



*We Agree:
Creating a Parenting Plan*

Parenting Agreement Worksheet

Minnesota Version

This worksheet will help parents put together a parenting plan that meets the needs of their children as they parent apart. In some states, this worksheet may become a part of the legal agreement you file with the courts. Check with your attorney, judge, mediator or family court administrator about the use of parenting plans in your state or court system.

As you use this worksheet, keep in mind:

- ✓ The Parenting Agreement Worksheet is a tool you can use to create a parenting plan that will meet the individual needs of your family. You are encouraged to use it as a working document and change specific items or add to the plan based on your family's circumstances.
- ✓ The worksheet may be used for both divorcing and never-married parents, or edited for use with other proposed custodians, such as grandparents.
- ✓ The language is gender-free and does not specify "mother" and "father." Parents are asked to include language that fits for them or remove language they do not want included.
- ✓ There is no assumption for either "joint" or "sole" legal or physical custody in the worksheet's language. Three different families may develop identical parenting time schedules with one family calling their schedule "joint physical custody," another family calling their schedule "sole physical custody" and the third family choosing alternative terms other than "sole" or "joint" or "custody" to describe their custodial arrangement. You are advised to consult with your attorney or mediator regarding your choice of terms for your parenting arrangement.
- ✓ A chart is provided to help you schedule parenting time, including ongoing, vacation, and holiday schedules. Holiday and access scheduling is created with as much detail as possible, including pick-up and drop-off times, to avoid future conflict.
- ✓ It is important to recognize that a history of domestic abuse in your family may affect the development of a parenting plan. Parts of the parenting agreement worksheet are not appropriate for families who have experienced domestic abuse. In some cases shared parenting is not possible or in the best interests of children when there has been domestic abuse. However, even when there has been domestic abuse, it may be possible to use parts of the parenting agreement worksheet as a tool to decide how to parent apart and reduce the potential for parental conflict.

An electronic version of this document is available at: www.extension.umn.edu/parentsforever



This worksheet was developed by Washington County Community Corrections-Family Court Unit, Stillwater, Minnesota

FAMILY COURT SERVICES

Judge

Parent's name

Address

Parent's name

Address

File No.:

Children

Name: Date of Birth: Age:

First MI Last
Name: Date of Birth: Age:

First MI Last
Name: Date of Birth: Age:

First MI Last
Name: Date of Birth: Age:

First MI Last
Name: Date of Birth: Age:

First MI Last

Date:



Parenting agreement worksheet

Our primary concern in developing a Parenting Plan is to meet our children's needs. We have developed the following Parenting Plan for the benefit of our children:

Legal custody and major decision making

A. Education

Each parent will contact our children's school to get information about our children's needs, progress, special events, and parent-teacher conferences. We agree to share our children's school information with each other. Recognizing that college or technical training is important, we will encourage and support our children's efforts for further education.

1. **Parent-Teacher Conferences.** We have made the following arrangements for attending parent-teacher conferences:

2. **Events.** We have the following agreement for attending school or extracurricular events our children participate in:

3. **Other:**

4. **Major decisions about our children's education will be made by:**

Both parents or Parent _____

B. Medical Care

It is important to provide our children with good medical care. This may include dental, physical health, and psychological/counseling services for our children's guidance and behavioral health. We have discussed who will make appointments; attend appointments; receive reports; and transport our children; and how information will be conveyed to the other parent.



- 1. **Medical appointments.** We agree that primary responsibility for scheduling appointments shall be as follows:

- 2. **Emergencies.** To assure that our children receive immediate medical attention, each parent may consent to emergency medical treatment for our children without waiting for the consent of the other parent. The other parent will be notified immediately.

- 3. Other:

- 4. Major decisions about our children's medical care will be made by:

Both parents or Parent _____

C. Religion and Cultural Heritage

- 1. We have discussed attendance at religious and cultural events and have agreed as follows:

- 2. Major decisions about religious or cultural events involving our children will be made by:

Both parents or Parent _____

D. Legal Custody

The **Legal Custody** of our children shall be:

Joint Legal Custody

Sole Legal Custody to Parent _____

Other Legal Custody Arrangement/Alternative Terms



Physical custody and parenting time

A. Residential Arrangements/Parenting Time Schedule

1. The parenting time schedule indicates the time our children spend with each parent.
We agree on the following parenting time with (parent's name):

and the following parenting time with
(other parent's name):

- 2. We recognize there will be times the schedule will need to be changed because of changes in our lives and the lives of our children. We agree to be open to make adjustments.
- 3. We recognize decision making is an important part of parenting. We agree that the parent our children are with (the "on-duty" parent) will make decisions about their day-to-day care.
- 4. We agree to treat each other with respect, be on time, and provide as much advance notice as possible with any schedule changes.



Parenting time calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday



B. Holidays

Below is a list of holidays and special occasions frequently included in holiday schedules. Parents are encouraged to make changes and additions to develop a plan that reflects the occasions that are meaningful to them and their children. **The following holiday parenting time plan supercedes the usual ongoing parenting time arrangement:**

Holiday	Time Period	Odd Years	Even Years
Birthdays:			
Holidays:			
Easter			
Mother's Day			
Memorial Day			
Father's Day			
July 4th			
Labor Day			
Thanksgiving			
Christmas Eve			
Christmas Day			
Other Religious or Cultural Holidays:			
School Breaks:			
Spring Break			
Winter Break			
MEA Weekend			



C. Vacations

We want our children to spend enjoyable vacation time with each parent. We have discussed the following ways that we will support our children's vacation planning:

- 1. **Vacation Arrangements.** We agree to the following process for planning vacation time with our children each year:

- 2. **Notice.** We agree to give the other the parent the following advance notice before the anticipated vacation dates if the vacation affects the usual parenting time or holiday schedule:

- 3. **Vacation Transportation.** We agree to the following vacation transportation plan:

- 4. **Emergency Contact During Vacation.** Each parent will supply the other with emergency contact information for vacation periods as follows:

- 5. **Non-emergency Vacation Telephone Contact Between Children and Other Parent.** We wish to have our children contact the other parent during our vacation time with our children as follows:



D. Other Ongoing Contact with Our Children

1. **Phone Calls.** Phone calls are one of the many ways positive contact with parents can be encouraged and continued. We agree to allow each parent to have phone contact with our children as follows:

2. **Mail and e-mail.** We agree our children and each parent will be able to contact each other by mail and e-mail as follows:

E. Long Distance Contact

If either parent lives a significant distance from our children we agree to develop a plan to maintain good contact with our children. This may include e-mail, videotape and audio tape in addition to mail and telephone contact. We agree our children and each parent will be able to contact each other as follows:

F. Participation in Children's Activities

We agree our children benefit from our support of their extracurricular, athletic, religious, arts, and cultural activities. We agree to the following plan:

1. In making decisions about our children's activities we will consider our children's interests as well as the impact these activities may have on the time our children spend with each parent. Based on these considerations, we agree that our children should participate in the following activities:

2. We agree to consult with the other parent before registering our children for activities that may have an impact on the other parent's parenting time.



3. We have made the following agreement for parent participation and attendance at our children's athletic, arts, and cultural activities:

4. We agree to share information regarding our children's activities with each other.

G. Child Care

1. We have talked about child care, including who chooses the child care provider, picks up and/or drops off our children, emergency contact information, and who is able to visit our children at daycare. We have agreed as follows:

2. We recognize that as our children get older, we will need to review and make changes about alternate care; to agree on the age our children may be left alone; and to agree on for how long our children may be left alone without supervision.

4. We have discussed who will be responsible for our children if our children are sick or need to stay home from daycare or school. We have agreed:

5. We have discussed if we would like to be the first choice for back-up care in situations when the other parent needs someone to care for our children. We have agreed that if the parent needs care for _____ or more hours: _____

H. Family Relationships

We recognize our children will benefit from maintaining ties with extended family members and other people important to them. We agree that each parent will take primary responsibility for maintaining these relationships and to accommodate changes in the parenting schedule for special family occasions such as weddings, reunions, funerals, graduations, etc.



I. Parental Cooperation

Children need both of their parents' love and support.

- 1. We agree to leave our children out of adult discussions about our parenting plan and all other aspects of our separation/divorce/break-up.
- 2. We will not discuss the other parent in a negative way in the presence of or within the hearing range of our children and will not allow others to do so. We will advise others about the importance of not speaking negatively about either parent around our children.
- 3. Direct Communications. We will encourage our children to discuss their grievances against a parent directly with the parent in question. We will discuss our concerns directly with the other parent without our children present.
- 4. Expectations and Routines. We agree to support consistent expectations and routines for our children, which may include shared expectations regarding homework, curfew, bed-time, television or phone restrictions, and chores. We agree on the following expectations:

- 5. Parental Communication. We recognize that communication between parents is very important and we agree to keep communication open by:

Telephone: _____

Joint Calendar: _____

Journal: _____

E-mail: _____

Parenting Meetings: _____

Other: _____



J. Transportation

1. We recognize that time with the other parent is important and agree to arrange transportation as follows:

2. We will help our children gather the things they will need to take to the other parent's home and/or school.

K. Clothing

We agree our children will need clothing and personal hygiene supplies in both parental homes. We agree to provide them in the following way:

L. Financial Responsibility/Expenses

1. We understand there are financial responsibilities as a parent. We are aware that the parents creating a parenting plan are subject to the requirements of Minnesota's Child Support guidelines. We agree to work with our attorneys or a financial mediator to determine Child Support that is consistent with Minnesota laws.
2. We have identified other child-related expenses that may not be covered by Child Support. We agree to the following:

M. Physical Custody

Minnesota Law requires parents to identify a joint or sole physical custody arrangement or, if appropriate, to voluntarily agree to substitute alternative terms to describe their parenting arrangement, provided that the terms used in the substitution are defined in the Parenting Plan (MN §518.1705, subd. 2).



The **PHYSICAL CUSTODY** of our children will be:

- Joint Physical Custody
- Sole Physical Custody to _____
- Alternative Terms: We voluntarily agree to the following substitute terms:

N. Alternative Terms for Legal or Physical Custody

The following is to be completed ONLY IF USING ALTERNATIVE TERMS to describe Legal and/or Physical Custody.

1. If we are using **Alternative Terms** to describe our **LEGAL and/or PHYSICAL CUSTODY arrangement**, we agree to describe or define our **Alternative Terms** as follows:

2. **Enforcement of Parenting Plan in Other States WHEN USING ALTERNATIVE TERMS for Legal and/or Physical Custody**

A Parenting Plan that includes alternative terms must designate whether the parents have Joint or Sole Legal Custody and Joint or Sole Physical Custody for the enforcement of the Final Judgment and Decree in states where this designation is required. The designation has no effect under the laws of the State of Minnesota, any other state, or any other country that does not require this designation.

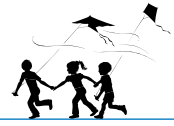
Solely for the purposes of state and federal statutes which require a designation or determination of custody we agree to:

Legal Custody

- Joint Legal Custody
- Sole Legal Custody to _____

Physical Custody

- Joint Physical Custody
- Sole Physical Custody to _____



Other points of agreement regarding our children

Other points of agreement we want to include in our Parenting Plan:

A series of horizontal blue lines providing a space for writing the points of agreement.



Changes to this agreement: meeting our children's future needs

A. Changes to Our Parenting Agreement

We agree to review our Parenting Agreement periodically as our children's developmental needs, activities, and interests change. We may make temporary or permanent changes to our Parenting Plan as mutually agreed. Changes to this plan must be confirmed by a Court Order to be enforced by the Court. If we are unable to agree to a change, this plan will prevail.

B. Dispute Resolution

We agree to work toward respectful resolution of any disputes regarding our Parenting Plan prior to going to Court with a dispute. We agree to use a Community Parenting Time Consultant, Mediator, Parenting Time Expeditor, or Other Mutually Agreed Third Party.

- () **OPTIONAL:** We wish to specify the following Third Party to help us resolve future disputes regarding our Parenting Plan:

- () **OPTIONAL:** We wish to use a mutually agreed third party, but do not wish to specify that person.

C. Residential Moves

1. We agree to discuss how our children will be affected by changes in residence and to renegotiate our parenting schedule, as needed, to meet our children's needs.
2. We agree that neither parent will move our children to another state without the consent of the other parent.

3. OPTIONAL: Standard for the Court to Decide a Change of Primary Residence

If we are unable to agree about changes that affect our children's primary residence and the issue is decided by the Court, we agree that the Court should use one the following factors:

- () **Modification Factors** (MS §518.18)
- () The "**Best Interests of the Child**" (MS §518.17)

4. OPTIONAL: Standard for the Court to Decide Out-of-State Moves

If we are unable to come to an agreement about moving our children to another state and the issue is to be decided by the Court, we agree that the Court should decide the case based on one of the following options:

- () The reason for the move and whether the purpose of the move is to interfere with Parenting Time.
- () The "**Best Interests of the Child**" as described in MS §518.17.



E. Legal Representation and Advice

Parents are strongly encouraged to consult with their attorneys, or if not represented by an attorney, to seek legal advice or receive information regarding the implications of this agreement.

The following information is required if parents agree to have the Court use the "**Best Interests of the Child**" factors (MS §518.17) for basing a decision regarding changing the children's primary residence or moving the children to another state.

Please choose one of the following options to describe your legal representation and advice received regarding this parenting plan agreement:

- Both parents have had the opportunity to consult with an attorney and are currently represented.
- (Parent's name) _____ has had the opportunity to consult with an attorney and is currently represented.

(Parent's name) _____ is not represented by an attorney, is *Pro Se*, or representing him- or herself, and has taken the following steps to become informed about how this parenting plan agreement will affect him- or herself and their children, now and in the future:

- Both parents are not represented by attorneys, are *Pro Se*, and are representing themselves.

(Parent's name) _____ is not represented by an attorney, is *Pro Se*, or representing him- or herself, and has taken the following steps to become informed about how this parenting plan agreement will affect him- or herself and their children, now and in the future:

(Parent's name) _____ is not represented by an attorney, is *Pro Se*, or representing him- or herself, and has taken the following steps to become informed about how this parenting plan agreement will affect themselves and their children, now and in the future:



Optional (as applicable)

Special Considerations for Parenting Time

We agree that the following special considerations be given regarding the parenting time that our children spend with us, to ensure our children's health and well being:

1. **Children's Daily Medical Needs.** We agree to provide our children with home treatments and medications as prescribed by their physician, therapist or counselor. We specifically agree: _____

2. **Children's Parenting Environment.** We agree to the following special provisions:

() (Each parent) or (one parent) _____ agrees not to smoke cigarettes, cigars, or pipes around our children, or allow others to do so.

() (Each parent) or (one parent) _____ agrees to complete a chemical health evaluation and follow all the recommendations for education, treatment, and aftercare as indicated by the evaluator.

() We agree to the following conditions regarding alcohol or drug use: _____

3. **Supervised Parenting Time.** Our children's parenting time with (parent's name) _____ shall only occur when the parent is accompanied by a:

() Mutually agreed third party (not specified at this time.)

OR

() specified third party _____

4. Other special considerations or restrictions: _____

Common definitions of terms

In Minnesota, the law defines the following terms to describe the types of parenting arrangements when parents divorce or aren't married:

Custody. Unless otherwise agreed by the parties:

- ✓ **"Legal custody"** means the right to determine the child's upbringing, including education, health care, and religious training
- ✓ **"Joint legal custody"** means that both parents have equal rights and responsibilities, including the right to participate in major decisions determining the child's upbringing, including education, health care, and religious training
- ✓ **"Physical custody and residence"** means the routine daily care and control and the residence of the child.
- ✓ **"Joint physical custody"** means that the routine daily care and control and the residence of the child is structured between the parties.
- ✓ Wherever used in this chapter, the term **"custodial parent" or "custodian"** means the person who has the physical custody of the child at any particular time.
- ✓ **"Custody determination"** means a court decision and court orders and instructions providing for the custody of a child, including parenting time, but does not include a decision relating to child support or any other monetary obligation of any person.
- ✓ **"Custody proceeding"** includes proceedings in which a custody determination is one of several issues, such as an action for dissolution, divorce, or separation, and includes proceedings involving children who are in need of protection or services, domestic abuse, and paternity.

Residence. "Residence" means the place where a party has established a permanent home from which the party has no present intention of moving.

Mediation. "Mediation" means a process in which an impartial third party facilitates an agreement between two or more parties in a proceeding.

Parenting time. "Parenting time" means the time a parent spends with a child regardless of the custodial designation regarding the child.

Source:

Minnesota Statute:

Chapter Title: MARRIAGE
DISSOLUTION

Section: 518.003

Text: 518.003 Definitions.

Where there is domestic violence

- ✓ You may not be able to use all parts of the parenting agreement worksheet
- ✓ Shared parenting may not be in the best interest of one parent or your child
- ✓ You may need to use this as a tool to reduce conflict and specify how you will parent apart safely.

Restrictions on Preparation of Parenting Plan

- (a) Dispute resolution processes other than the judicial process may not be required in the preparation of a parenting plan if a parent is alleged to have committed domestic abuse toward a parent or child who is a party to, or subject of, the matter before the court. In these cases, the court shall consider the appointment of a guardian ad litem and a parenting plan evaluator.
- (b) The court may not require a parenting plan that provides for joint legal custody or use of dispute resolution processes, other than the judicial process, if the court finds that section 518.179 applies or the court finds that either parent has engaged in the following toward a parent or child who is a party to, or subject of, the matter before the court:
 - (1) acts of domestic abuse, including physical harm, bodily injury, and infliction of fear of physical harm, assault, terroristic threats, or criminal sexual conduct;
 - (2) physical, sexual, or a pattern of emotional abuse of a child; or
 - (3) willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.

Source:

Minnesota Statute

Chapter Title: MARRIAGE DISSOLUTION

Section: 518.1705

Subdivision: 6