

COMMONWEALTH OF KENTUCKY  
56<sup>TH</sup> JUDICIAL CIRCUIT  
**GUIDELINES FOR VISITATION/TIME-SHARING**  
Effective February 1, 2009

Absent serious endangerment, it is in the best interest of all children to have a healthy relationship with both their mother and father. When parents divorce and no longer live in the same home, it is necessary to establish a schedule which affords both parents an opportunity to nurture and cultivate their relationships with the children. The preferred option is for the parents through communication with each other and concern for their own children's best interest to establish an arrangement that maximizes the benefit to the children. If the parties are unable to agree, the following Guidelines provide a basic minimum structure for reasonable visitation in all cases other than joint custody with equal time-sharing.

The Court encourages all parents to consider all parenting and custodial options in order to arrive at the best interests for their children and in order to minimize the trauma of divorce for those children.

In these Guidelines, the word "children" includes the singular, child. The term "custodial parent" includes the "sole custodian" in whose home the children reside as well as the "primary residential parent" in joint custody/shared custody situations (other than joint custody with equal time-sharing). The "non-custodial parent" is the other parent.

1. The non-custodial parent will be allowed to exercise visitation on alternate weekends from Friday evenings at 6:00 p.m. to Monday mornings at 8:00 a.m. and Thursday evenings following the weekend visit from 5:30 p.m. to 7:30 p.m. The non-custodial parent shall return the children to the custodial parent, school, or daycare at the above times, persons or places or such other times, persons or places as the parties may agree.

2. The children, and/or the custodial parent, have no duty to wait for the visiting parent for more than thirty (30) minutes past the start of the scheduled visitation time. A parent more than thirty (30) minutes late shall forfeit that visitation period. If either party is going to be more than thirty (30) minutes late, that party shall give reasonable notice to the other party. Reasonable or unreasonable failures to pick up or provide the children for visitation on time or give reasonable notice of tardiness will subject a party to sanctions by the Court.

3. For the purpose of visitation, the following six holidays shall be divided between the parents:

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|--------------------------|----------------------------|
| (1) President's Day      | (2) Martin Luther King Day |
| (3) Easter               | (4) July 4 <sup>th</sup>   |
| (5) Memorial Day Weekend | (6) Labor Day Weekend      |

Other holidays of importance to the family shall also be divided between the parents. In the odd-numbered years (e.g. 2009, 2011, etc.), the custodial parent shall have the children on the odd-numbered holidays (left column), and the non-custodial parent shall have visitation on the even-numbered holidays (right column). In the even-numbered years (e.g. 2010, 2012, etc.), the non-custodial parent shall have the children on the odd-

numbered holidays and the custodial parent shall have visitation on the even-numbered holidays. Visitation shall be from 9:00 a.m. to 9:00 p.m. unless the children are in school that day in which case visitation shall be from 5:00 p.m. to 9:00 p.m.

4. Each year at Christmas the custodial parent shall have the children on Christmas Day and the non-custodial parent shall have the children from 1:00 p.m. to 9:00 p.m. on Christmas Eve. The non-custodial parent shall also have the children from December 26<sup>th</sup> until 2:00 p.m. on New Years Day, provided the children are returned to the custodial parent not less than 12 hours before they are to return to school.

5. On Mother's Day, the mother shall have the children and on Father's Day, the father shall have the children regardless of who was scheduled to have the children for that specific weekend. Visitation shall be from 9:00 a.m. to 9:00 p.m.

6. Summer: For children less than one (1) year old, the alternate weekends and alternate Thursday visitation shall continue during the months of June and July, and in addition, the non-custodial parent shall have three (3) days in June, which shall be added to that parent's first alternate weekend in June, and three (3) days in July, which shall be added to that parent's first alternate weekend in July.

For children one (1) and (2) years old, the non-custodial parent shall have visitation beginning on the first Saturday in June beginning at 8:00 a.m. and ending the following Saturday at 8:00 a.m.; on the third Saturday in June beginning at 8:00 a.m. and ending at 8:00 a.m. the following Saturday; on the first Saturday in July beginning at 8:00 a.m. and ending the following Saturday at 8:00 a.m.; on the third Saturday in July beginning at 8:00 a.m. and ending at 8:00 a.m. the following Saturday. The non-custodial parent shall not have alternate weekend visitation or alternate Thursday evening visitations during the months of June and July.

For children three (3) years and older, provided each child has his/her 3<sup>rd</sup> birthday before June 1<sup>st</sup> of the current year, the non-custodial parent shall have the following visitation: June 10<sup>th</sup>, beginning at 8:00 a.m. and ending June 26<sup>th</sup> at 8:00 p.m.; and July 10<sup>th</sup> beginning at 8:00 a.m. and ending July 26<sup>th</sup> at 8:00 p.m. The non-custodial parent shall not have alternate weekend visitation or alternate Thursday evening visitations during the months of June and July. The custodial parent shall not schedule camps or other activities during the non-custodial parent's periods of summer visitation, without the express written permission of the non-custodial parent. If the child's third (3<sup>rd</sup>) birthday is June 2 or later of the current year, then the visitation for children three (3) years and older shall not begin until the following year. This visitation shall take place each year until the child becomes eighteen (18) years of age.

7. A child will celebrate his/her birthday in the home of the custodial parent, unless it falls on a visitation day. In the event the non-custodial parent does not have the children on their birthday, an additional, non-scheduled visitation day shall be granted so that the non-custodial parent may celebrate the children's birthday, if desired.

8. In odd-numbered years, the non-custodial parent shall have the children who are enrolled in school for a week of any spring break from school which the children may have, provided the children are returned to the custodial parent not less than 24 hours

before they are to resume school. Should Easter fall during a spring break when the children are with the custodial parent and it is the non-custodial parent's turn to have visitation with the children for Easter vacation, then an additional non-scheduled visitation day shall be granted to the non-custodial parent.

9. In odd-numbered years, the non-custodial parent will have the children for the Thanksgiving holiday. Visitation shall begin on the last day of school before Thanksgiving break at 5:00 p.m. until 7:30 p.m. Sunday evening following Thanksgiving. For children between the ages of six (6) months and one (1) year visitation shall begin at 9:00 a.m. Thanksgiving day and end at 7:00 p.m. Saturday. For children that are not yet enrolled in school, the non-custodial parent shall have visitation from 9:00 a.m. Thursday morning until 7:30 p.m. Sunday evening.

10. In even-numbered years, the non-custodial parent may have visitation during the fall break on the last day of school at 5:00 p.m. and ending at 7:30 p.m. on the evening before school starts at the end of fall break.

11. For children under the age of six (6) months, visitation shall be shorter in duration but more frequent, so as to encourage the bonding of both parents with the children.

12. Each party shall share equally in transportation and/or the cost of transportation for visitation.

13. Mail or Telephone Contacts: Both parties shall be allowed to contact the children freely by any and/or all available mail, e-mail, texting, cell phone and by telephone at reasonable times and frequencies.

14. Absent a prior written agreement between the parties, the residence of the children is not to be removed from the Commonwealth of Kentucky without first obtaining an Order from the Court.

15. Both parents agree to use their best efforts to exercise their visitations and scheduling with the best interests of their children in mind so that the children may participate in their school and extra-curricular activities.

16. Absent a court order to the contrary, the non-custodial parent shall have equal access to all school, medical, and psychological records, activities, programs, etc. The custodial parent shall use his/her best efforts to keep the non-custodial parent informed of all these activities.