



Seventh Judicial Circuit of Florida **Visitation Schedules/Guidelines**

INTRODUCTION

The attached schedules/guidelines are not mandatory. It is not intended that they be applied universally without considering such practical issues as parents' work schedules. Parents are encouraged to develop visitation schedules that best meet the needs of their children and themselves. Individually fashioned visitation schedules are preferred.

CONSIDERATIONS FOR DEVELOPING YOUR VISITATION SCHEDULE

Carefully consider the following factors when making decisions about visitation:

MINIMIZE LOSS - Children experience divorce as a series of significant losses. What adults view as changes, children perceive as sad, frightening events. To children, divorce means losing home, family life, loving parents who care about each other, pets, financial security, relationships with extended family, familiar schools, sports activities, and the daily schedule. Children often feel abandoned and uprooted. The disruptive effect of divorce on their lives can have profound consequences for children as they reach adulthood. Help lessen your children's pain by eliminating as many changes and losses as possible.

MAXIMIZE RELATIONSHIPS - Encourage the continuation of all healthy relationships that existed between your children and others before the divorce. Children are most likely to keep their feeling of family when they continue to have pleasant, free access to both parents and extended family. Your children's identities depend on their feeling that they belong to both families. This requires that they spend time with both sides of the family. If your children lose part of their family, their sense of identity can be distorted. Appreciate the involvement of extended family in your children's lives. Encourage and support the other parent in accepting an active role in your children's lives. Share responsibilities (laundry, transportation, doctor visits, teacher conferences, etc.) and joyous occasions (holidays, birthday parties, movies, sports outings, trips, etc.). Respect the basic nature or temperament of your children as well as the temperamental match or fit between them and each parent. Consider the match of each parent's interests and your children's activities. Provide as much direct contact and positive involvement as possible between your children and each parent. When parents remain in the same geographical location, relationships are more likely to be maximized.

SECURITY - Children are likely to feel protected from losses when allowed to remain in the safety, consistency and support of familiar environments. They feel secure when they have positive time with both parents, the familiarity of established family rules, as well as the continuity of previously established religious, school and related activities. Your children will do best if both parents live in close proximity, especially if you share the same school district. Your children can then have the reassurance of familiar after school friends at both parents' homes. Your children will feel safest if each parent can be responsible for part of their after school care. Talk with the other parent about ways to build certainty, structure and stability in your children's lives.

LEVEL OF CONFLICT - Scientific research indicates that children who see their parents in conflict suffer both short and long-term effects. Raised voices, arguing, hateful remarks, and physical altercations are not suitable for children's viewing. Children are also harmed when they hear one parent say bad things about the other parent. If one parent directly or indirectly creates a negative image of the other parent, the children's own self-images may be damaged. Your children will feel as good about themselves as they do about each parent. Think before you speak. Ask yourself: "Is this the kind of conduct I want my children to mimic in their relationships later in life? Is this the kind of example I want to set for my children?"

RECOGNIZE CHANGES IN CIRCUMSTANCES – Changes in children's developmental stages will likely require changes in parenting arrangements. Keep in mind that visitation schedules are experimental. It will take time, as well as non-defensive discussion between parents, to decide what is best for your family. When you think you have devised the best plan for your family, expect to renegotiate and alter the plan based on developmental changes in your children. The "best plan" will depend on a number of factors, such as the number of children in your family, and their ages and genders. Tailor your plans to reflect your children's developmental needs and individual requirements. Expect that as your children get older, you will need to be more flexible.

SCHEDULES

Remember that the following schedules/guidelines (noted as "Local", "Long Distance" and "Rotating - Timesharing") should be tailored to your family's particular needs. Please review all of them before developing your own plan.

VISITATION SCHEDULES/GUIDELINES

(LOCAL)

Children have the right to spend substantial time with both parents. Each parent will exercise good faith and consent to all reasonable requests by the other parent. The residential parent is expected to provide access to the children at unscheduled times, if requested, and if by doing so does not unreasonably disrupt prior planned activities of the children or the residential parent. Therefore, not as a limitation, but as an extension of the foregoing, the **non-residential** parent is entitled to the following minimum visitation rights with the children.

(1) One evening per week from immediately after school/work through 8:30 p.m. If the parents cannot agree upon the day, then it will be Wednesday.

(2) Every other weekend, commencing on Friday, after school/work through Sunday at 6:00 p.m. If the non-residential parent's regular weekend fall on a three-day weekend that is observed by both the non-residential parent and the children's schools, and the weekend is a holiday or special occasion not otherwise expressly provided for below, the non-residential parent will be entitled to the three day weekend.

(3) Easter weekend, Independence Day (from 9:00 a.m. July 4th through 9:00 a.m. July 5th, unless July 4th falls on a Friday or Monday, in which case it will be considered a 3-day weekend), and Thanksgiving weekend (from immediately after school/work Wednesday through 6:00 p.m. Sunday), in odd numbered years.

(4) School spring break from immediately after school/work the day school lets out through 6:00 p.m. the day before school resumes, in odd numbered years.

(5) The children will spend Father's Day weekend and the father's birthday with the father and Mother's Day weekend and the mother's birthday with the mother.

(6) Birthdays of the children, in even numbered years.

(7) Christmas season, from immediately after school/work the day school lets out through December 25th at 1:00 p.m., in even numbered years. In odd numbered years, from December 25th at 1:00 p.m. through 6:00 p.m. the day before school resumes.

(8) Two-day weekends provided for above are defined as after school/work on Friday through 6:00 p.m. on Sunday. Three-day weekends are defined as after school/work the day before the weekend (Thursday or Friday) through 6:00 p.m. the last day of the weekend (Sunday or Monday). Although several of the above visitation provisions are related to "school", the non-residential parent shall have comparable visitation with pre-school children.

(9) Holidays and special occasions delineated in sections (3) through (7) above have priority over regular weekday and weekend visitation.

(10) One-half of summer vacation. If the parents cannot agree upon the dates for such, then the visitation will commence at 9:00 a.m. on the second Saturday in June and continue for a period of six weeks, however the provisions regarding Father's Day, the children's birthdays, and Independence Day (July 4th) have priority. During such time, the residential parent is entitled to the same weekday and weekend visitation otherwise provided to the non-residential parent. Notwithstanding, during the summer, each parent is entitled to reasonable, extended, uninterrupted, out-of-town vacation time with the children.

(11) Both parents should strive to be punctual when transferring the children for visitations. If circumstances occasionally prevent punctuality, the parents will communicate and cooperate appropriately.

(12) Parents must give each other at least 24 hours advance notice (or if an emergency occurs, as quickly as possible), if they will be unable to exercise weeknight, weekend, Father's Day, Mother's Day or birthday visitation. One-week advance cancellation notice is required for Christmas, and one-month advance cancellation notice is required for summer. Cancellation notices as to Christmas and summer visitation must be in writing.

NOTE: Some of the foregoing provisions may need to be modified if children are enrolled in modified calendar/multi-track school programs. In such instances, visitation may need to be "tailored" by the parties to be consistent with the intent of these schedules/guidelines.

**** Any relocation with children must be in compliance with § 61.13001, Florida Statutes.**

VISITATION SCHEDULES/GUIDELINES

(LONG DISTANCE)

Neither parent is permitted to conceal the whereabouts of the children, and each parent will keep the other advised at all times of the residential addresses and phone numbers where the children will be staying while in their custody. Each parent must notify the other immediately (no later than 3 hours) of any emergency pertaining to the children.

“Reasonable” visitation with the children will take place at such time and place as the parents may agree. If the parents are unable to reach an agreement as to details of visitation, the visitation schedule set forth below, or any other arrangement that is determined to be appropriate, may be imposed.

The visitation schedule set forth below is intended to serve as a guideline, as circumstances may vary significantly due to the distance between the parents’ respective residences.

Children have the right to spend substantial time with both parents. Both parents are expected to act in good faith and consent to reasonable requests made by the other parent. The residential parent is expected to provide access to the children at unscheduled times, if requested, and if to do so does not unreasonably disrupt prior planned activities of the children or the residential parent. Therefore, not as a limitation, but as an extension of the foregoing, the **non-residential** parent is entitled to the following minimum visitation rights with the children.

(A) WEEKENDS:

The non-residential parent may exercise alternating weekend visitation as outlined in the “Local” Visitation Schedule/Guideline, in the vicinity of the residential parent’s residence. In the alternative, the non-residential parent may have weekend visitation at a location designated by the non-residential parent once per month, on any weekend during a given month that would encompass a three-day weekend. In the event there is no such three-day weekend during a given month, the first weekend of the month will be the weekend designated for visitation, unless otherwise agreed upon by the parties. Said visitation shall commence at 5:00 p.m. on the day before the 3-day weekend, or on Friday, whichever comes first, and conclude at 5:00 p.m. on the day before school resumes or Sunday, whichever is later.

(B) HOLIDAYS:

(1) Christmas Vacation: Even years, beginning at 5:00 p.m. on the day school lets out until December 26th at 5:00 p.m. Odd years, beginning on December 26th at 5:00 p.m. until 5:00 p.m. on the day before school resumes.

(2) Spring Vacation: Annually, beginning at 5:00 p.m. on the day school lets out until 5:00 p.m. on the day before school resumes.

(3) Thanksgiving: Odd years, beginning at 5:00 p.m. on the day before Thanksgiving (Wednesday) until 5:00 p.m. on the Sunday following Thanksgiving.

(4) Mother's Day/Father's Day: The children will spend Mother's Day weekend with the mother and Father's Day weekend with the father, beginning at 5:00 p.m. on the Friday before the holiday until 5:00 p.m. on the Sunday following the holiday.

(5) Birthdays: The children will celebrate their birthdays in the home of the residential parent, unless their birthday falls on a regularly scheduled visitation date with the non-residential parent.

(6) Non-Specified Holidays: If the parents jointly recognize a holiday not specifically mentioned herein, the parents will cooperate with each other in providing visitation with the non-residential parent during the entire holiday period in even-numbered years, and in working out beginning and ending times for such visitation.

(C) SUMMER VISITATION:

The non-residential parent will have visitation with the children for one-half of the children's summer break, beginning at 5:00 p.m. on the second Friday after the end of the school year until 5:00 p.m. on the sixth Sunday after the end of the school year. During the non-residential parent's summer visitation, the residential parent is entitled to the regular reciprocal visitation. However, the residential parent's reciprocal visitation must take place in the vicinity of the non-residential parent's residence.

(D) SUMMER SCHOOL:

If a child is required to attend summer school to pass to the next grade, it must be attended and the above-described Summer Vacation schedule does not apply. Weekend visitation as set forth in section (A) above will apply during summer school. The non-residential parent's summer visitation will then encompass the period beginning at 5:00 p.m. on the Friday following the conclusion of summer school until 5:00 p.m. on the fourth Sunday following the conclusion of summer school or 5:00 p.m. on the Sunday immediately prior to commencement of the new school year, whichever comes first.

(E) OPEN TELEPHONIC COMMUNICATION:

When the children are with one parent, the other parent is entitled to have open and reasonable telephonic communication with them. The parents should agree upon the frequency and duration of said telephonic communication. In the event the parents are unable to agree, the parent that does not have the children with him/her will have telephonic contact with the children on Thursdays and Sundays between 7:00 p.m. and 7:30 p.m.

(F) SCHOOL CALENDARS:

The children's school calendars will be provided to the non-residential parent by the residential parent immediately upon receipt.

(G) CONFLICTS:

In the event visitation periods mentioned herein conflict with one another, holiday visitations (section B) take precedence over regular weekend and summer visitations (sections A, C & D). Summer visitations (sections C & D) take precedence over regular weekend visitations (section A).

(H) TRANSPORTATION COSTS:

Transportation costs will be agreed upon by the parents, or designated by the Court. Factors the Court may consider in allocating transportation costs include, but are not limited to, the following:

- (1) Income of the parents;
- (2) Distance between parents' residences;
- (3) Extent and regularity of the non-residential parent's visitation prior to relocation;
- (4) Relative responsibility for creating the relocation.

(I) MODE OF TRANSPORTATION:

The mode or method of transportation will be agreed upon by the parents, or designated by the Court.

(J) WAITING PERIOD:

The children and the parents are required to wait a reasonable period of time while awaiting the arrival of the visiting parent to pick up the children to begin visitation. The distance being traveled and the mode of transportation being used must be taken into consideration.

(K) CANCELLATIONS:

Cancellation of any of the aforementioned visitations must be made in writing and delivered at least 14 days prior to the scheduled commencement of said visitations.

** Any relocation with children must be in compliance with § 61.13001, Florida Statutes.

VISITATION SCHEDULES/GUIDELINES
(SPLIT CUSTODY / ROTATING - TIMESHARING)

In instances where parents have agreed to a “split custody” or “rotating - timesharing” arrangement as it relates to the custody and visitation of children, the following plan may be adopted, or used as a guide, in formulating custody / visitation arrangements.

The parents agree that the schedule outlined below will determine when they each will assume responsibility for the children’s care:

(A) Choose one of the options below (both parents must initial):

____ ____ **1.** Every other weekend, commencing when each parent picks up the children from school/daycare, or the other parent’s residence, on Friday, and continuing until they are returned to school/daycare, or the other parent’s residence, the following Monday morning. Each parent will have the children the two weeknights immediately prior to, and the two weeknights immediately following, the other parent’s weekend.

____ ____ **2.** Week to week, commencing when each parent picks up the children from school/day care, or the other parent’s residence, on Monday, and continuing until they are returned to school/daycare, or the other parent’s residence, the following Monday morning.

____ ____ **3.** Week to week, commencing when each parent picks up the children from school/daycare, or the other parent’s residence, on Monday, and continuing until they are returned to school/day care, or the other parent’s residence, the following Monday morning. So that neither parent is deprived of their children’s company for an entire week, each parent is entitled to have the children during their “off” week from Wednesday evening until Thursday morning.

(B) Regardless of which of the above options is chosen, the parent who does not have the children is still entitled to participate in the children’s school, sports, and other social activities, and will be first choice as baby sitter.

(C) Contrary to the provisions of section (A) above, if the children are of school age, during the children’s summer vacation, they will stay with each parent for rotating periods of two weeks, with changeovers to occur on Sunday evenings at 6:00 p.m., every two weeks. The mother will have the children for the first two weeks after school lets out. If school lets out in the middle of the week, the mother’s initial period may be less than two weeks, but will include a minimum of two Saturdays. During such 2-week periods, the parents are permitted to take the children on out-of-town vacations, provided they keep the other parent apprised of the children’s whereabouts and provide daily telephone access. If the children are **not** of school age, then during the summer, each parent is entitled to a two-week, uninterrupted, vacation with the children. During such two-week period, a parent must keep the other apprised of the children’s whereabouts and provide daily telephone access.

(D) The Thanksgiving Holiday will be alternated as follows: whichever parent does not have the children on Christmas Eve and Christmas morning that year, will have the children during the Thanksgiving Holiday weekend. The Thanksgiving Holiday weekend commences on Wednesday morning (assuming there is no school) at 9:00 a.m. until the children are taken to school/daycare on Monday morning.

(E) The Christmas Holiday will be evenly divided every year, so that each parent has one-half of the entire Christmas Holiday period. In even-numbered years, the mother will have the children from the time school lets out until 1:00 p.m. on Christmas Day. In odd-numbered years, the father will have the children during that same period of time. In even-numbered years, the father will have the children beginning at 1:00 p.m. on Christmas Day, for a number of days equal to one-half of the total school holiday period. In odd-numbered years, the mother will have the children during that same period of time.

(F) In the event a parent's birthday falls on a day that he/she does not have custody of the children, the children will spend the father's birthday with the father and the mother's birthday with the mother, commencing after school, or at 9:00 a.m. on a non-school day, until 8:00 p.m. that same day.

(G) In the event Mother's Day falls on a day that the mother does not have custody of the children, the children will spend Mother's Day with the mother, commencing at 9:00 a.m. and ending the next morning. Likewise, the children will spend Father's Day with the father.

(H) In odd-numbered years, the children will spend Spring Break with the father. The children will spend Spring Break with the mother in even-numbered years.

(I) The children will spend their birthdays with whichever parent happens to have the children those days. Both parents should be involved in the children's birthday celebrations, if possible.

(J) In most instances, the parents will pick up the children from, deliver the children to, school/daycare at the beginning and end of their specified times. If the changeover days fall on holidays, or on days when the children are not in school/daycare, then the children will be picked up from and/or delivered to, the other parent's residence.

(K) In the event either parent leaves the children with a baby sitter or at daycare while he/she is at work, and the other parent is off from work, then the parent who is off from work is permitted to pick up the children from the baby sitter or daycare for purposes of visiting with the children, so long as the children are returned to the baby sitter, daycare, or other parent's residence when he/she gets off from work.

(L) When the children are with one parent, the other parent is entitled to have daily telephone contact with them.

(M) If the children are of school age, and the children are off from school on a Friday or Monday during the school year, then the parent who has the children that weekend is entitled to also have the children that Friday or Monday for purposes of a 3-day weekend.

NOTE: In order for the benefits of a “split custody” or “rotating - timesharing” arrangement to be maximized by children, both parents must create and maintain similar environments in their respective homes. This will minimize the potential negative effects of such an arrangement on the children. With this in mind, both parents must make concerted efforts to, among other things:

1. Ensure that similar sleeping arrangements are made for the children and that they have similar bedtimes;
3. Ensure that the content of meals and eating times for the children are similar;
4. Ensure that homework schedules, leisure activities, and other pursuits are similar.

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