

PARENTING PLAN SAMPLE
Workbook
(Mediation Version)

based on
The Collaborative Professional's Guide To Developing A PARENTING PLAN

by
COLLABORATIVE LAW INSTITUTE OF TEXAS, INC.
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Parents

Children

Name	Date of Birth	Age	Grade
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Part 2. Parenting Responsibilities.

The following are rights and duties that a parent in a divorce ordinarily retains at all times regardless of whether the child is in the parent's care at the time that the right is exercised/duty is performed (see Texas Family Code §153.073):

1. Right to receive information from the other parent concerning the health, education and welfare of the child
2. Right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the child
3. Right of access to medical, dental, psychological, and educational records of the child
4. Right to consult with a physician, dentist, or psychotherapist of the child
5. Right to consult with school officials concerning the child's welfare and educational status, including school activities
6. Right to attend school and extracurricular activities
7. Right to be designated on the child's records as a person to be notified in case of an emergency
8. Right to consent for the child to medical, dental, and surgical treatment or mental health evaluation during an emergency involving immediate danger to the health and safety of the child
9. Right to manage the child's estate to the extent the estate has been created by the parent or the parent's family
10. Duty to inform the other parent in a timely manner of significant information concerning the health, education, and welfare of the child

The following is required in all Texas parenting plans (Texas Family Code sec. 153.076): The duty to inform the other parent if the parent resides with for at least 30 days, marries, or intends to marry a person who the parent knows is registered as a sex offender under chapter 62 of the Texas Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. This information should be tendered in the form of a notice made as soon as practicable, but not later than the fortieth day after the date the parent of the child begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. The notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged.

The following are rights and duties that a parent in a divorce ordinarily retains during the time the child is in the parent's care (see Texas Family Code §153.074):

1. Duty of care, control, protection and reasonable discipline of the child
2. Duty to support the child, including providing the child with clothing, food, shelter, and medical and dental care not involving an invasive procedure
3. Right to consent for the child to medical or dental care not involving an invasive procedure
4. Right to direct the moral and religious training of the child

Explanation of Parental Rights and Duties

On the next page are additional rights and duties that a parent in a divorce retains either exclusively, independently, or jointly with the other parent (see Texas Family Code §153.133).

An “exclusive” right or duty (solely) is one that a parent has the sole right to exercise or duty to perform which may require notice to or consultation with the other parent. Notice is defined in this context as direct communication to the other parent some reasonable time in advance of the event or decision. Consultation is defined as a discussion with the other parent before making a decision.

An “independent” right is one that both parents have and can exercise independently of each other at any time, but which could possibly require notice to or consultation with the other parent. Prior to divorce, parents have “independent” rights. Success in exercising rights independently after a divorce is enhanced by trust and communication.

A “joint” (subject to agreement) right can be exercised only with the consent of the other parent. “Joint” means that either parent can veto the other’s decision to exercise the right by saying “no.”

So, each right can be designated in any of the following ways:

- Exclusive Mother**
- Exclusive Mother after consultation**
- Exclusive Mother after notice**
- Exclusive Father**
- Exclusive Father after consultation**
- Exclusive Father after notice**
- Independent**
- Independent after consultation**
- Independent after notice**
- Joint**

We will be discussing more about this in our meetings, but you may wish to go ahead and note your initial thoughts about each right or duty. After each item, we have given you the following list so you can note your initial thought:

- | | | |
|--------------------|---------------------|---------------|
| Mother | Consultation | Notice |
| Father | Consultation | Notice |
| Independent | Consultation | Notice |
| Joint | | |

Parental Rights and Duties Assignments

1. Right to designate the primary residence of the child either:
- without regard to geographic location, or
 - which must be maintained within an established geographic area:

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |

OR

The parents will be joint conservators and the child's primary residence shall be within the following specified geographic area.

2. Right to consent for the child to medical, dental, and surgical treatment involving an invasive procedure

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

3. Right to consent for the child to psychiatric and psychological treatment

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

4. See Child Support Section

5. Right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child

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|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

Parental Rights and Duties Assignments (cont)

6. Right to consent to marriage and to enlistment in armed services of the U.S.

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|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

7. Right to make decisions concerning the child's education.

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

8. Right to make decisions regarding the services and earnings of child [unless the child is in foster care]

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

9. Except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, the right to act as an agent of the child in relation to the child's estate if the child's action is required by a state, the U.S. or a foreign government

- | | | |
|---------------------------------------------------|----------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Mother(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Father(Exclusive) | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Independent | <input type="checkbox"/> Consultation | <input type="checkbox"/> Notice |
| <input type="checkbox"/> Joint | | |

Child Support

Part 3. Parenting Time

Part 4. Additional Topics Parents May Wish to Address.

Part 6. Changing Needs of the Child

Part 7. Future Disagreements

Appendix A

Sample Parenting Time Schedules

Appendix B

Other Holidays

Appendix C

Jewish Holidays

Appendix D

Sample Summer Schedules