

PARENTING TIME OPTIONS

MCL 722.27a provides parenting time shall be granted in accordance with the best interest of the child. It is presumed the best interest of the child is to have a strong relationship with both parents.

Parents are free to come to an agreement as to parenting time, which the court must follow unless the court determines by clear and convincing evidence it is not in the best interests of the child. MCL 722.27a(2).

The first task in any custody dispute is to determine if an “established custodial environment” exists. An “established custodial environment” exists “if over an appreciable time the child naturally looks to the custodian in that environment for guidance, discipline, the necessities of life and parental comfort”. MCL 722.27(1)(C).

OPTION 1: If the court determines there is an established custodial environment with both parents and two primary physical custodians, the court shall order parenting time in roughly equivalent time if the parents are unable to agree.

Parenting time can be tailored to the parent’s individual circumstances. Some options include, but are not limited to:

- A. Alternating weeks from Friday at 6:00 p.m. to the following Friday at 6:00 p.m.

- B. Alternating 5-day/2-day/2-day/5-day schedule. “Parent A” having the child(ren) Monday at 6:00 p.m. through Wednesday at 6:00 p.m.; “Parent B” having the child(ren) from Wednesday at 6:00 p.m. through Friday at 6:00 p.m.; “Parent A” and “Parent B” having the child(ren) alternating weekends from Friday at 6:00 p.m. until Monday at 6:00 p.m.

- C. Alternating 2-day/2-day/3-day schedule. One parent having the child Sunday at 6:00 p.m. through Tuesday at 6:00 p.m., the other parent having the child Tuesday at 6:00 p.m. through Thursday at 6:00 p.m. and the first

parent then having Thursday at 6:00 p.m. through Sunday at 6:00 p.m. and alternating thereafter.

OPTION 2: If the Court determines an established custodial environment exists with both parents and one primary physical custodian, the Court shall grant parenting time pursuant to the agreement of the parents, as in the best interests of the child(ren). Should the parents be unable to agree, the non-primary parent's suggested parenting time would be as follows:

- The non-primary physical custodian shall have alternate weekends from 6:00 p.m. on Friday until 6:00 p.m. pm Sunday.
- MID-WEEK parenting time as follows:
 - **Children who are not yet school age:** The non-primary physical custodian parent would have mid-week parenting time on Tuesday and Thursday from 4:00 p.m. or after his/her workday ends until 8:00 p.m. unless it interferes with bona fide vacation plan by the primary physical custodial parent.
 - **School age children (Kindergarten through Twelfth Grade):** The non-primary physical custodial parent shall have mid-week parenting time on Wednesday from after school (or if no school from 4:00 p.m.) or after his/her workday ends until 8:00 p.m. unless it interferes with a bona fide vacation plan by the primary physical custodian; this mid-week parenting time would be available to both parents when school is not in session unless it interferes with a bona fide vacation plan of the other parent.
- Alternating holidays, to include the following:
 - **New Year's Day:** from 3:00 p.m. on December 31st until 8:00 p.m. on January 1st with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
 - **Easter Weekend:** from Friday before Easter at 6:00 p.m. until Easter Sunday at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
 - **Memorial Day Weekend:** from Friday before Memorial Day at 6:00 p.m. until Memorial Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;

- **Fourth of July:** from 9:00 a.m. on July 3rd until 6:00 p.m. on July 5th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
- **Labor Day Weekend:** from 6:00 p.m. the Friday before Labor Day until Labor Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
- **Thanksgiving Weekend:** from 6:00 p.m. on the Wednesday before Thanksgiving until the Sunday following Thanksgiving at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
- **Christmas Eve:** from 6:00 p.m. on December 23rd until 9:00 p.m. on December 24th with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years; and
- **Christmas Day:** from 9:00 p.m. on December 24th until 9:00 p.m. on December 25th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years.
- **Additional holidays to include the following:**
 - **Mother's Day:** from 6:00 p.m. on the Saturday before Mother's Day until 6:00 p.m. on Mother's Day with mother every year;
 - **Father's Day:** from 6:00 p.m. on the Saturday before Father's Day until 6:00 p.m. on Father's Day with father every year; and
 - **Child(ren)'s Birthday:** a minimum of three (3) hours with non-custodial parent every year. All children shared by the parents would participate in birthday parenting time.
- **Spring Break:** Alternating years with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years.
- **Summer Vacation:**
 - **Children who are not yet school age:** the non-primary physical custodial parent shall have the minor child(ren) for the number of nonconsecutive weeks corresponding with the child(ren)'s age (i.e. if the child is 3-years-old, the noncustodial parent shall receive 3 nonconsecutive weeks of summer parenting time).
 - **School age children (Kindergarten through Twelfth Grade):** the non-primary physical custodial parent shall have one-half of the summer vacation period taken in one week increments unless otherwise agreed by the parents.

- **Christmas Break:** The non-primary physical custodial parent shall have one-half of the Christmas break. Plaintiff (Defendant) shall have the first half of Christmas break in even years and Defendant (Plaintiff) in odd years.

OPTION 3: If the Court determines an established custodial environment exists with one parent the other parent shall exercise parenting time at all times and places the parents can agree. If the parents can't agree as to reasonable time and places, the non- custodial parent shall have parenting time would be as follows:

B. Children from birth to 12 months:

- The non-custodial parent would have three (3) visits per week for (3) hours per visit.
- Alternate holidays for (3) hours to include the following:
 - New Year's Day
 - Easter
 - Mother's Day (Mother to receive every year)
 - Memorial Day
 - Father's Day (Father to receive every year)
 - Fourth of July
 - Labor Day
 - Thanksgiving
 - Christmas Eve
 - Christmas Day
 - Child(ren)'s Birthday: All children shared by the parents would participate in birthday parenting time.

C. Children from one year to three years:

- The non-custodial parent would have one (1) visit per week for four (4) hours per visit.
- The non-custodial parent would have one (1) overnight visit per week for twenty-four (24) hours.
- Alternating holidays, to include the following:
 - **New Year's Day:** from 3:00 p.m. on December 31st until 8:00 p.m. on January 1st with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;

- **Easter Weekend:** from Saturday before Easter at 6:00 p.m. until Easter Sunday at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
- **Memorial Day Weekend:** from Sunday before Memorial Day at 6:00 p.m. until Memorial Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
- **Fourth of July:** from 9:00 a.m. on July 4th until 6:00 p.m. on July 5th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
- **Labor Day Weekend:** from 9:00 a.m. the Sunday before Labor Day until Labor Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
- **Thanksgiving Weekend:** from 9:00 a.m. on Thanksgiving day until the Friday following Thanksgiving at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
- **Christmas Eve:** from 6:00 p.m. on December 23rd until 9:00 p.m. on December 24th with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years; and
- **Christmas Day:** from 9:00 p.m. on December 24th until 9:00 p.m. on December 25th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years.
- Additional holidays to include the following:
 - **Mother's Day:** from 6:00 p.m. on the Saturday before Mother's Day until 6:00 p.m. on Mother's Day with mother every year;
 - **Father's Day:** from 6:00 p.m. on the Saturday before Father's Day until 6:00 p.m. on Father's Day with father every year; and
 - **Child(ren)'s Birthday:** a minimum of three (3) hours with non-custodial parent every year. All children shared by the parents would participate in birthday parenting time.

D. Children from 3-years and older

- The non-custodial parent would have alternate weekends from 6:00 p.m. on Friday until 6:00 p.m. pm Sunday.
- MID-WEEK parenting time as follows:
 - **Children who are not yet school age:** The non-custodial parent would have mid-week parenting time on Tuesday and Thursday

- from 4:00 p.m. or after his/her workday ends until 8:00 p.m. unless it interferes with bona fide vacation plan by the custodial parent.
- **School age children (Kindergarten through Twelfth Grade)**: The non-custodial parent shall have mid-week parenting time on Wednesday from after school (or if no school from 4:00 p.m.) or after his/her workday ends until 8:00 p.m. unless it interferes with a bona fide vacation plan by the primary physical custodian; this mid-week parenting time would be available to both parents when school is not in session unless it interferes with a bona fide vacation plan of the other parent.
 - Alternating holidays, to include the following:
 - **New Year's Day**: from 3:00 p.m. on December 31st until 8:00 p.m. on January 1st with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
 - **Easter Weekend**: from Friday before Easter at 6:00 p.m. until Easter Sunday at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
 - **Memorial Day Weekend**: from Friday before Memorial Day at 6:00 p.m. until Memorial Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
 - **Fourth of July**: from 9:00 a.m. on July 3rd until 6:00 p.m. on July 5th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
 - **Labor Day Weekend**: from 6:00 p.m. the Friday before Labor Day until Labor Day at 6:00 p.m. with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years;
 - **Thanksgiving Weekend**: from 6:00 p.m. on the Wednesday before Thanksgiving until the Sunday following Thanksgiving at 6:00 p.m. with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years;
 - **Christmas Eve**: from 6:00 p.m. on December 23rd until 9:00 p.m. on December 24th with Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years; and
 - **Christmas Day**: from 9:00 p.m. on December 24th until 9:00 p.m. on December 25th with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years.
 - Additional holidays to include the following:

- **Mother's Day:** from 6:00 p.m. on the Saturday before Mother's Day until 6:00 p.m. on Mother's Day with mother every year;
- **Father's Day:** from 6:00 p.m. on the Saturday before Father's Day until 6:00 p.m. on Father's Day with father every year; and
- **Child(ren)'s Birthday:** a minimum of three (3) hours with non-custodial parent every year. All children shared by the parents would participate in birthday parenting time.
- **Spring Break:** Alternating years with Defendant (Plaintiff) in even years and Plaintiff (Defendant) in odd years.
- **Summer Vacation:** The non-custodial parent shall have one-half of the summer vacation period taken in one week increments unless otherwise agreed by the parents.
- **Christmas Break:** The non-custodial parent shall have one-half of the Christmas break. Plaintiff (Defendant) in even years and Defendant (Plaintiff) in odd years.

In all circumstances, if one of the enumerated holidays occurs immediately prior to regularly scheduled parenting time, the holiday would end at the termination of the regularly scheduled parenting time. If one of the enumerated holidays occurs immediately following regularly scheduled parenting time, the holiday would commence at the termination of the regularly scheduled parenting time. In all circumstances, holiday and school vacation parenting times would take priority over other periods of custody and parenting time.

For spring, summer and Christmas holiday parenting time, the school schedule where the minor child attends will determine the parenting schedule with parenting time beginning at 6:00 p.m. on the last day of school prior to the break and ending at 6:00 p.m. on the last day prior to school resuming.

If there is more than one minor child, the oldest child's parenting plan would control so long as all children are together for parenting time.

Any Uniform Child Support Orders entered would reflect the step-up parenting plan.