



Maryland Parenting Plan Instructions



WHAT IS A PARENTING PLAN?

A parenting plan is a written agreement describing how people, called parties, will care for and make decisions about their child(ren). It may be an initial agreement or a modification of an existing agreement. A parenting plan is a guide that includes topics about when the child(ren) spend time with you (parenting time or physical custody) and how decisions about the child(ren) are made (decision-making authority or legal custody).

A “party” is a person seeking to establish or maintain a parent-child relationship with the child(ren).

You can work together, separately, or with a mediator to develop a parenting plan. If you agree on a parenting plan, file it with the court. If the court decides that the plan is in the best interest of the child(ren), it may be written into a court order. The court then has authority to enforce the order. If you cannot agree on a parenting plan, the court will decide what is in the best interest of the child(ren).

WHY A PARENTING PLAN IS IMPORTANT

By setting clear expectations, you can reduce conflict, and avoid the cost, stress, and reliance on the court to handle parenting issues. You know about the child(ren)’s interests, needs, and routines and are likely in a better position than a court to develop a plan that works for the family.

HOW TO CREATE A PARENTING PLAN

Use a Maryland Parenting Plan Tool (CC-DR-109), which you will get at your first court appearance. Or, find it at mdcourts.gov/court-forms/ccdr109.pdf. Before you sign a parenting plan, consider asking a lawyer to review it.

- **If you are sent to mediation**

Review the Maryland Parenting Plan Tool and consider how the topics apply to your family. Mediation will give you a chance to develop solutions unique to your child(ren). You do not need to complete the form before mediation but think about topics you want to discuss. You and the other party will work together to find solutions. Bring this tool to help the mediator focus on issues involving your child(ren).

- **If you are not sent to mediation**

Review the Maryland Parenting Plan Tool and consider the needs and interests of your family. Bring the completed form to the pre-trial/settlement conference, where the court will determine which issues are in dispute. mdcourts.gov/court-forms/ccdr109.pdf

WHAT SHOULD I THINK ABOUT WHEN CREATING A PARENTING PLAN?

Consider the unique needs and interests of each child and whether you want a plan for each child. Children change as they get older. A strong plan sets clear guidelines for each of you, but is flexible. Also, keep in mind the factors for you to consider to determine if the plan is in the best interest of the child(ren).

FACTORS for you to consider to determine if the parenting plan is in the best interest of the child(ren)

- Stability for the child(ren)
- Foreseeable health and welfare of the child(ren)
- Frequent, regular, and continuing contact with the child(ren) and those who act in their best interest
- Your ability to share the rights and responsibilities of raising the child(ren)
- Maintaining the child(ren)'s relationship with each of you, siblings, other relatives, and important adults in their lives
- The child(ren)'s physical and emotional security and developmental needs including physical safety, emotional security, positive self-image, interpersonal skills, and intellectual and cognitive growth
- Protection from conflict and violence
- How you plan to meet the day to day needs of the child(ren), including education, socialization, culture and religion, food, shelter, clothing, and mental and physical health
- How well you:
 - ◇ place the child(ren)'s needs above your own
 - ◇ protect the child(ren) from negative effects of any conflict
 - ◇ maintain the child(ren)'s relationship with each of you, siblings, other individuals who may have a significant relationship with the child(ren)
- Age(s) of the child(ren)
- Military deployment and its effect on the relationship with the child(ren)
- Success or failure of prior court orders or agreements
- Each of your responsibilities before separation
- Location of your homes as it relates to your abilities to coordinate parenting time, school, and activities
- Your relationship with each other, including how you communicate and co-parent without disrupting the child(ren)'s lives
- Your ability to resolve future disputes without needing to go to court
- Child(ren)'s preference, if age appropriate
- Child(ren)'s other needs and interests
- Any other factor you consider relevant



WHAT SHOULD BE IN A PARENTING PLAN?

A Parenting Plan should address each of your responsibilities, including:

Decision-making authority (legal custody)

- Medical care and mental health. How will you choose providers? How will each of you be notified of or included in exams and decisions about elective treatments (orthodontic, cosmetic treatments, etc.)?
- Education. Will the child(ren) be home schooled or attend public or private schools? Which address will determine the child(ren)'s school district?
- Religious training.
- Extracurricular activities. How will you handle conflicts with parenting time and exchange of activity calendars?



Communication

- How will you communicate with each other?
- How will you communicate with the child(ren) when they are with another party?

Information sharing

- How will you share and access information about the child(ren)'s health, education, and welfare?
- How will you be listed as emergency contacts?
- How will you notify each other about changes to your address or contact information?

Parenting time (physical custody)

- When will the child(ren) spend time with each of you?
- How will you address holidays, school breaks, vacations, out-of-state travel, and other special days?

Transportation and exchange of the child(ren)

- How will you transport the child(ren)?
- Where will exchanges occur?

Child care

- How will you decide who cares for the child(ren) when you are unavailable?
- How will you maintain the child(ren)'s relationships with family members?

Other issues you may want to address

- The child(ren)'s names.
- Names used to refer to step-parents or other adults.
- Circumstances requiring parental consent (driving, marriage, military service, employment, etc.).
- Restrictions on what the child(ren) are exposed to (entertainment, firearms, all-terrain vehicles, etc.).
- Discipline.
- Other issues unique to your family.

WHAT IF YOU CANNOT AGREE ON A PARENTING PLAN?

If you are not able to agree on a comprehensive parenting plan (for example, you agree on some but not all issues important to your family), complete the Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time (CC-DR-110). This form will help the court understand your disagreements and what each of you believe is in the best interest of the child(ren). mdcourts.gov/court-forms/ccdr110.pdf

How to determine the “due date”

The due date is the date by which you must file the joint statement with the court:

- The date set by the court;
- 10 days before your settlement conference (if there is one); or
- 20 days before your trial date.

Other important dates to remember

- At least 30 days before the due date, prepare a proposed joint statement and serve it on the other party/parties.
- At least 15 days before the due date, the plaintiff(s) should sign and serve the other party with a proposed joint statement.
 - o If the other party agrees: Sign the joint statement and file it with the court.
 - o If the other party does not agree: Compose a written statement that explains why you did not sign the joint statement and file both statements with the court.



This form contains Restricted Information.

MARYLAND PARENTING PLAN TOOL

NOTES:

- Use this form to create a parenting plan for your child(ren). A parenting plan is a guide for how parties will make decisions about the child(ren) and handle conflicts. Complete this form separately, together, or with a mediator. Attach additional sheets if needed.
- If you and the other party/parties cannot agree on a comprehensive parenting plan, complete a Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time (form CC-DR-110).
- “Party”: A person seeking to establish or maintain a parent-child relationship with the child(ren).
- **MDEC counties only: You must file a Notice Regarding Restricted Information Pursuant to Rule 20-201.1 (form MDJ-008) with this submission.**

☐ Parenting plan of _____, Name of party

☐ Joint parenting plan of: _____ Relationship to child(ren)

Name

Relationship to Child(ren)

Type of filing:

- ☐ Initial pleading
☐ Modification
☐ Relocation

Special circumstances: (choose all that apply)

- ☐ Allegation of domestic abuse (under Family Law Art., § 4-501)
☐ Supervised parenting time requested (abuse of a parent, child, or drug/alcohol addiction)
☐ Other: (describe) _____

BIOGRAPHICAL INFORMATION

Party 1

Name: _____

Address: ☐ Address unknown

☐ Address confidential due to:

☐ protective order that expires _____ Date

☐ other court order: _____, entered _____ Date

Street Address: _____

City, State, Zip: _____

Phone: _____ E-mail: _____

Party 2

Name: _____

Address: ☐ Address unknown

☐ Address confidential due to:

☐ protective order that expires _____
Date

☐ other court order: _____, entered _____
Date

Street Address: _____

City, State, Zip: _____

Phone: _____ **E-mail:** _____

Party 3

Name: _____

Address: ☐ Address unknown

☐ Address confidential due to:

☐ protective order that expires _____
Date

☐ other court order: _____, entered _____
Date

Street Address: _____

City, State, Zip: _____

Phone: _____ **E-mail:** _____

Child(ren)

This parenting plan is for the following minor child(ren) (*add lines or attach additional sheets if needed*):

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

PARENTAL RESPONSIBILITIES

Choose from the general options below or make choices based on what is important to your family.

1. DECISION-MAKING AUTHORITY

Parental responsibility – Day-to-day decisions are the responsibility of the party/parties the child(ren) are with at the time, such as how the child(ren) dress(es), or their home routine. How will major decisions such as medical and mental health care, education, religious training, extracurricular

activities, communication among the parties, and information sharing be made?

(choose one)

☐ **Shared parental responsibility**

We will **jointly** make major decisions about the child(ren).

☐ **Sole parenting responsibility**

_____ will make major decisions for the child(ren).
Name

☐ **Shared parental responsibility with decision-making authority**

We will try to reach an agreement on issues. If we cannot agree, tie-breaking authority goes to the following party:

Tie-breaking authority

Medical care	_____	☐ No tie-breaking authority
	Name	
Mental health	_____	☐ No tie-breaking authority
	Name	
Education	_____	☐ No tie-breaking authority
	Name	
Religious training	_____	☐ No tie-breaking authority
	Name	
Extracurricular activities	_____	☐ No tie-breaking authority
	Name	
Other: _____	_____	☐ No tie-breaking authority
	Name	

Communication between the parties – How will you communicate with each other about the child(ren)? Do not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes. We will communicate with each other: (choose all that apply)

- ☐ In person
- ☐ By telephone
- ☐ By text or similar method
- ☐ By e-mail
- ☐ Other: _____

Information sharing – How will you share and access information about the child(ren)'s health, mental health, education, and welfare? Be listed as emergency contacts? Notify each other about changes to your address or contact information?

(choose all that apply)

- ☐ Each of us will have access to medical and school records and information about the child(ren) and may consult with professionals.
- ☐ Each of us will share information about the health, mental health, education, and welfare of the child(ren) and sign documentation ensuring that we each have access to records.
- ☐ We will give each other advance notice of medical appointments and appointments with the child(ren)'s school.
- ☐ Each of us will get records and reports from the school and health care providers. Each of us have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

- ☐ Each of us may consult with the child(ren)'s school, day care, health care providers, and other programs about the child(ren)'s health, mental health, educational, emotional, and social progress.
- ☐ Each of us will be listed as "emergency contacts" for the child(ren) on all matters.
- ☐ Each of us will give a residential, mailing, and contact address and telephone number to the other party/parties and notify each other in writing (may be by text or email) within 24 hours of changes.
- ☐ Other: _____

Schooling – What type of schooling will the child(ren) have (for example, will the child(ren) attend public or private schools or be homeschooled)? Which party's address will be used to determine the child(ren)'s school district?

We agree that the child(ren) will:

- ☐ Attend public school. _____ address will be designated for school registration. Name's
- ☐ Attend private school.
- ☐ Be homeschooled.
- ☐ Other: _____

Extracurricular activities – How will you manage activity calendars for practices, rehearsals, games recitals, etc.? How will you handle conflicts with parenting time and exchange of activity calendars?

(choose all that apply)

- ☐ Each of us will agree to extracurricular activities that may occur during each party's scheduled parenting time.
- ☐ Each of us will transport the child(ren) to and from all extracurricular activities during each party's scheduled parenting time.
- ☐ Each of us may register the child(ren) for an activity of the child(ren)'s choice, so long as it does not interfere with the other party's/parties' parenting time.
- ☐ Each of us agrees as to the following extracurricular activities: _____

2. PARENTING TIME

What parenting time schedule will work best for your family?

Special considerations: *(choose all that apply)*

- ☐ We will not use drugs during our time with the child(ren).
- ☐ We will not drink alcohol during our time with the child(ren).

- ☐ We understand emergencies happen. We will accommodate reasonable changes that are timely requested.
- ☐ Other: _____

Regular weekday and weekend schedule-

- ☐ The following schedule begins on _____ with _____
and continues as follows: Date Name

The child(ren) will be with _____ :
Name

- ☐ **Weekends:** ☐ every ☐ every other ☐ other: (*specify*) _____ from _____ to _____ .

- ☐ **Weekdays:** (*specify days*) _____ from _____ to _____ .

- ☐ **Other:** (*describe*) _____

The child(ren) will be with _____ :
Name

- ☐ **Weekends:** ☐ every ☐ every other ☐ other: (*specify*) _____ from _____ to _____ .

- ☐ **Weekdays:** (*specify days*) _____ from _____ to _____ .

- ☐ **Other:** (*describe*) _____

The child(ren) will be with _____ :

- ☐ **Weekends:** ☐ every ☐ every other ☐ other: (*specify*) _____ from _____ to _____ .
Name

- ☐ **Weekdays:** (*specify days*) _____ from _____ to _____ .

- ☐ **Other:** (*describe*) _____

- ☐ See attached calendar for regular schedule.
- ☐ There is a different parenting time schedule for the following child(ren):

Holiday schedule- How will holidays be defined? Add special events or occasions important to your family.

(choose one)

- ☐ No holiday parenting time will apply. The regular weekday and weekend schedule above will apply.
- ☐ Holiday parenting time will be as we agree.
- ☐ Holiday parenting time will follow the schedule below. It will take priority over the regular weekday, weekend, and summer schedules.

Fill in the blanks with your names to indicate where the child(ren) will be for the holidays. Provide the beginning and ending times. If a holiday is not specified as even, odd, or every year with one party, then the child(ren) will be with the party according to the regular schedule.

The following is not a complete list of holidays. Add holidays that apply to your family (other school holidays, religious observances, Halloween, New Year's Eve/day, etc.)

<u>Holidays</u>	<u>Even years</u>	<u>Odd years</u>	<u>Every year</u>	<u>Begin/end time</u>
Mother's Day	_____	_____	_____	_____
Father's Day	_____	_____	_____	_____
Martin Luther King Day	_____	_____	_____	_____
President's Day	_____	_____	_____	_____
Memorial Day	_____	_____	_____	_____
Fourth of July	_____	_____	_____	_____
Labor Day	_____	_____	_____	_____
Columbus Day	_____	_____	_____	_____
Thanksgiving	_____	_____	_____	_____
Veteran's Day	_____	_____	_____	_____
Child(ren)'s Birthdays	_____	_____	_____	_____
Religious holidays (list):				
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Other (list):				
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Winter, spring, and summer breaks are times when the child(ren) are out of school and you can determine how those out-of-school times, including weekends, will be shared between you.

Winter break-

(choose one)

- ☐ We will follow the regular weekday and weekend schedule.
- ☐ We will alternate winter breaks. The child(ren) will stay with _____

Name

in ☐ odd-numbered years ☐ even-numbered years, and with

_____ in ☐ odd-numbered years ☐ even-numbered years.

Name

If a holiday designated above doesn't fall within a party's winter break time, the holiday schedule will take precedent.

- ☐ We will divide winter break as follows:

Spring break-

(choose one)

- ☐ We will follow the regular weekday and weekend schedule.

- ☐ We will alternate spring breaks. The child(ren) will stay with _____

Name

in ☐ odd-numbered years ☐ even-numbered years, and with

_____ in ☐ odd-numbered years ☐ even-numbered years.

Name

If a holiday designated above doesn't fall within a party's spring break time, the holiday schedule will take precedent.

- ☐ We will divide spring break as follows:

Summer break-

(choose one)

- ☐ We will follow the regular weekday and weekend schedule.

- ☐ Each of us will have _____ weeks with the child(ren) during the summer. These weeks may be ☐ consecutive ☐ non-consecutive and start and end on _____ . We will

Day of week

request the week(s) by _____ of each year. If there is a conflict,

Date

_____ will get first pick of the date in odd-numbered years and

Name

_____ will get first pick of the date in even-numbered years.

Name

- ☐ We will divide summer break as follows:

Out-of-state travel-

(choose all that apply)

- ☐ Each of us may travel within the United States with the child(ren) during our parenting time/vacation. The party traveling with the child(ren) will give the other party/parties at least _____ days written notice before traveling out-of-state unless there is an emergency, and will include an itinerary, with locations and telephone numbers where the child(ren) and that party can be reached.

- ☐ Each of us may travel out of the country with the child(ren) during our parenting time/vacation. The party traveling with the child(ren) will give the other party/parties at least _____ days written notice before traveling out of the country and will include an itinerary, with locations and telephone numbers where the child(ren) and that party can be reached. We agree to provide documentation necessary for the other party/parties to take the child(ren) out of the country.
- ☐ Other: _____

3. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

Transportation-

(choose one)

- ☐ The party beginning their parenting time will provide transportation for the child(ren).
- ☐ The party ending their parenting time will provide transportation for the child(ren).
- ☐ _____ will provide all transportation.
Name
- ☐ Other: _____

Exchanges of the child(ren)-

Each of us will have the child(ren) ready and on time with proper clothing, medications, homework, extracurricular activity uniforms or equipment, etc., at the time of exchange. The receiving party will be notified if the child(ren) took any medications within 24 hours of the transition.

(choose one)

- ☐ Exchanges will be at each party's home.
- ☐ Exchanges will occur at _____ unless we agree in advance to a different meeting place.
- ☐ Other: _____

4. COMMUNICATION BETWEEN PARENTS AND CHILD(REN)

Each of us will keep contact information current.

The child(ren) may have ☐ telephone ☐ e-mail ☐ other electronic communication in the form of _____ with the other party/parties: *(choose one)*

- ☐ Anytime
- ☐ Every day during the hours of _____ to _____
- ☐ On the following days: _____ during the hours of _____ to _____
- ☐ Other: _____

5. CHILD CARE

(choose all that apply)

- ☐ Each of us may select child care providers.
- ☐ We must agree on child care providers.
- ☐ Each of us must offer the other party/parties the opportunity to care for the child(ren) before using a child care provider for any period exceeding _____ hours.
- ☐ Other: _____

6. DISPUTES

How will you resolve disputes relating to the parenting plan?

(select one)

- ☐ We agree to attend at least _____ mediation session(s) before asking the court to intervene.
- ☐ Other: *(describe)* _____

7. OTHER ISSUES

For example, the child(ren)'s name(s), names used to refer to step-parents or other adults, circumstances requiring parental consent (driving, marriage, military service, employment, etc.), restrictions on what the child(ren) are exposed to (entertainment, firearms, all-terrain vehicles, etc.), and discipline.

NOTE: You have the right to consult with a lawyer to review this document before you sign it. **I/We enter this parenting plan voluntarily. I/We believe this plan is in the best interest of the child(ren) at this time. I am/We are satisfied with this plan and intend to be bound by it.**

Date

Printed Name

Signature

Date

Printed Name

Signature

Date

Printed Name

Signature

This form contains Restricted Information.



CIRCUIT COURT FOR _____, **MARYLAND**
City/County

Located at _____ **Case No.** _____
Court Address

Plaintiff _____ vs. Defendant _____

Address _____ Address _____

City, State, Zip _____ Telephone _____ City, State, Zip _____ Telephone _____

Child(ren)

Name

Age

**JOINT STATEMENT OF THE PARTIES CONCERNING
DECISION-MAKING AUTHORITY AND PARENTING TIME
(Md. Rule 9-204.2)**

NOTE: Complete this form if you are NOT able to reach a comprehensive parenting plan agreement.

"Party": A person who seeks to establish or maintain a parent-child relationship with a child.

MDEC counties only: You must file a Notice Regarding Restricted Information Pursuant to Rule 20-201.1 (form MDJ-008) with this submission.

(check one)

☐ This is a jointly-prepared statement by

Party's Name

Relationship to Child(ren)

☐ This is the statement of _____ (a joint statement is not
Party name
filed due to an allegation of domestic violence, child abuse, substance abuse, or other reason).

1. AGREE

We agree the following provisions are in the best interest of the child(ren) (consider factors in Md. Rule 9-204.1 and listed in the Instructions). Attach additional sheets if needed. For example, attach a Maryland Parenting Plan Tool (CC-DR-109) or other document that lists points of agreement.

A. Parental responsibility and decision-making authority

☐ _____ will make all major decisions for the child(ren).
Name

☐ We will jointly make all major decisions.

☐ We will divide the major decision-making in the following way:

Case No. _____

Parenting time/holidays

Parenting time shall be scheduled as follows:

B. Transportation and exchanges

Transportation and exchanges shall take place in the following way:

C. Communication between parents and child(ren)

We will communicate with the child(ren) as follows:

D. Child care

We will handle child care as follows:

E. Other issues

We also agree to the following:

2. DISAGREE

We **do not agree** on how to address the following issues (attach additional sheets if needed):

A. Parental responsibility and decision-making authority

Name

Proposal

B. Parenting time/holidays

Name

Proposal

C. Transportation and exchanges

Name

Proposal

Case No. _____

D. Communication between parents and child(ren)

Name

Proposal

E. Child care

Name

Proposal

F. Other issues: (*describe*)

Name

Proposal

Date

Printed Name

Date

Signature

Printed Name

Date

Signature

Printed Name

Signature