years Parent B — Wed 6:00 PM → Sun 6:00 PM.
- Winter break split: Odd years Parent A from last day of school → Dec 26 at 12:00 PM; Parent B from Dec 26 at 12:00 PM → evening before school resumes (swap in even years).
- Spring break: Alternates yearly, Fri 6:00 PM before break → Sun 6:00 PM before school resumes.
- Mother's Day/Father's Day: Child with the honored parent 9:00 AM → 7:00 PM, regardless of the regular schedule.

Define the period, not just the day:

- "Fourth of July: July 3 at 6:00 PM → July 5 at 10:00 AM."

DIY holiday ladder (quick worksheet):

- Make a two-column list: Odd Years | Even Years. Fill in each holiday, the parent, and exact times. Attach it to your plan.

Safety check: If exchanges on holidays are high-conflict, schedule handoffs at school or a supervised/neutral site, or reduce same-day swaps (e.g., alternate the whole period).

5) EXCHANGES, TRANSPORTATION, AND COMMUNICATION

Exchanges: decide where, who drives, and what happens if someone is late. Communication: keep it written and time-boxed.

Exchanges and transportation options:

- "Exchanges occur at [public location/school]. The parent ending their parenting time transports the child to the exchange point. The receiving parent picks up within 15 minutes of the scheduled time."
- "If a parent is more than 30 minutes late without notice, the exchange is deemed missed unless both agree otherwise in writing."
- "Parents share transportation equally; if one parent relocates farther than [X] miles after orders, that parent bears the additional driving or cost."

Communication between parents:

- "Parents communicate about the child using written methods that create records (email, court-approved app, or text). Urgent: response within 24 hours. Routine: within 48 hours."

Child's contact with the off-duty parent:

- "Each parent may have one video or phone call during the other's time, up to 15 minutes, between 6:00–7:30 PM, child-led and respectful of activities."

Do-not rules to lower conflict:

- “No recording the child’s calls, no interrogations about the other parent’s household, no using the app/text to harass or monitor.”

Safety check: If face-to-face contact is unsafe, use school-based exchanges, police-department lobbies, or supervised visitation centers, and specify no direct contact between parents.

6) RIGHT OF FIRST REFUSAL (ONLY IF IT TRULY HELPS)

Right of First Refusal (ROFR) = you must offer the other parent time before using third-party childcare. It can reduce sitter costs—or become a surveillance tool. Only use it if it helps your reality.

Workable ROFR structure:

- “ROFR applies when a parent will be away for 6+ consecutive hours during their parenting time. Offer by text/email at least 2 hours before (or ASAP in emergencies). No ROFR for work hours, medical appointments, or the child’s school-sponsored activities. If declined within 60 minutes or no response, the parent may arrange other care.”

If you include ROFR, define:

- Minimum duration (2h, 4h, overnight only).
- Notice window and reply window.
- Common-sense exceptions (work, medical, school, family events already planned).

When to skip ROFR:

- High-conflict or coercive-control histories, shift-work households, or long distances that make “offers” impractical.

Safety check: Never allow ROFR to require live location-sharing or constant check-ins. Keep offers written and brief.

7) RELOCATION AND LONG-DISTANCE TRAVEL

Relocation rules vary sharply by state. Build a notice clause that meets or exceeds your state’s baseline, and add long-distance travel details.

Baseline to capture in plain English:

- “A relocating parent must give written notice at least [state-specific number, e.g., 45] days before a proposed move, including new address (or city if safety requires redaction), reason, proposed schedule, and travel plan. If no written consent, the move requires court approval.”

Long-distance logistics to specify (even without a move):

- Who pays for airfare/gas and how (e.g., 50/50; or the moving parent covers the differential).
- How tickets are booked and shared (e.g., itineraries sent within 24 hours of purchase).
- Passports/IDs custody and timelines to hand over.
- Make-up time if flights cancel.

Child-focused stability guardrails:

- Minimize school-night travel; prefer school-based exchanges; align big blocks with school calendars.

Must-Do: Check your state’s relocation threshold and process before you finalize numbers in this clause.

Safety check: If address confidentiality is needed, use a P.O. box or program address and exchange at neutral sites. Put that in writing.

8) MAKEUP TIME, MODIFICATIONS, AND THE DISPUTE RESOLUTION LADDER

Life happens. Decide now how you'll adjust without court, and how you'll document issues if you must go back.

Make-up time (clear, limited, scheduled):

- "If a parent misses time due to illness, travel, or emergency, they may request up to one equivalent period of make-up time within 60 days, scheduled by mutual written agreement. No 'stacking' missed periods. No make-up time for voluntary schedule trades."

Temporary changes (how to confirm):

- "Any deviation from this plan must be confirmed in writing (text/email/app) and applies only to the stated dates."

Dispute-resolution ladder (court last):

- Step 1: Direct discussion by written message within 3 days of the issue.
- Step 2: If unresolved, one 60-minute mediator session within 21 days; split cost unless the mediator allocates differently.
- Step 3: Court as last resort.

Periodic review:

- "Parents will review this plan each May to adjust for the next school year, and when the youngest child enters middle school."

Evidence-friendly documentation (Monica's Binder method):

Moms Actually Need

- Keep a simple log: date, scheduled time, actual time, neutral note. Example: "June 15—pickup 6:00 PM; actual 6:47 PM; no notice." Keep confirmations, calendars, and receipts. Stay factual; no editorializing.

Safety check: Documentation protects you; it should not become a running argument thread. Keep notes offline if tech safety is a concern.