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3 BASIS FOR RESTRICTIONS

4 *[Under certain circumstances, as outline below, the court may limit or prohibit a parent’s contact with the*
5 *child(ren) and the right to make decisions for the child(ren).]*

6 A. PARENTAL CONDUCT

- 7 Does not apply.
- 8 The Mother’s Father’s residential time with the child(ren) shall be limited or restrained completely, and mutual decision-making and designation of a dispute resolution process other than court action shall not be required, because this parent a person residing with this parent has engaged in the conduct which follows.
 - 9 Willful abandonment that continues for extended period of time or substantial refusal to perform parenting functions (this applies only to parents, not to a person who resides with a parent).
 - 10 Physical, sexual or a pattern of emotional abuse of a child.
 - 11 A history of acts of domestic violence as defined by Section 1.2 of Ordinance 117 of the Tulalip Tribes.

12 B. OTHER FACTORS.

- 13 Does not apply.
- 14 The Mother’s Father’s involvement or conduct may have an adverse effect on the child(ren)’s best interests because of the existence of the factors which follow.
 - 15 Neglect or substantial nonperformance of parenting functions.
 - 16 A long-term emotional or physical impairment which interferes with the performance of parent functions.
 - 17 A long-term impairment resulting from drug, alcohol or other substance abuse that interferes with the performance of parenting functions.
 - 18 The absence or substantial impairment of emotional ties between the parent and child.
 - 19 The abusive use of conflict by the parent which creates the danger of serious damage to the child’s psychological development.
 - 20 A parent has withheld from the other parent access to the child for a protracted period without good cause.
 - 21 Other: _____

22 RESIDENTIAL SCHEDULE

23 [The residential schedule must be set forth where the child(ren) shall reside each day of the year, including provisions for holidays, birthday of family members, vacations and other special occasions, and what contact the child(ren) shall have with each parent. Parents are encouraged to create a residential schedule that meets the development needs of the child(ren) and individual needs of their family. Paragraphs A through I are one way to write your residential schedule. If you do not use these paragraphs, write in your own schedule in paragraph K.]

24 A. SCHEDULE FOR CHILDREN UNDER SCHOOL AGE

- 25 There are no children under school age.
- 26 Prior to enrollment in school, the child(ren) shall reside with Mother Father, except for the following days and times when the child(ren) will reside with or be with the other parent:
 - 27 From _____ (day and time) to _____ (day and time)
 - 28 every week every other week the first and third week of the month
 - the second and fourth week of the month other: _____
 - From _____ (day and time) to _____ (day and time)
 - every week every other week the first and third week of the month
 - the second and fourth week of the month other: _____

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B. SCHOOL SCHEDULE.

Upon enrollment in school, the child(ren) shall reside with the Mother Father, except for the following days and times when the child(ren) will reside with or be with the other parent:

From _____ (day and time) to _____ (day and time)

every week every other week the first and third week of the month

the second and fourth week of the month other: _____

From _____ (day and time) to _____ (day and time)

every week every other week the first and third week of the month

the second and fourth week of the month other: _____

The school schedule will start when each child begins kindergarten first grade

other: _____

C. SCHEDULE FOR WINTER VACATON.

The child(ren) shall reside with the Mother Father during winter vacation, except for the following days and times when the child(ren) will reside with or be with the other parent:

From _____ (day and time) to _____ (day and time)

every week every other week the first and third week of the month

the second and fourth week of the month other: _____

From _____ (day and time) to _____ (day and time)

every week every other week the first and third week of the month

the second and fourth week of the month other: _____

D. SCHEDULE FOR SPRING VACATION.

The child(ren) shall reside with the Mother Father during spring vacation, except for the following days and times when the child(ren) will reside with or be with the other parent:

From _____ (day and time) to _____ (day and time)

From _____ (day and time) to _____ (day and time)

E. SUMMER SCHEDULE.

Upon completion of the school year, the child(ren) shall reside with the Mother Father, except for the following days and times when the child(ren) will reside with or be with the other parent:

Same as school year schedule.

Other: _____

F. VACATION WITH PARENTS.

Does not apply.

The schedule for vacation with parents is as

follows: _____

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G. SCHEDULE FOR HOLIDAYS.

The residential schedule for the child(ren) for the holidays listed below is as follows:

	<u>Odd</u>	<u>Even</u>	<u>Starting Date</u>
New Year's Day	_____	_____	_____
Martin Luther King Day	_____	_____	_____
President's Day	_____	_____	_____
Memorial Day	_____	_____	_____
July 4 th	_____	_____	_____
Labor Day	_____	_____	_____
Veteran's Day	_____	_____	_____
Thanksgiving Day	_____	_____	_____
Tulalip Day	_____	_____	_____
Christmas Eve	_____	_____	_____
Christmas Day	_____	_____	_____

For the purposes of this parenting plan, a holiday shall begin and end as follows (set forth times):

Holidays which fall on a Friday or a Monday shall include Saturday and Sunday.

Other: _____

H. SCHEDULE FOR SPECIAL OCCASIONS.

The residential schedule for the child(ren) for the following special occasions (for example, birthdays) is as follows:

<u>Special Occasions</u>	<u>Odd</u>	<u>Even</u>	<u>Starting Date</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Other: _____

I. PRIORITIES UNDER THE RESIDENTIAL SCHEDULE.

Does not apply.

If the residential schedule, paragraphs A through H results in conflict where the children are scheduled to be with both parents at the same time, the conflict shall be resolved by priority given as follows:

Rank the order of priority, with 1 being given the highest priority:

- | | |
|-----------------------|----------------------------|
| _____ school schedule | _____ vacation with parent |
| _____ winter vacation | _____ holidays |
| _____ spring vacation | _____ special occasions |
| _____ summer schedule | |

Other: _____

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J. Per-capita/Bonus funds of children

- Does not apply
- Children receiving per-capita;

Name of Child	Name of Child
Name of Child	Name of Child
Name of Child	Name of Child

- Parent/Guardian to receive per-capita is; _____
- Parent/Guardian to receive bonus is; _____
- Enrollment shall hold per-capita of the following children until further order;

Name of Child	Name of Child
Name of Child	Name of Child
Name of Child	Name of Child

K. RESTRICTIONS.

- Does not apply.
- The Mother's Father's residential time with the child(ren) shall be limited because there are limiting factors in the BASIS FOR RESTRICTIONS section. The following restrictions shall apply when the child(ren) spend time with this parent: _____

- There are limiting factors in the BASIS FOR RESTRICTION section OTHER FACTORS, but there are no restrictions on the Mother's Father's residential time with the children for the following reasons:

L. TRANSPORTATION ARRANGEMENTS.

- Transportation costs are included in the Order of Child Support and should not be included here.
- Transportation arrangements for the child(ren), between parents shall be as follows: _____

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M. DESIGNATION OF CUSTODIAN.

The child(ren) named in this parenting plan are scheduled to reside the majority of the time with the Mother Father. This parent is designated the custodian of the child(ren) for purposes of all statutes of the Tulalip Tribes. This designation shall not affect either parent's rights and responsibilities under this parent plan.

N.OTHER: _____

O. NOTICE REQUIREMENTS AND STANDARDS FOR PARENTAL RELOCATION.

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child. If information is protected under a court order, it may be withheld from the notice. A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk. Failure to give the required notice may be grounds for sanctions, including contempt. A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice. The objection must be served on all persons entitled to time with the child. The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

DECISION MAKING

A. DAY-TO-DAY DECISIONS.

Each parent shall make decisions regarding the day-to-day care and control of each child while the child is residing with that parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

B. MAJOR DECISIONS.

Major decisions regarding each child shall be made as follows:

Education 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
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> joint

C. RESTRICTIONS IN DECISION MAKING

Does not apply because there are no limiting factors in the BASIS FOR RESTRICTIONS section.

Sole decision making shall be ordered to the Mother Father for the following reasons:

A limitation on the other parent's decision making authority is mandated by one of the reasons listed in the BASIS FOR RESTRICTIONS section.

Both parents are opposed to mutual decision making.

One parent is opposed to mutual decision making, and such opposition is reasonably based on the following criteria:

- a. The existence of a limitation in the BASIS FOR RESTRICTIONS section.
- b. The history of participation of each parent in decision making.

1 c. Whether the parents have demonstrated ability and desire to cooperate with one another in decision making; and
2 d. The parent's geographic proximity to one another, to the extent that it affects their ability to make timely mutual
3 decisions.

4 [] There are limiting factors in the BASIS FOR RESTRICTIONS, OTHER section, but there are no restrictions on
5 mutual decision making for the following reasons: _____
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8 **DISPUTE RESOLUTION**

9 [The purpose of this dispute resolution process is to resolve disagreements about carrying out this parenting plan.
10 This dispute resolution process may, and under the provisions of the plan must, be used before filing a petition to
11 modify the plan or a motion for contempt for failing to follow the plan.]

12 [] Disputes between the parties, other than child support disputes, shall be submitted to (list person or agency):
13 [] counseling by _____, or
14 [] mediation by _____, or
15 [] arbitration by _____,

16 The cost of this process shall be allocated between the parties as follows:
17 [] _____% Mother _____% Father
18 [] based on each party's proportional share of income.
19 [] as determined in the dispute resolution process. The counseling, mediation or arbitration process shall be
20 commenced by notifying the other party by [] written request [] certified mail [] other: In the dispute resolution
21 process:

- 22 a. Preference shall be given to carrying out this Parenting Plan.
- 23 b. Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to
24 implementation of the plan, except those related to financial support.
- 25 c. A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration
26 award and shall be provided to each party.
- 27 d. If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court
28 shall award attorneys' fees and financial sanctions to the other parent.
- e. The parties have the right of review from the dispute resolution process to the Tulalip Tribal Court of Appeals.
[] No dispute resolution process, except by court action.

OTHER PROVISIONS

[] There are no other provisions.
[] There are the following other provisions: _____

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DECLARATION FOR PROPOSED PARENTING PLAN

Does not apply.

(Only sign if this is a proposed parenting plan.) I declare under penalty of perjury under the laws of the Tulalip Tribes that this plan has been proposed in good faith and that the statements in the BASIS FOR RESTRICTIONS section of this plan are true and correct.

Mother

Date and Place of Signature

Father

Date and Place of Signature

ORDER BY THE COURT

It is ORDERED; ADJUDGED AND DECREED that the parenting plan set forth above is adopted and approved as an order of this court.

[WARNING: Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under Section T.T.C., Title 3, the Law and Order Code of the Tulalip Tribes. Violation of this order may be subject a violator to arrest.]

When mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process.

If parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Dated this ____ day of _____, 20____.

JUDGE