

**IN THE TRIBAL COURT
OF THE QUINULT INDIAN NATION**

In re the Custody of:	)	
	)	
	)	No.
	)	
	)	Parenting Plan
	)	
_____	)	
Petitioner	)	☐ Proposed
And _____	)	☐ Temporary
	)	☐ Final Order
	)	
_____	)	
Respondent,	)	
	)	

THIS parenting plan is:

- ☐ The final parenting plan signed by the Court pursuant to a _____
- ☐ The final parenting plan signed by the Court pursuant to an Order entered on the _____ day of _____, 20 __, which modifies a previous parenting plan of custody agreement.
- ☐ A temporary parenting plan signed by the Court.
- ☐ Proposed by _____
(Fill in name)

IT IS HEREBY ORDERED, ADJUGED AND DECREED THAT:

I. General Information

This parenting plan applies to the following children:

Name (s) _____ Birthdate (s) _____

_____, _____

_____, _____

II. Basis for Restrictions

- ☐ Does not apply.
- ☐ The [mother's] [father's] residential time with the children shall be limited and mutual decision making and designation of a dispute resolution process other than the Court action shall not be required because this parent had engaged in the conduct as follows:
 - ☐ Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.
 - ☐ Physical, sexual or a pattern of emotional abuse of a child.
 - ☐ A history of acts of domestic violence as defined in the Quinault Law and order code.
 - ☐ The [mother's] [father's] involvement or conduct may have an adverse effect on the child's best interest because of the existence of the factors which follow:
 - ☐ Neglect or substantial non-performance of parenting functions.
 - ☐ A long term emotional or physical impairment which interferes with the performance of parenting functions.
 - ☐ A long term impairment resulting from drugs, alcohol, or other substance abuse that interferes with the performance of parenting functions.
 - ☐ The absence or substantial impairment of emotional ties between parent and child.
 - ☐ The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development.
 - ☐ A parent has withheld from the other parent access to the child for a protracted period without good cause.

☐ Other:

III. Residential Schedule

These provisions set forth where the child (ren) shall reside each day of the year and what contact the child (ren) shall have with each parent.

PRESCHOOL SCHEDULE

☐ There are no children of preschool age.

☐ Prior to enrollment in school, the child (ren) shall reside with the

☐ Mother ☐ Father, except for the following days and times when the child (ren) will reside with or be with the other parent.

From _____ to _____
Date and time date and time

☐ Every week ☐ every other week ☐ the first and third week of the month
☐ the second and fourth week of the month ☐ other: _____

SCHOOL SCHEDULE

Upon enrollment in school, the child (ren) shall reside with the ☐ Mother
☐ Father, except for the following days and times when the child (ren) will reside with or be with the other parent.

From _____ to _____
Date and time Date and time

☐ every week ☐ every other week ☐ the first and third week of the month.
☐ the second and fourth week of the month ☐ other: _____

☐ The school schedule will start when the child (ren) begins:
☐ Kindergarten ☐ First grade ☐ other

SCHEDULE FOR WINTER VACATION

The child (ren) shall reside with the ☐ Mother ☐ Father during winter vacation, except for the following days and times when the child (ren) will reside with or be with the other parent:

SCHEDULE FOR SPRING VACATION

The child (ren) shall reside with the ☐ Mother ☐ Father during spring vacation except for the following days and times when the child (ren) will reside with or be with the other parent.

SCHEDULE FOR SUMMER

Upon completion of the school year, the child (ren) shall reside with the ☐ Mother ☐ Father, except for the following days and times when the child (ren) will reside with or be with the other parent.

☐ Same as school year schedule

☐ Other:

Vacation with parents

☐ Does not apply

☐ The schedule for vacation with parents is as follows:

SCHEDULE FOR HOLIDAYS

The residential schedule for the child (ren) for the holidays listed below is as follows: (Specify year, odd/even/every.)

	<u>With Mother</u>	<u>with Father</u>
New Years Day	_____	_____
Martin Luther King Day	_____	_____
President's Day	_____	_____
Memorial Day	_____	_____
July 4 th	_____	_____
Veteran's Day	_____	_____
Thanksgiving Day	_____	_____
Christmas Eve	_____	_____
Christmas Day	_____	_____
_____	_____	_____
_____	_____	_____

☐ For purposes of this parenting plan, a holiday shall begin and end with the Sunday.

☐ Holidays which fall on a Friday or Monday shall include Saturday and Sunday.

☐ Other:

SCHEDULE FOR SPECIAL OCCASIONS.

The residential schedule for the child (ren) for the following special occasions is as follows: (Specify dates and times.)

	<u>Mother</u>	<u>Father</u>
OCCASION:		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PRIORITIES UNDER THE RESIDENTIAL SCHEDULE

- ☐ Does not apply.
- ☐ For the purposes of this parenting plan, the following days shall have Priority.
- ☐ Parents vacations have priority over holidays.
- ☐ Holidays have priority over other special occasions.
- ☐ Special Occasions have priority over school vacations.

RESTRICTIONS

- ☐ Does not apply because there are no limiting factors in section 2.
- ☐ The ☐ Mother's ☐ Father's time with the child (ren) shall be limited because there are limiting factors in section 2, paragraphs 1, 2 and 3. The following restrictions shall apply when the child (ren) spend time with this parent.
- ☐ There are limiting factors in paragraph_____, but there are no restrictions on the ☐ Mother's ☐ Father's residential time with the child (ren) for the following reasons:

TRANSPORTATION ARRANGEMENTS

Transportation arrangements for the child (ren), other than costs, between parents shall be as follows:

DESIGNATION OF CUSTODIAN

The child (ren) named in this parenting plan are scheduled to reside the majority of the time with the ☐ Mother ☐ Father. This parent is designated the custodian of the child (ren) solely for the purpose of the other state, tribal, or federal statutes which requires a designation or determination of custody. This designation shall not affect either parent's rights and/or responsibilities under this parenting plan.

OTHER:

IV. DECISION MAKING

DAY TO DAY DECISIONS

Each parent shall make decisions regarding the day to day care and control of each child while the child is residing with the parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health of safety of the child (ren).

MAJOR DECISIONS

Major decisions regarding each child shall be made as following:

Education decisions	☐ Mother	☐ Father	☐ Joint
Non-emergency health care	☐ Mother	☐ Father	☐ Joint
Religious upbringing	☐ Mother	☐ Father	☐ Joint
Other:	☐ Mother	☐ Father	☐ Joint

RESRICTIONS IN DECISION MAKING

- ☐ Does not apply.
- ☐ Sole decision making shall be ordered to the ☐ Mother ☐ Father for the following reasons:
 - ☐ The Court has restricted residential time under Sec. 2.2.
 - ☐ Both parents are opposed to mutual decision making such opposition is reasonably based upon the following criteria:
 - a. The history of participation of each parent in decision making for the child.
 - b. Whether the parents have demonstrated ability and desire to cooperate with one another in decision making for the child (ren); and
 - c. The parent's geographic proximity to one another, to the extent that it affects their ability to make timely mutual decisions.

V. DISPUTE RESOLUTION

- ☐ Disputes between the parties, other then child support issues, shall be submitted To the (person) (agency) listed below:

- ☐ Counseling by _____, or
- ☐ Mediation by _____, or
- ☐ Arbitration by _____.

The cost of this process shall be allocated between the parties as follows:

- ☐ Mother _____% ☐ Father _____%.
- ☐ As determined in a dispute resolution process.

The counseling, mediation or arbitration process shall be commenced by notifying the other party by ☐ written request ☐ certified mail ☐ other.

In the dispute resolution process:

- (a) Preference shall be given to carrying out this parenting Plan.
- (b) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.
- (c) A written records shall be prepared if any agreements reached in counseling or mediation and of each arbitration award and shall be provided to each party.
- (d) If the Court finds that a parent had refused or frustrated a dispute resolution process without good reason, the Court shall award attorney's fees and financial sanctions to the other party.

(e) The parties have the right to review from the dispute resolution process to the Tribal Court.

☐ No dispute resolution process, except court action, shall be ordered, because:

☐ One parent is unable to afford the cost of the proposed dispute resolution process or because

☐ Joint decision-making had been denied or residential time as been restricted by Sec. 2.2 or Sec. 4.3.

VI. OTHER PROVISIONS

☐ There are no other provisions.

☐ There are the following provisions:

VII. OTHER PROVISIONS

☐ Does not apply.

☐ (sign only if this is a proposed parenting plan). "I declare under penalty of Perjury that this plan has been proposed in good faith and that the statements contained herein are true and correct".

Please fill out name, address, and date of actual signature, on the lines below.

Name (Mother)

Address

Signed At Location of:

Date Signed

Name (Father)

Address

Signed At the Location of:

Date Signed

VIII. ORDER OF THE COURT

IT IS ORDERED, ADJUDGED AND DECREED, that the parenting plan set for above is adopted and approved as an order of this court.

WARNING: Violation of residential provision of this order with actual knowledge of its term is punishable by contempt of and may be a criminal offense under Tribal Law. Violation of this Order may submit a violator to arrest.

When mutual decision making is designated, but cannot be achieved, the parties shall make a good faith effort to resolve the issue through a dispute resolution process.

If a parent fails to comply with a provision of this plan, the other parent's Obligations under the plan are not affected.

Date

Judge, Quinault Tribal Court

Presented by:

Approved for Entry:

Signature

Signature

Each party retains the right to appeal ten days from receipt of this Order.