

CHANCERY COURT
BRADLEY COUNTY, TENNESSEE
PARENTING PLAN PACKET

Last Updated: September 2015

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Dear Parent,

The Tennessee Legislature has mandated that divorcing couples with minor children attend a Parent Education Seminar. The Seminar teaches the importance of protecting and enhancing a child's emotional development and informs parents of the legal process. *It is NOT a class to teach you how to be a parent, but it is designed to help you help your children as you go through the divorce.*

This class must be attended within sixty (60) days after you receive the Court's General Order, which is included in this Parenting Plan Packet. Although the class must be attended within sixty (60) days, *we highly recommend that you attend the class within thirty (30) days after receiving the Court's General Order. Non-completion of the class can be contempt of court.*

It will be necessary for **YOU** to contact a parent education seminar provider to register for the class. For your convenience, a list of educational providers is included in this packet. It is **NOT** necessary for you to attend the same class with your spouse.

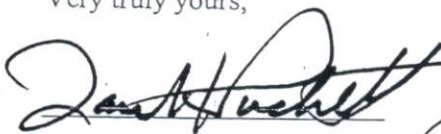
In addition, the new law encourages parents to attempt to resolve their disputes over parenting responsibilities by agreement and/or through mediation **BEFORE** having a trial. You, as a parent, know the needs of your child(ren) better than anyone else, and you know how those needs can be met through your mutual efforts. **If you decide to agree with the other parent or to go through Mediation together then you, as parents, will be able to make more of the decisions about the welfare of your child(ren) instead of the Court. We strongly encourage you to work out any disputes together or to go through Mediation before going to Court.** *Note: Mediation is not encouraged in cases where domestic violence has occurred, but for victims of domestic violence, mediation is still an available option with a mediator who is trained to deal with such cases.*

The purpose of the law is to encourage parents to work together to reduce the impact and the trauma of separation on their child(ren). If you are unable to agree on a Parenting Plan and the Court orders you to go to Mediation, the law states that a Court may consider the refusal of a parent to participate in Mediation when it makes decisions: (1) about the residence of the child, and (2) about who, if anyone, will be allowed sole decision making authority concerning the child(ren).

Attached in this packet is a guide to mediation, a guide to developing the Parenting Plan, and the Court's forms: Temporary Parenting Plan, Permanent Parenting Plan, and Affidavit of Income. All of these are addressed in the Court's General Order concerning the Parenting Plan, which is also attached. You should review these with your attorney.

We appreciate your mutual efforts to work out your differences and to reduce the emotional harm to your children.

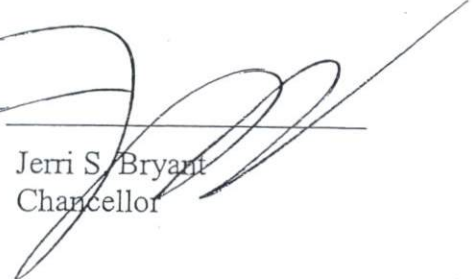
Very truly yours,



Lawrence H. Puckett
Circuit Court Judge



Michael J. Sharp
Circuit Court Judge



Jerri S. Bryant
Chancellor

IN THE CIRCUIT AND CHANCERY COURTS OF THE
TENTH JUDICIAL DISTRICT

GENERAL ORDER CONCERNING PARENTING PLAN

Pursuant to T.C.A. § 36-6-401 et seq., all divorcing parents with minor children are mandated to participate in the Parenting Plan. It is therefore **ORDERED** that in all actions involving absolute divorce, legal separation, annulment, separate maintenance involving a minor child, or modification of a parenting plan the provisions of this legislation shall apply. It is further **ORDERED** that the parties shall have the following duties and responsibilities:

Parent Education Seminar

1. Both parents shall attend, within sixty (60) days of receipt of this order, a parent education seminar, as provided by law, of at least four (4) hours duration and shall file with the court a certificate of attendance.

Temporary Parenting Plan Procedure

2. The plaintiff or petitioner shall file with the complaint or petition a Temporary Parenting Plan defined in the Act (form included in parenting plan packet) either agreed upon by both parties, or if no agreement has been reached, a proposed Temporary Parenting Plan of the plaintiff or petitioner.
3. The defendant or respondent shall, if no agreement has been reached, file with the answer to the complaint or petition the proposed Temporary Parenting Plan of the defendant or respondent.
4. In cases where the parties cannot agree on a Temporary Parenting Plan, the case may be docketed on the court's motion docket.
5. Each party shall submit, along with their Temporary Parenting Plan, a verified statement of income and expenses of both parties and a verified statement that the plan is proposed in good faith and in the best interest of the child(ren).

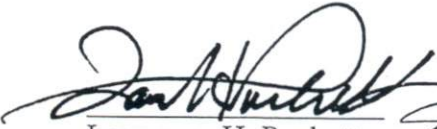
Permanent Parenting Plan Procedure

6. In irreconcilable difference cases, the Permanent Parenting Plan and child support worksheet (form included in parenting plan packet) shall be attached to the Marital Dissolution Agreement as an exhibit. The Permanent Parenting Plan contents need not be duplicated in the Marital Dissolution Agreement.
7. In other cases, disputes over the Permanent Parenting Plan shall be addressed by mediation, judicial settlement conference, and/or trial.

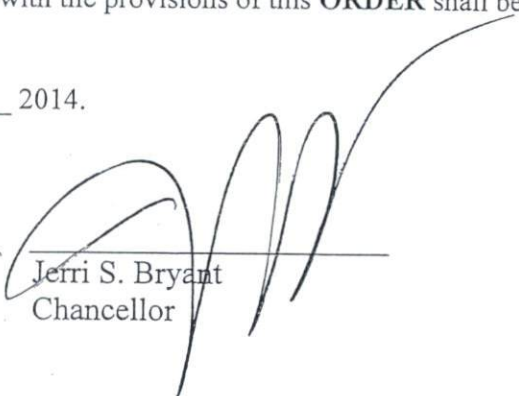
8. Unless a joint parenting plan has been submitted to the court one hundred twenty (120) days from filing, the parties shall submit a scheduling order setting the case for trial and/or mediation or judicial settlement conference.
9. Any party desiring mediation may request the court to appoint a mediator from a list of three submitted by the party to the court. The court may grant or deny mediation.
10. Where a party has sworn under oath that the conduct specified in T.C.A. § 36-6-406 exists, mediation will not be ordered unless requested by the alleged victim of domestic abuse (or victim on an order of protection). In such cases, the mediation shall comply with the requirements of T.C.A. § 36-6-409 (e) (1), (2), and (3).
11. A judicial settlement conference with one of the trial judges not assigned to try the case may be used to resolve disputes over the Permanent Parenting Plan upon the parties' joint request made to the agreed upon settling judge and judicial agreement.
12. Where the trial court finds (1) the parties are unable to afford the cost of mediation, (2) a limiting factor under T.C.A. § 36-6-406, or (3) just cause to preempt alternative dispute resolution procedures upon motion of either party under T.C.A. § 36-6-409(d), disputes over the Permanent Parenting Plan must be resolved by action of the trial court upon consideration of each party's proposed Permanent Parenting Plan .
13. If the parties fails do not reach an agreement through mediation or judicial settlement conference not less than forty-five (45) days before trials, each side shall submit a proposed Permanent Parenting Plan to the trial court.
14. If a parties fails to submit a proposed Permanent Parenting Plan, the court may adopt the plan filed by the opposing party. T.C.A. § 36-6-404 (3).
15. By submitting a Permanent Parenting Plan, both parties acknowledge to the court that they are in full compliance with all requirements of the law and this General Court Order.

It is further **ORDERED** that a failure to comply with the provisions of this **ORDER** shall be treated as contempt and be punished accordingly.

ENTERED this 24 day of Nov 2014.


Lawrence H. Puckett,
Circuit Court Judge


Michael J. Sharp
Circuit Court Judge


Jerri S. Bryant
Chancellor

LIST OF APPROVED PARENTING CLASSES FOR THE 10TH JUDICIAL DISTRICT

<p>Community Outreach Divorce Workshop for Parents & and Children Cleveland State Community College 3535 Adkisson Drive, Cleveland, TN 37312 (423) 473-2270</p>	<p>Parenting Apart Effective Co-Parenting Polk County University of Tennessee Extension 6042 Highway 411, Benton, TN 37307 (423) 338-4503</p>
<p>Parenting Apart Effective Co-Parenting Bradley County University of Tennessee Extension 95 Church Street, SE, Cleveland, TN 37311 (423) 728-7004</p>	<p>Parenting Apart Effective Co-Parenting McMinn County University of Tennessee Extension 107 W. College Street, Athens, TN 37303 423-745-2852</p>
<p>Parenting Apart Effective Co-Parenting Monroe County University of Tennessee Extension 310 Tellico Street, South, Suite 3, Madisonville, TN 37354 (423) 442-2433</p>	<p>The Family Center 607 Ingleside Avenue, Athens, TN 37303 (423)745-8942 Contact Jill Kennedy (423) 572-1954</p>
<p>Children in Divorce and Separation 931 McCallie Avenue Chattanooga, TN 37403 (423) 266-3305</p>	<p>Parenting Apart Effective Co-Parenting Meigs County University of Tennessee Extension 325 River Road, Decatur, TN 37322 (423) 334-5781</p>
<p>Active Cooperative Parenting 1330 Highway 360, Vonore, TN 37885 (865) 660-3711</p>	<p>Family Court Services of East Tennessee P.O. Box 1084 4271 Hwy 411 North Madisonville, TN 37354 (423) 545-3047</p>
<p>Pelley & Associates P.O. Box 1046 Athens, TN 37371 (423) 829-5052 cell (423) 745-9862 home</p>	<p>Parenting Apart Effective Co-Parenting Blount County University of Tennessee Extension 219 Court Street, Maryville, TN 37804 (865) 982-6430</p>
<p>Jill Kennedy New Outlook 130 East Washington Avenue, Suite 4 Athens, TN 37303 (423) 572-1954</p>	<p><u>IF YOU NEED:</u> (1) to share a positive or negative experience about a class you have attended; (2) to request that another educational provider be added to this list; (3) to update any of the above information, please contact the Parenting Plan Coordinator at (423) 756-0128</p>

AFFIDAVIT OF GROSS AND NET MONTHLY INCOME

I, _____, after being duly sworn, state the following:

1. I am employed by: (List Employer, Address, and Telephone Number.)

2. I am an hourly/salary employee. (Circle one.)

3. My gross monthly income is: \$ _____

4. My net monthly income is: \$ _____

5. I pay _____ for health insurance

This the _____ day of _____, 20____.

signature

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE _____ DAY OF _____,
20____.

My Commission Expires:

Notary Public

IF THE ABOVE INCOME INFORMATION IS NOT STIPULATED BY THE OPPOSING PARTY, THE TAX RETURNS AND ALL SCHEDULES FOR THE PAST THREE (3) YEARS MUST BE PROVIDED TO THE COURT.

Parents guide to developing the Parenting Plan Maintaining a sense of Family

PERMANENT PARENTING PLAN

The Tennessee Parenting Plan is a program designed to empower the court system with legislation and parents with necessary tools and skills to provide a better comfort level for children of divorce. The Permanent Parenting Plan recognizes the fundamental importance of the parent-child relationship to the welfare of the child. In most situations, children do best when they receive the emotional and financial support of both parents. Every component of the parenting plan is designed to focus on the child's best interest:

- Development of the permanent parenting plan provides parents with an opportunity to establish a road map for future parenting of the child.
- This plan can serve as a successful tool in reducing conflict when it is prepared in thoughtful, rational discussions rather than in heated emotional exchanges.
- It removes legal jargon and replaces it with common, everyday terms, and sets the framework to develop a family reorganization.
- It can work to preserve family relationships.
- It encourages both parents to make their children the number one priority, and to see the need for the children to maintain a close, continuing relationship with each parent.
- It enables both parents to remain involved in major decisions including education, religion, and medical care.

The Permanent Parenting Plan moves away from the concepts of "custody" and "visitation" to emphasize "parenting responsibilities ." The overall goal and objective of the plan is to lessen the hostility and encourage parents to work cooperatively in the best interest of their children. As parents working together you will make the major decisions including education, religion, and medical care. You will make the decisions on how to resolve future issues as you continue to parent your children.

PARENTS GUIDE TO MEDIATION

When parents come before the court with a complaint for divorce, the court mandates the submission of a "parenting plan". Mediation is often used to develop such a plan. Mediation is a process in which parents who are in conflict come together with a neutral third person who assists them in reaching a mutually agreeable settlement. The mediator helps parents clarify the issues, consider the options, and reach a workable agreement that fits the needs of their children.

Mediation:

- encourages direct communication between the parents.
- helps parents decide for themselves what is in the best interest of their child/ren.
- explores creative ways to solve problems.
- promotes cooperation.
- provides an informal setting which saves time and lowers the cost of a divorce.
- preserves the strengths of an ongoing relationship as parents.
- is confidential.

The Mediator:

- will remain impartial throughout the process.
- will not give legal advice.
- is not a judge.
- will not decide the dispute.
- will provide each party with a full opportunity to effectively express his or her interests.

Mediation is used by the court to assist parents in developing a parenting plan that describes how they will work together to continue parenting the children. During mediation parents have complete decision-making power for their parenting plan. Attorneys for each parent may attend the mediation, unless requested not to by the parent. Additionally, the attorney will review any and all agreements before allowing their clients to sign mediated agreements.

The court expects each parent and attorney to act in good faith and to fully and honestly disclose all relevant information as requested by mediator. One or both parties can request mediation of the court at any time during the divorce process.

CHILD CUSTODY MODIFICATION

What is a modification?

The word "modification" means "a change." A custody modification is a court action that you can file when you want to change a court order that sets out where your child lives and with whom he or she visits. This order might be called a Custody Decree or a Parenting Plan. This booklet will call all these orders "Parenting Plans." The Parenting Plan may be between you and your ex-spouse, you and an ex-boyfriend or girlfriend, or between you and someone else who has been taking care of the child, such as another relative. This booklet uses the word "custodian" to describe other people besides parents who may have a right to time with a child.

What can you ask for in a modification case?

In a modification case, you ask the court to sign a new Parenting Plan. The new Parenting Plan may be very different than the current one or just a little different. For example, if you do not have custody now, you can ask the court to give you custody. Or, if you do have custody and are worried about the other parent or custodian's time with the child, you can ask the court to change that. You can also ask the court to change child support.

Will there be a fee?

If you file your modification in the same county that entered your Parenting Plan, the court will charge you a filing fee. (Please check with a court clerk to find out the fee.) If you file your modification case in a county other than where your current decree was entered, or if you file it under a different case number, the filing fee may be a different amount. You will also need money to cover copying costs and possible fees for serving papers on the other parties. If you hire a lawyer, you will have to pay attorney's fees and costs.

What if you can't afford the filing fee?

If you cannot afford the filing fee, fill out a special form asking the court to let you file for free. This is called an "Affidavit of Indigency."

How do you prove that a major modification (such as custody) is necessary?

At the hearing, the parent who wants the change will have to prove that there has been a big change in the life of the child or the other parent or custodian since the current Parenting Plan was entered. The legal term is "substantial change of circumstances." It should involve an important reason like one of more of the following:

- The parent or custodian with custody under the current Parenting Plan has let the child live with the other parent for a substantial period of time;
- The place where the child is supposed to live under the current Parenting Plan is not safe for the child physically, mentally, or emotionally, and it would be more harmful to leave the child where he or she is than to move him or her to the other parent's home; or
- The other parent or custodian has been held in contempt of court for not following the Parenting Plan, or the parent was criminally convicted of custodial interference.

It usually is not enough that a parent wanting a change thinks that his or her life has improved so much that the child should now live with him or her.

How do you prove that a minor modification is necessary?

An example of a reason for a minor modification is a change in either parent's work schedule. Another reason might be that one parent wants to take the child on a longer vacation than allowed under the current Parenting Plan because the child is older now and can spend a longer time away from the other parent.

Whatever the requested change may be, you will need to show what is the change in the circumstances of one parent, both parents, or the child, and why the change in the Parenting Plan is in the best interest of the child.

What if you don't want to change the Parenting Plan, but you are having problems with the other parent or custodian?

If you are happy with the current Parenting Plan, but the other parent has not been following it, or if you need the terms of the current order clarified, you should file a petition for contempt, not for modification. If you just want to change the amount of child support a parent pays, you should file a separate legal action called "Modification of Child Support".

What if you don't have a final Parenting Plan for your child?

If a court has never signed a final Parenting Plan, you need to file a request for the modification of the decree that was previously entered by the court so that a Parenting Plan is embraced within it.

Should you file a modification if you want to move with your children? Yes, if the Parenting Plan says you should, as it often does.

Adapted from publications of Northwest Justice Project and Maryland Self-Help Network.

_____ Court _____ County, Tennessee	VISITATION PETITION	Case Number _____
_____ vs. _____ <div style="display: flex; justify-content: space-between;"> Plaintiff Defendant </div>		

1. PETITIONER

Name (*first, middle, last*): _____
 Address: _____
 Telephone: _____ Fax: _____ E-Mail: _____

2. RESPONDENT

Name (*first, middle, last*): _____
 Address: _____
 Telephone: _____ Fax: _____ E-Mail: _____

If the respondent cannot be served with process at the mailing address, select one of the following:

- Residence address: _____
- Employer's name and address: _____

3. CHILD OR CHILDREN

<i>Full Names</i>	<i>Birth Dates</i>	<i>Social Security Numbers</i>

4. RESIDENCE

The child or children reside with FATHER MOTHER OTHER: _____

5. SOURCE OF RIGHT TO VISIT CHILD OR CHILDREN

- Parenting Plan adopted by the _____ Court by order dated _____
- Final Decree of Divorce dated _____
- Order of the _____ Court dated _____
- Other: _____

6. REASONS FOR ASKING FOR THE COURT TO ACT

RELIEF REQUESTED

The Petitioner requests that the court grant the relief to which the Petitioner may be entitled, including that specified below: *Select one or more of the following:*

- Service of process on the Respondent
- Entry of an order establishing visitation for the first time
- Entry of an order modifying visitation with the child or children
- Enforcement of an existing order for visitation by a finding of civil or criminal contempt and a sentence of imprisonment
- Entry of an order establishing supervised visitation
- Entry of an order terminating visitation
- Other: _____
- Making the Respondent pay the court costs

SIGNATURE AND VERIFICATION

I declare under penalty of perjury under the laws of the state of Tennessee that the facts stated in this Petition are true to the best of my knowledge and belief.

Petitioner

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____.

My commission expires: _____

Notary Public

Attachments (if not already part of court's file):

- Permanent Parenting Plan
- Final Decree of Divorce
- Previous Order Modifying or Enforcing Final Decree
- Other: _____

STATE OF TENNESSEE	COURT <i>(Must be completed)</i>	COUNTY <i>(Must be completed)</i>
PERMANENT PARENTING PLAN ORDER <input type="checkbox"/> PROPOSED <input type="checkbox"/> AGREED <input type="checkbox"/> ORDERED BY THE COURT		FILE No. _____ <i>(Must be completed)</i> DIVISION _____
PLAINTIFF <i>(Name: First, Middle, Last)</i> _____ <input type="checkbox"/> Mother <input type="checkbox"/> Father	DEFENDANT <i>(Name: First, Middle, Last)</i> _____ <input type="checkbox"/> Mother <input type="checkbox"/> Father	

The mother and father will behave with each other and each child so as to provide a loving, stable, consistent and nurturing relationship with the child even though they are divorced. They will not speak badly of each other or the members of the family of the other parent. They will encourage each child to continue to love the other parent and be comfortable in both families.

This plan is a new plan.
 modifies an existing Parenting Plan dated _____.
 modifies an existing Order dated _____.

Child's Name	Date of Birth

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent is _____

Under the schedule set forth below, each parent will spend the following number of days with the children:

Mother _____ days Father _____ days

B. DAY-TO-DAY SCHEDULE

The mother father shall have responsibility for the care of the child or children except at the following times when the other parent shall have responsibility:

From _____ to _____
Day and Time *Day and Time*

every week every other week other: _____.

The other parent shall also have responsibility for the care of the child or children at the additional parenting times specified below:

From _____ to _____
Day and Time Day and Time

every week every other week other: _____.

This parenting schedule begins _____ or date of the Court's Order.
Day and Time

C. HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS

Indicate if child or children will be with parent in ODD or EVEN numbered years or EVERY year:

	MOTHER	FATHER
New Year's Day	_____	_____
Martin Luther King Day	_____	_____
Presidents' Day	_____	_____
Easter Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Passover Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Mother's Day	_____	_____
Memorial Day (if no school)	_____	_____
Father's Day	_____	_____
July 4 th	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Thanksgiving Day & Friday	_____	_____
Children's Birthdays	_____	_____
Other School-Free Days	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Other:	_____	_____

A holiday shall begin at 6:00 p.m. on the night preceding the holiday and end at 6:00 p.m. the night of the holiday, unless otherwise noted here _____.

D. FALL VACATION (If applicable)

The day to day schedule shall apply except as follows: _____
_____ beginning _____.

E. WINTER (CHRISTMAS) VACATION

The mother father shall have the child or children for the first period from the day and time school is dismissed until December ____ at ____ a.m./p.m. in odd-numbered years in even-numbered years every year. The other parent will have the child or children for the second period from the day and time indicated above until 6:00 p.m. on the evening before school resumes. The parties shall alternate the first and second periods each year.

Other agreement of the parents: _____

F. SPRING VACATION *(If applicable)*

The day-to-day schedule shall apply except as follows: _____
_____ beginning _____.

G. SUMMER VACATION

The day-to-day schedule shall apply except as follows: _____
_____ beginning _____.

Is written notice required? Yes No. If so, _____ number of days.

H. TRANSPORTATION ARRANGEMENTS

The place of meeting for the exchange of the child or children shall be: _____

Payment of long distance transportation costs *(if applicable)*: mother father both equally.

Other arrangements: _____
If a parent does not possess a valid driver's license, he or she must make reasonable transportation arrangements to protect the child or children while in the care of that parent.

I. SUPERVISION OF PARENTING TIME *(If applicable)*

Check if applicable

Supervised parenting time shall apply during the day-to-day schedule as follows:

- Place: _____
- Person or organization supervising: _____
- Responsibility for cost, if any: mother father both equally.

J. OTHER

The following special provisions apply :

II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

B. MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

- | | | | |
|----------------------------|---------------------------------|---------------------------------|--------------------------------|
| Educational decisions | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |
| Non-emergency health care | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |
| Religious upbringing | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |
| Extracurricular activities | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |
| _____ | <input type="checkbox"/> mother | <input type="checkbox"/> father | <input type="checkbox"/> joint |

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is \$ _____
Mother's gross monthly income is \$ _____

1. The final child support order is as follows:
 - a. The mother father shall pay to the other parent as regular child support the sum of \$ _____ weekly monthly twice per month every two weeks. **The Child Support Worksheet shall be attached to this Order as an Exhibit.***

If this is a deviation from the Child Support Guidelines, explain why:

2. Retroactive Support: A judgment is hereby awarded in the amount of \$ _____ to mother father against the child support payor representing retroactive support required under Section 1240-2-4.06 of the D.H.S. Income Shares Child Support Guidelines dating from _____ which shall be paid (including pre/post judgment interest) at the rate of \$ _____ per week month twice per month every two weeks until the judgment is paid in full.
3. Payments shall begin on the _____ day of _____, 20____.

This support shall be paid:

- directly to the other parent.
- to the Central Child Support Receipting Unit, P. O. Box 305200, Nashville, Tennessee 37229, and sent from there to the other parent at: _____.
- A Wage Assignment Order is attached to this Parenting Plan.
- by direct deposit to the other parent at _____ Bank for deposit in account no. _____.
- income assignment not required; Explanation: _____.
- other: _____.

The parents acknowledge that court approval must be obtained before child support can be reduced or modified.

*Child Support Worksheet can be found on DHS website at <http://www.state.tn.us/humanserv/is/isdocuments.html> or at your local child support offices.

B. FEDERAL INCOME TAX EXEMPTION*

The mother father is the parent receiving child support.

The Mother shall claim the following children: _____

The Father shall claim the following children: _____

The mother father may claim the exemptions for the child or children so long as child support payments are current by the claiming parent on January 15 of the year when the return is due. The exemptions may be claimed in: alternate years starting _____

each year other: _____.

The mother father will furnish IRS Form 8332 to the parent entitled to the exemption by February 15 of the year the tax return is due.

C. PROOF OF INCOME AND WORK-RELATED CHILD CARE EXPENSES

Each parent shall send proof of income to the other parent for the prior calendar year as follows:

- IRS Forms W-2 and 1099 shall be sent to the other parent on or before February 15.
- A copy of his or her federal income tax return shall be sent to the other parent on or before April 15 or any later date when it is due because of an extension of time for filing.
- The completed form required by the Department of Human Services shall be sent to the Department on or before the date the federal income tax return is due by the parent paying child support. *This requirement applies only if a parent is receiving benefits from the Department for a child.*

The parent paying work-related child care expenses shall send proof of expenses to the other parent for the prior calendar year and an estimate for the next calendar year, on or before February 15.

D. HEALTH AND DENTAL INSURANCE

Reasonable health insurance on the child or children will be:

- maintained by the mother
- maintained by the father
- maintained by both

Proof of continuing coverage shall be furnished to the other parent annually or as coverage changes. The parent maintaining coverage shall authorize the other parent to consult with the insurance carrier regarding the coverage in effect.

Uncovered reasonable and necessary medical expenses, which may include but is not limited to, deductibles or co-payments, eyeglasses, contact lens, routine annual physicals, and counseling will be paid by mother father pro rata in accordance with their incomes. After insurance has paid its portion, the parent receiving the bill will send it to the other parent within ten days. The other parent will pay his or her share within 30 days of receipt of the bill.

* NOTE: The child support schedule assumptions in the guidelines (1240-2-4-.03 (6)(b)) assume that the parent receiving the child support will get the tax exemptions for the child.

If available through work, the mother father shall maintain dental, orthodontic, and optical insurance on the minor child or children.

E. LIFE INSURANCE

If agreed upon by the parties, the mother father both shall insure his/her own life in the minimum amount of \$_____ by whole life or term insurance. Until the child support obligation has been completed, each policy shall name the child/children as sole irrevocable primary beneficiary, with the other parent other _____, as trustee for the benefit of the child(ren), to serve without bond or accounting.

IV. PRIMARY RESIDENTIAL PARENT (CUSTODIAN) FOR OTHER LEGAL PURPOSES

The child or children are scheduled to reside the majority of the time with the mother father. This parent is designated as the primary residential parent also known as the custodian, **SOLELY** for purposes of any other applicable state and federal laws. If the parents are listed in Section II as joint decision-makers, then, for purposes of obtaining health or other insurance, they shall be considered to be joint custodians. THIS DESIGNATION DOES NOT AFFECT EITHER PARENT'S RIGHTS OR RESPONSIBILITIES UNDER THIS PARENTING PLAN.

V. DISAGREEMENTS OR MODIFICATION OF PLAN

Should the parents disagree about this Parenting Plan or wish to modify it, they must make a good faith effort to resolve the issue by the process selected below before returning to Court. *Except for financial support issues including child support, health and dental insurance, uncovered medical and dental expenses, and life insurance*, disputes must be submitted to:

- Mediation by a neutral party chosen by the parents or the Court.
- Arbitration by a neutral party selected by parents or the Court.
- The Court DUE TO ORDER OF PROTECTION OR RESTRICTIONS.

The costs of this process may be determined by the alternative dispute process or may be assessed by the Court based upon the incomes of the parents. It must be commenced by notifying the other parent and the Court by written request certified mail
 other: _____.

In the dispute resolution process:

- A. Preference shall be given to carrying out this Parenting Plan.
- B. The parents shall use the process to resolve disputes relating to implementation of the Plan.
- C. A written record shall be prepared of any agreement reached, and it shall be provided to each parent.
- D. If the Court finds that a parent willfully failed to appear without good reason, the Court, upon motion, may award attorney fees and financial sanctions to the prevailing parent.

VI. RIGHTS OF PARENTS

Under T.C.A. § 36-6-101 of Tennessee law, both parents are entitled to the following rights:

- (1) The right to unimpeded telephone conversations with the child at least twice a week at reasonable times and for reasonable durations. The parent exercising parenting time shall furnish the other parent with a telephone number where the child may be reached at the days and time specified in a parenting plan or other court order or, where days and times are not specified, at reasonable times;
- (2) The right to send mail to the child which the other parent shall not destroy, deface, open or censor. The parent exercising parenting time shall deliver all letters, packages and other material sent to the child by the other parent as soon as received and shall not interfere with their delivery in any way, unless otherwise provided by law or court order;
- (3) The right to receive notice and relevant information as soon as practicable but within twenty-four (24) hours of any hospitalization, major illness or injury, or death of the child. The parent exercising parenting time when such event occurs shall notify the other parent of the event and shall provide all relevant healthcare providers with the contact information for the other parent;
- (4) The right to receive directly from the child's school any educational records customarily made available to parents. Upon request from one parent, the parent enrolling the child in school shall provide to the other parent as soon as available each academic year the name, address, telephone number and other contact information for the school. In the case of children who are being homeschooled, the parent providing the homeschooling shall advise the other parent of this fact along with the contact information of any sponsoring entity or other entity involved in the child's education, including access to any individual student records or grades available online. The school or homeschooling entity shall be responsible, upon request, to provide to each parent records customarily made available to parents. The school may require a written request which includes a current mailing address and may further require payment of the reasonable costs of duplicating such records. These records include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores;
- (5) Unless otherwise provided by law, the right to receive copies of the child's medical, health or other treatment records directly from the treating physician or healthcare provider. Upon request from one parent, the parent who has arranged for such treatment or health care shall provide to the other parent the name, address, telephone number and other contact information of the physician or healthcare provider. The keeper of the records may require a written request including a current mailing address and may further require payment of the reasonable costs of duplicating such records. No person who receives the mailing address of a requesting parent as a result of this requirement shall provide such address to the other parent or a third person;
- (6) The right to be free of unwarranted derogatory remarks made about such parent or such parent's family by the other parent to or in the presence of the child;
- (7) The right to be given at least forty-eight (48) hours notice, whenever possible, of all extracurricular school, athletic, church activities and other activities as to which parental participation or observation would be appropriate, and the opportunity to participate in or observe them. The parent who has enrolled the child in each such activity shall advise the other parent of the activity and provide contact information for the person responsible for its scheduling so that the other

parent may make arrangements to participate or observe whenever possible, unless otherwise provided by law or court order;

- (8) The right to receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than forty-eight (48) hours, an itinerary which shall include the planned dates of departure and return, the intended destinations and mode of travel and telephone numbers. The parent traveling with the child or children shall provide this information to the other parent so as to give that parent reasonable notice; and
- (9) The right to access and participation in the child's education on the same bases that are provided to all parents including the right of access to the child during lunch and other school activities; provided, that the participation or access is legal and reasonable; however, access must not interfere with the school's day-to-day operations or with the child's educational schedule.

VII. NOTICE REGARDING PARENTAL RELOCATION

The Tennessee statute (T.C.A. § 36-6-108) which governs the notice to be given in connection with the relocation of a parent reads in pertinent part as follows:

If a parent who is spending intervals of time with a child desires to relocate outside the state or more than fifty (50) miles from the other parent within the state, the relocating parent shall send a notice to the other parent at the other parent's last known address by registered or certified mail. Unless excused by the court for exigent circumstances, the notice shall be mailed not later than sixty (60) days prior to the move. The notice shall contain the following:

- (1) Statement of intent to move;
- (2) Location of proposed new residence;
- (3) Reasons for proposed relocation; and
- (4) Statement that the other parent may file a petition in opposition to the move within thirty (30) days of receipt of the notice.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by both parents mother father neither.
Failure to attend the parent education class within 60 days of this order is punishable by contempt.

Under penalty of perjury, we declare that this plan has been proposed in good faith and is in the best interest of each minor child and that the statements herein and on the attached child support worksheets are true and correct. (A notary public is required if this is a proposed plan by one parent rather than one agreed by both parents.)

Mother

Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 20_____.

My commission expires: _____

Notary Public

Father

Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 20_____.

My commission expires: _____

Notary Public

APPROVED FOR ENTRY:

Attorney for Mother

Attorney for Father

Address

Address

Address

Address

Phone and BPR Number

Phone and BPR Number

Note: The judge or chancellor may sign below or, instead, sign a Final Decree or a separate Order incorporating this plan.

COURT COSTS (If applicable)

Court costs, if any, are taxed as follows:
_____.

It is so ORDERED this the _____ day of _____, _____.

Judge or Chancellor

T.C.A. §36-6-224

Pursuant to T.C.A. §36-6-224 the parties agree and swear that they have not participated in any capacity in any proceeding concerning the custody or visitation with the children and there is no proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights, and adoptions.

Name: _____

Date: _____

Name: _____

Date: _____

STATE OF TENNESSEE
_____ COUNTY

Sworn to and subscribed before me this _____ day of _____,
20__.

Deputy Clerk

_____ Court _____ County, Tennessee	VISITATION DECREE	Case Number
_____ vs. _____ Petitioner Respondent		

This case was heard on _____ [date]. The Petition is incorporated into this Decree. On the basis of the Petition and the testimony in this proceeding, the Court makes the following findings:

FINDINGS OF FACT

The reasons given for the relief sought are sufficient.

CONCLUSIONS OF LAW

The Court has the jurisdiction and the power to grant the relief sought.

THEREFORE, IT IS ORDERED THAT:

- The existing order containing the parenting plan is not modified.
- The existing order containing the parenting plan is modified into a new parenting plan that is attached to this decree.
- The existing order containing the parenting plan is modified as follows: _____
- Judgment is entered against the Petitioner the Respondent so as to enforce an existing order for visitation by one or more of the following sanctions:
 - an order to pay \$ _____ as a result of the finding of civil contempt
 - an order to pay \$ _____ as a result of the finding of criminal contempt
 - a jail sentence as follows: _____
- Other: _____
- Court costs are taxed to the Petitioner the Respondent _____.

Enter: _____ Judge or Chancellor

Presented by:

 Party Submitting Order
 Address: _____

 Telephone: _____
 Fax: _____
 Email: _____

Other Party *[if there is agreement by the parties]*

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

CERTIFICATE OF SERVICE OF PROPOSED ORDER *[if no agreement]*

I served a copy of the foregoing upon the following persons at the following addresses:

I did so on or before the date below by personal delivery or by U.S. Mail.

Dated: _____

Party Submitting Order

CLERK'S CERTIFICATE OF SERVICE OF FINAL ORDER

I certify a copy of this Order was served upon the following persons at the following addresses:

Dated: _____

Deputy Clerk

T.C.A. §36-6-224

Pursuant to T.C.A. §36-6-224 the parties agree and swear that they have not participated in any capacity in any proceeding concerning the custody or visitation with the children and there is no proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights, and adoptions.

Name: _____

Date: _____

Name: _____

Date: _____

STATE OF TENNESSEE
_____ COUNTY

Sworn to and subscribed before me this _____ day of _____,
20__.

Deputy Clerk