

In the
Indiana Supreme Court



CAUSE NUMBER: 94S00-1301-MS-30

ORDER AMENDING INDIANA PARENTING TIME GUIDELINES

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, the Indiana Parenting Time Guidelines are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Indiana Parenting Time Guidelines

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Preamble, B. 3.

3. Parenting Time Plans or Calendars. It will often be helpful for the parents to actually create a year-long parenting time calendar or schedules. This may include a calendar in which the parties have charted an entire year of parenting time. Forecasting a year ahead helps the parents anticipate and plan for holidays, birthdays, and school vacations. The parenting time calendar may include agreed upon deviations from the Guidelines, which recognize the specialized needs of the children and parents. Parenting Time Calendars may be helpful in arranging holidays, extended summer, and/or when the parents live at a distance and frequent travel arrangements are needed. [Indiana's family resource website, which includes information to develop Parenting Time Plans is http://courts.in.gov/selfservice/2332.htm.](http://courts.in.gov/selfservice/2332.htm)

~~Useful websites to develop Parenting Time Plans:—~~

Arizona Parenting Time Guidelines, available at:

<http://www.azcourts.gov/Portals/31/ParentingTime/PPWguidelines.pdf>

Michigan Parenting Time Guidelines, available at:

http://www.courts.michigan.gov/scao/resources/publications/manuals/foeb/pt_gdlns.pdf

Missouri Parenting Plan Guidelines, available at:

[http://www.courts.mo.gov/sup/index.nsf/0/629aab74004234eb862566e2006b5181/\\$FILE/plan.PDF](http://www.courts.mo.gov/sup/index.nsf/0/629aab74004234eb862566e2006b5181/$FILE/plan.PDF)

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Section I. A. 7.

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7. **Communication between parent and child.** Each parent is encouraged to promote a positive relationship between the children and the other parent. It is important, therefore, that communication remain open, positive and frequent. Regular phone contact is an important tool in maintaining a parent/child relationship as well as other forms of contact such as letter, e-mail and other more technologically advanced communications systems such as video chat and Skype. No person shall block reasonable phone or other communication access between a parent and child or monitor such communications. A parent who receives a communication for a child shall promptly deliver it to the child. Both parents shall promptly provide the other parent with updated cell and landline phone numbers and e-mail addresses when there has been a change.

Commentary

It is important for a child to have as much contact with both parents as possible. Interference with reasonable communication between a parent and child, including monitoring

of that communication is destructive not only to the child’s relationship with the other parent, but ~~are~~is also destructive to the child. Attempts to block access to and contact with the other parent may violate these parenting time guidelines. These types of behaviors may lead to sanctions, a change of parenting time, or in some cases, a change of custody. The prohibition applies equally to both parents.

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Section II. C. 3. Title

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3. Parenting Time In Later Infancy (Age 10 Months through Age ~~18~~36 Months)

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Appendix: Paragraph 7.2

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7.2 Neutrality of the Child. To keep the child out of the middle of the parents’ relationship and any conflict that may arise between the parents, the parents shall not:

~~7.1.1~~ Ask the child about the other parent.~~;~~

~~7.1.2~~ Ask the child to give messages to the other parent.~~;~~

~~7.1.3~~ Make unkind or negative statements about the other parent around the child.

~~7.1.4~~ Allow other people to make unkind or negative statements about the other parent around the child.

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Appendix: Paragraphs 7.7 and 7.8

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7.76 Notice of Travel. Before leaving on out of town travel, the parents shall provide each other the address and phone number where the child can be reached if they will be away from home for more than 48 hours.

7.87 The parents shall at all times keep each other advised of their home and work addresses and telephone numbers. Notice of any change in this information shall be given to the other parent in the communication book at the next exchange.

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Appendix: Paragraph 11.4

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11.4 If the Mother Father anticipates being unable to personally supervise the child during the parent's entire scheduled on-duty time, the Mother Father must notify the other parent as soon as possible, and that parent's on-duty time for that day weekend will be cancelled, and not made up at any later time.

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Appendix: Paragraph 14.1

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14.1 When the child is ~~attending their~~ participating in a sports team, club, religious, or other such events at school or elsewhere, only the on-duty parent both parents may attend the event.

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Appendix: Paragraphs 15.5, 15.6, 15.7 and 15.8

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- 15.5: To enjoy consistent time with each parent.
- 15.6: To be financially supported by each parent, regardless of how much time each parent spends with the child.
- 15.7: To be physically safe and adequately supervised when in the care of each parent and to have a stable, consistent and responsible child care arrangement when not supervised by a parent.
- 15.8: To develop and maintain meaningful relationships with other significant adults (grandparents, stepparents and other relatives) as long as these relationships do not interfere with or replace the child's primary relationship with the parents.

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This amendment shall take effect upon signing.

The Clerk of this Court is directed to send a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Indiana Supreme Court Administration Office; Court of Appeals of Indiana Administration Office; Indiana Tax Court Administration Office; Public Defender of Indiana; Indiana Prosecuting Attorney Council; Indiana Public Defender Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana State Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; Judge Lynn Murray, Howard Circuit Court; Cynthia Longest, Deputy Director, Child Support Bureau, Indiana Department of Child Services, 132 East Washington Street, Indianapolis, Indiana 46204; Michael Dempsey, Executive Director, Division of Youth Services, Indiana Department of Correction, 402 West Washington Street, Room 334,

Indianapolis, Indiana 46204; Melissa J. Avery, Chair, Family and Juvenile Law Section, Indiana State Bar Association, One Indiana Square, Suite 530, Indianapolis, Indiana 46204; Senator Susan Glick, Chair, Indiana Child Custody and Support Advisory Committee, Indiana State Senate, 200 West Washington Street, Indianapolis, Indiana 46204; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website, and Thomson Reuters is directed to publish this Order in the bound volumes of this Court's decisions.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana on August 26, 2013.

/s/ Brent E. Dickson
Chief Justice of Indiana

All Justices concur.