

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

AT KNOXVILLE

TENNESSEE PARENTING PLAN PACKAGE CONTENTS

The Clerk and Master's Office is providing the following documents as part of the Court's Parenting Plan Package to parents and attorneys upon their request and as a part of the service of the summons and complaint in actions involving divorcing parents with minor children:

General Orders Governing Actions for Divorce in the Chancery Courts for
Knox County, Tennessee

Open Letter from the Chancellors

Parents' Guide to Parent Education Seminar/List of Providers attached Parents'

Guide to Mediation

Attorneys' Guide to Mediation

Parents' Guide to the Parenting Plan

Sample Temporary Parenting Plan

Sample Permanent Parenting Plan

The above Sample Temporary Parenting Plan and Sample Permanent Parenting Plan contained in this package are compilations of forms suggested and utilized by the Administrative Office of the Courts and the original Parenting Plan Pilot Project Judges.

IN THE CHANCERY COURT FOR KNOX COUNTY TENNESSEE
GENERAL ORDERS GOVERNING ACTIONS FOR DIVORCE IN THE CHANCERY COURTS
FOR KNOX COUNTY, TENNESSEE

I. INJUNCTIONS IN EFFECT UPON SERVICE OF THE COMPLAINT FOR DIVORCE

Upon the filing of a petition for divorce or legal separation, and upon personal service of the complaint and summons on the respondent or upon waiver and acceptance of service by the respondent, the following temporary injunctions shall be in effect against both parties until the final decree of divorce or order of legal separation is entered, the petition is dismissed, the parties reach agreement, or until the court modifies or dissolves the injunction, written notice of which shall be served with the complaint:

(1) (A) An injunction restraining and enjoining both parties from transferring, assigning, borrowing against, concealing or in any way dissipating or disposing, without the consent of the other party or an order of the court, of any marital property. Nothing herein is intended to preclude either of the parties from seeking broader injunctive relief from the court.

(B) Expenditures from current income to maintain the marital standard of living and the usual and ordinary costs of operating a business are not restricted by this injunction. Each party shall maintain records of all expenditures, copies of which shall be available to the other party upon request.

(2) An injunction restraining and enjoining both parties from voluntarily canceling, modifying, terminating, assigning, or allowing to lapse for nonpayment of premiums, any insurance policy, including, but not limited to, life, health, disability, homeowners, renters, and automobile, where such insurance policy provides coverage to either of the parties or the children, or that names either of the parties or the children as beneficiaries without the consent of the other party or an order of the court. "Modifying" includes any change in beneficiary status.

(3) An injunction restraining both parties from harassing, threatening, assaulting or abusing the other and from making disparaging remarks about the other to or in the presence of any children of the parties or to either party's employer.

(4) An injunction restraining and enjoining both parties from hiding, destroying or spoiling, in whole or in part, any evidence electronically stored or on computer hard drives or other memory storage devices.

(5) An injunction restraining both parties from relocating any children of the parties outside the state of Tennessee, or more than one hundred (100) miles from the marital home, without the permission of the other party or an order of the court, except in the case of a removal based upon a well-founded fear of physical abuse against either the fleeing parent or the child. In such cases, upon request of the nonrelocating parent, the court will conduct an expedited hearing, by phone conference if appropriate, to determine the reasonableness of the relocation and to make such other orders as appropriate.

II. MANDATORY MEDIATION WITHIN 180 DAYS

(a) Except as provided in subsections (b), (c) and (d), in any proceeding for divorce or separate maintenance, the court orders the parties to participate in mediation.

(b) The court may waive or extend mediation pursuant to subsection (a) for reasons including, but not limited to:

(1) Any factor codified in § 36-6-409(4);

(2) Either party is unable to afford the cost of the mediation, unless the cost is waived or subsidized by the state or if the cost of mediation would be an unreasonable burden on either or both of the parties;

(3) The parties have entered into a written marital dissolution agreement or an agreed order resolving all of the pending issues in the divorce, except as provided in subsection (c);

(4) The parties have participated in a settlement conference presided over by the court or a special master;

(5) The court finds a substantial likelihood that mediation will result in an impasse; or

(6) For other cause found sufficient by the court.

(c) If the ground for the divorce is irreconcilable differences and the parties have filed with the court a properly executed marital dissolution agreement, and if there are minor children of the marriage, a properly executed parenting plan, the court shall not require the parties to attend mediation.

(d) (1) In any proceeding for divorce or separate support and maintenance, if an order of protection issued in or recognized by this state is in effect or there is a court finding of domestic abuse or any criminal conviction involving domestic abuse within the marriage that is the subject of the proceeding for divorce or separate support and maintenance, the court may order mediation or refer either party to mediation, only if:

(A) Mediation is agreed to by the victim of the alleged domestic or family violence;

(B) Mediation is provided by a certified mediator who is trained in domestic and family violence in a specialized manner that protects the safety of the victim; and

(C) The victim is permitted to have in attendance at mediation a supporting person of the victim's choice, including, but not limited to, an attorney or advocate. No victim may provide monetary compensation to a non-attorney advocate for attendance at mediation.

(2) Mediation conducted pursuant to subdivision (b) (1) shall be concluded and a report provided to the court no later than one hundred eighty (180) days from the date the complaint for divorce was served.

III. PARENTING PLANS

1 Pursuant to TCA §36-6-408, both parents shall attend a parent education seminar sanctioned by the Court of at least four (4) hours duration and shall be required to file with the Court a certificate of attendance. A list of approved seminars may be secured from the Clerk.

2. Pursuant to Local Rule 13, the Plaintiff or Petitioner shall, at the time of the filing of the Complaint or Petition to Modify, file a proposed parenting plan as defined at TCA §36-6-401, et seq., agreed to by the parties, or if no agreement has been reached, the proposed parenting plan of the Plaintiff/Petitioner.

3. The Defendant or Respondent shall, if no agreement has been reached after thirty (30) days of service of this Order, or thirty (30) days after service of a Petition to Modify a previously entered custody Order, file the proposed parenting plan of the Defendant/Respondent.

4. If the Parties cannot agree on a temporary parenting plan, the parties are ORDERED to participate in dispute resolution regarding child custody, subject to the exceptions provided at TCA §36-6-409. Except in the case of emergency situations that present an immediate and credible threat to the life, health or safety of the child, or unless excepted by TCA §36-6-409, no motion to enter a temporary parenting plan or modify a previously entered custody order shall be entertained by the Chancery Court unless that parties shall have first availed themselves to alternative dispute resolution.

5. Costs of the Parenting Plan Package provided by the Clerk shall be taxed as costs at the conclusion of the case.

ENTERED this 4th day of March, 2011.

S/ John F. Weaver
CHANCELLOR PART I

S/ Daryl R. Fansler
CHANCELLOR PART II

S/ Michael W. Moyers
CHANCELLOR PART III

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

March 4, 2011

Dear Parent,

The Tennessee Legislature has mandated that divorcing couples with minor children attend a Parent Education Seminar. The Seminar teaches the importance of protecting and enhancing the child's emotional development and informs parents of the legal process. This law will be applied to your dispute and how your parenting responsibilities, including financial support, will be allocated.

In addition, the new law requires that parents attempt to resolve their disputes over parenting responsibilities through mediation before having a trial. You, as parents, know the needs of your children and how those needs may be met through your mutual efforts. The purpose of the law, which we support, is to encourage parents to work together to reduce the impact and trauma of separation on their children. The law states that a Court may consider the refusal of a parent to participate in this program when the Court makes decisions (1) about the residence of the child, and (2) who, if anyone, will be allowed sole decision making authority concerning the child.

We appreciate your mutual efforts to work out your differences and reduce the emotional harm to your children. We will assist your efforts in any way the law permits.

Very truly yours,

S/ John F. Weaver
Chancellor
Chancery Court, Part I

S/ Daryl R. Fansler
Chancellor
Chancery Court, Part II

S/ Michael W. Moyers
Chancellor
Chancery Court, Part III

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

March 4, 2011

RE: PARENT'S GUIDE TO EDUCATION SEMINAR REQUIRED

Dear Parent:

The Tennessee Legislature has mandated that divorcing couples with minor children attend a Parent Education Seminar. The Seminar teaches the importance of protecting and enhancing the child's emotional development and informs parents of the legal process. As indicated in the General Order for New Parenting Plan Law in the Chancery Court for Knox County, Tennessee, entered November 9th, 2000:

Both Parents shall attend, within thirty (30) days of receipt of this Order, a parent education seminar sanctioned by the Courts of at least four (4) hours duration and shall be required to furnish the Court with a certificate of attendance.

It will be necessary for YOU to contact a parent education seminar provider designated in the attached list for scheduling your class. (List attached)

It is NOT necessary that you attend the same class with your spouse.

If you have any questions about the class or attendance requirement or difficulty in scheduling the class, please contact the Clerk and Master's Office at 865-215-2555.

You may already be under a specific order setting a time within which you must complete the requirement. That order takes precedence over this letter. If no specific time frame is set in the order in your case, you have thirty (30) days from the date your divorce petition or petition for modification of existing decree was filed with the court or thirty (30) days from service of process or thirty (30) days from service of the General Order to complete the requirement. Failure to comply with the provisions of this order shall be treated as contempt and may be sanctioned accordingly.

If you have attended a class and have not filed the certificate of attendance with the Clerk's office, please complete this process immediately.

If you have attended a class and have filed the certificate, please disregard this notice.

Thank you for your cooperation and timely response to this opportunity to reduce the emotional harm to your children during the divorce proceedings.

Very truly yours,

S/John F. Weaver
Chancellor
Chancery Court, Part I

S/Daryl R. Fansler
Chancellor
Chancery Court, Part II

S/Michael W. Moyers
Chancellor
Chancery Court, Part III

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

List of Providers of Parent Education Seminars—4 hour courses

Child & Family TN
(non-profit)
Phone: 865-246-1100

Dove Services, Inc.
Fran Clemmons
Phone: 865-210-3469

Downtown Knoxville YWCA
Chelsea Caraco (non-profit)
Phone: 865-523-6126

ParentTech
(Class held at Fulton High School)
Tuesday: 5:30 p.m. to 9:30 p.m.
865-742-4358

Pellissippi State Community College
Phone: 865-539-7167

STEPS Co-Parenting
Program Manager/Owner: Kim Russell, J.D.
Phone: 865-679-4040 (cell)

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

PARENTS' GUIDE TO MEDIATION
Developing Parenting Plans through Mediation

When parents come before the court with a complaint for divorce or petition seeking modification of an existing decree involving custody or support, the court mandates the submission of a "parenting plan". Mediation is often used to develop such a plan.

Mediation is a process in which parents who are in conflict come together with a neutral third person who assists them in reaching a mutually agreeable settlement. The mediator helps parents clarify the issues, consider the options, and reach a workable agreement that fits the needs of their children.

Mediation:

- ▶ encourages direct communication between the parents.
- ▶ helps parents decide for themselves what is in the best interest of their child/ren.
- ▶ explores creative ways to solve problems.
- ▶ promotes cooperation.
- ▶ provides an informal setting which saves time and lowers the cost of a divorce.
- ▶ preserves the strengths of an ongoing relationship as parents.
- ▶ is confidential.

The mediator:

- ▶ will remain impartial throughout the process.
- ▶ will not give legal advice.
- ▶ is not a judge.
- ▶ will not decide the dispute.
- ▶ will provide each party with a full opportunity to effectively express his or her interests.

Mediation is used by the court to assist parents in developing a parenting plan that describes how they will work together to continue parenting their children. During mediation parents have complete decision-making power for their parenting plan. Attorneys for each parent may attend the mediation, unless requested not to attend by the parent. Additionally, the attorney will review any and all agreements before allowing their clients to sign mediated agreements.

The court expects each parent and attorney to act in good faith and to fully and honestly disclose all relevant information as requested by the mediator. One or both parties can request mediation of the court at any time during the divorce process. However, see the General Order entered in the Chancery Court for Knox County, Tennessee, regarding Mandatory Mediation under the new Parenting Plan Act.

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

ATTORNEYS' GUIDE TO MEDIATION
Representing Clients in the Mediation Process

The role of the attorney in mediation differs greatly from that of the attorney in litigation. In a mediation session, the attorney plays the role of counselor for his or her client. Instead of presenting an argument, the attorney is asked to allow the client to speak for him/herself and to be present to support and advise the client through the process. The mediation process is geared towards reaching a workable agreement for both parties.

- ▶ The attorney should encourage his/her client to enter the mediation with the idea of working with rather than against the opposing side.
- ▶ The attorney is encouraged to help the clients review the mediated agreement before signing the contract. The mediator assists the parties in drafting the mediated agreement. Additionally, the attorney should review any and all agreements before allowing the clients to sign such documents.
- ▶ Attorneys are encouraged to attend mediations, unless requested by the client to withdraw. If an attorney is unable to attend a session he/she should arrange a method of communication with the client, as his/her advice may be needed during the sessions.
- ▶ A good attorney will assist his/her client in mediation by treating the process not as a burden, but as a fair, positive form of dispute resolution.
- ▶ The attorney should inform the mediator of any special needs his/her client may require at the beginning of the first session.

The mediator functions as a **neutral facilitator**, and **will not make decisions, will not give legal advice, or lead either party in anyone direction**. The mediator helps the clients to communicate with each other, so that they may hear each other's concerns. The mediator aids the clients in identifying common issues and developing possible solutions to these issues. The mediator then helps the clients work through the solutions to find those which are workable for both parties. Each mediator has individual rules for taking breaks, holding separate sessions with clients, etc. The mediator will explain exactly how he/she conducts mediation sessions.

Mediation is private and confidential. What is said in mediation stays in mediation. Any offers of settlements or negotiation will be inadmissible to prove liability in court.

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE
AT KNOXVILLE

**PARENTS' GUIDE TO DEVELOPING THE PARENTING PLAN
MAINTAINING A SENSE OF FAMILY**

PERMANENT PARENTING PLAN

The Tennessee Parenting Plan is a program designed to empower the court system with legislation and parents with necessary tools and skills to provide a better comfort level for children of divorce. The Permanent Parenting Plan recognizes the fundamental importance of the parent-child relationship to the welfare of the child. In most situations, children do best when they receive the emotional and financial support of both parents. Every component of the parenting plan is designed to focus on the child's best interest:

- ▶ Development of the permanent parenting plan provides parents with an opportunity to establish a road map for future parenting of the child.
- ▶ This plan can serve as a successful tool in reducing conflict when it is prepared in thoughtful, rational discussions rather than in heated emotional exchanges.
- ▶ It removes legal jargon and replaces it with common, everyday terms, and sets the framework to develop a family reorganization.
- ▶ It can work to preserve family relationships.
- ▶ It encourages both parents to make their children the number one priority, and to see the need for the children to maintain a close, continuing relationship with each parent.
- ▶ It enables both parents to remain involved in major decisions including education, religion, and medical care.

The Permanent Parenting Plan attempts to move away from the concepts of "custody" and "visitation" to emphasize the concept of "parenting responsibilities". The overall goal and objective of the plan is to lessen the hostility and encourage parents to work cooperatively in the best interest of their children. As parents working together you will make the major decisions including education, religion, and medical care. You will make the decisions on how to resolve future issues as you continue to parent your children.

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

Mother/Father,

No. _____
_____ Proposed Plan

Vs.

Father/Mother.

SAMPLE TEMPORARY PARENTING PLAN

This Plan was presented to or ordered by the Court on _____.

This parenting plan applies to the following children:

<u>Name</u>	<u>Birthday</u>
_____	_____
_____	_____
_____	_____

RESIDENTIAL SHARING SCHEDULE: The Mother Father shall be responsible for the child(ren), except for the following days and times when the other parent shall be responsible for the child(ren):

From: _____ to _____
(day/time) (day/time)

every week every other week other _____
and from: _____ to _____

(day/time) (day/time)
 every week every other week other _____

DAY TO DAY DECISIONS

Each parent shall make decision regarding the day-to-day care and control of each child(ren), while the child(ren) in residing with that parent. The parents shall otherwise confer with each other.

HOLIDAY and VACATION SCHEDULE DURING THE NEXT THREE MONTHS

TRANSPORTATION ARRANGEMENTS

Transportation arrangements for the child(ren), other than costs, between parents shall be as follows:

STANDARD PARENTING ORDERS

Pursuant to Tennessee Code Annotated §36-6-101 both parents are entitled to the following rights:

1. Unimpeded telephone conversations with the child(ren) at least twice each week at reasonable times and for a reasonable duration;
2. Sending mail to the child(ren) which the other parent will not open and will not censor;
3. Receiving notice and relevant information as soon as practical (but not more than 24 hours) in the event of hospitalization, major illness, or death of the child(ren);

4. Receiving, directly from the school, copies of the child(ren)'s report cards, attendance records, teachers' names, class schedules, standardized test scores, and other records which are customarily written request must be made to the school with payment must be made for the reasonable cost of records;

5. Receiving, directly from the child(ren)'s physician and other health care providers, copies of the child(ren)'s medical records. A written request must be made to the health care provider with a current mailing address and payment must be made for the reasonable cost of duplicating and mailing these records;

6. To be free of derogatory remarks made about one parent and his or her family by the other parent to the child(ren) or in the child(ren)'s presence.

SUPPORT OF CHILD (REN)

The Mother Father will pay child support, in accordance with the Tennessee Child Support Guidelines, in the amount of \$ _____ month twice per month every two weeks plus a 5% fee of \$ _____, if paid by wage assignment, for a total of \$ _____, beginning the _____ day of _____, 20_____.

This support shall be paid:

Directly to the other parent by mail or delivery at _____

The undersigned Mother/Father affirm(s) that this matter is not a case under the Title IV-D program or is otherwise not a matter subject to collection through the department's central collection and disbursement unit established by T.C.A. §36-5-116.

By Wage Assignment issued by separate order presented with the filing of this Temporary Parenting Plan to be paid through Central Child Support Receipting Unit (CCSRU), P. O. Box 305200, Nashville, TN 37229. The employer of the payer of child support is _____ whose address is:

_____. The payer's social security number is _____.

SPOUSAL SUPPORT [IF APPLICABLE]: Mother Father shall pay additional support in the amount of \$ _____ per month beginning the _____ day of _____, 20_____.

In the alternative he/she shall pay the following household bills:

HEALTH, DENTAL and LIFE INSURANCE and UNCOVERED EXPENSES: The existing policies of the parties shall remain in effect during the duration of the divorce proceedings except as follows: _____

All uncovered medical, dental and _____ costs shall be split between the parties except as follows: _____

Mother or Attorney

Date and Place of Signature

Father or Attorney

Date and Place of Signature

IT IS SO ORDERED, ADJUDGED and DECREED. ENTERED this the _____ day of _____, 20_____.

CHANCELLOR

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

Mother/Father,

Vs.

No. _____

Father/Mother.

SAMPLE PERMANENT PARENTING PLAN

This Permanent Parenting Plan with respect to the parenting of their child(ren) is presented by _____, hereinafter referred to as Mother and by _____, hereinafter referred to as Father.

This Permanent Parenting Plan has been reached by:

Agreement Mediation Other Dispute Resolution Court Hearing on _____

I. GENERAL INFORMATION

1.1 This parenting plan applies to the following children:

Name

Birthdate

Primary Residence for purposes of the child custody jurisdiction (T.C.A. §36-6-201) is with

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

II. RESIDENTIAL SHARING SCHEDULE

These provision set forth where the child(ren) shall reside each day of the year and what contact the child(ren) shall have with each parent.

2.1 Pre-School Schedule

There are no children of preschool age.

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

From: _____ to _____
(day/time) (day/time)

every week every other week other _____

and from: _____ to _____

(day/time)

(day/time)

every week every other week other _____

2.2 School Schedule

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

From: _____ to _____
(day/time) (day/time)

every week every other week other _____
and from: _____ to _____
(day/time) (day/time)

every week every other week other _____

The school schedule will start when each child begins:

kindergarten first grade other: _____

2.3 Schedule for Winter/Christmas Vacation (if applicable)

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: _____

2.4 Schedule for Spring Vacation

The child(ren) shall reside with 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: _____

2.5 Summer Schedule

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

Same as school year schedule Other:

2.6 Vacation with Parents

Does not apply.

Schedule for vacation with parents is as follows: _____

2.7 Schedule for Holidays and Other Special Occasions

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

With Mother
(Specify Year:
Odd/Even/Every)

With Father
(Specify Year:
Odd/Even/Every)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

2.8 Priorities Under the Residential Schedule

Defined Holiday, vacation and other periods above override the general rotation of shared parenting.

2.9 Restrictions

Does not apply because there are no limiting factors in Section VI

below.

The Father's Mother's residential time shall with the children shall be limited because there are limiting factors in Section VI. The following restrictions shall apply when the child(ren) spend time with this parent: _____

There are limiting factors in Section VI, but there are no restrictions on

Father's Mother's residential time with the children for the following reasons: _____

2.10 Transportation Arrangements

Transportation arrangements for the child(ren), other than costs, between parents shall be as follows: _____

2.11 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) solely for purposes of all other state and federal statutes which require a designation or determination of custody. This designation shall not affect either parent's rights and responsibilities under this parenting plan.

2.12 Other

III. DECISION MAKING

3.1 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 child(ren).

3.2 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

3.3 Restrictions in Decision-Making

Does not apply because there are no limiting factors in Section VI.
 Sole decision-making shall be decreed to the Mother Father for the following

reasons: _____

A limitation on the other parent's decision-making authority is mandated by T.C.A. §36-6-406. (See Section VI.)

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:

The existence of a limitation under T.C.A. §36-6-406;

The history of participation of each parent in decision-making in each of the areas in T.C.A. §36-6-404;

The parent's ability and desire to cooperate with one another in decision-making in each of the areas in T.C.A. §36-6-404; and

The parents' geographic proximity to one another, to the extent that it affects their ability to make timely mutual decisions.

There are limiting factors in Section VI, but there are no restrictions on mutual decision-making for the following reasons: _____

IV. DISPUTE RESOLUTION

4.1 Dispute Resolution

No dispute resolution process, except court action, shall be ordered because a limiting factor under T.C.A. §36-6-406 applies or _____

Disputes between the parties, other than child support disputes, shall be submitted to:

Counseling by _____, or,

Mediation by _____, or,

Arbitration by _____

4.2 Costs

The cost of the Section 4.1 process shall be allocated between the parties as follows:

_____ % Mother _____ % Father

Based on each party's proportional share of income as defined under the child support guidelines.

As determined in the dispute resolution process.

4.3 Notification

The counseling, mediation or arbitration process shall be commenced by notifying the other party by:

Mail Certified Mail Other: _____

4.4 Process

In the dispute resolution process:

(a.) Preference shall be given to carrying out this Parenting Plan.

(b.) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.

(c.) A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration award and shall be provided to each party.

(d.) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court shall award attorney's fees and financial sanctions to the other parent.

(e.) The parties have the right of review from the dispute resolution process to the Chancery Court.

V. CHILD SUPPORT

5.1 Financial Support

The Mother Father will pay child support in the amount of \$ _____ per _____ beginning _____.
 The payer of child support shall make the payments set forth above directly to the other parent by mail or delivery at _____

The undersigned mother/father affirm(s) that this matter is not a case under the Title IV-D program or is otherwise not a matter subject to collection through the department's central collection and disbursement unit established by T.C.A. §36-5-116.

The payer of child support shall make the payments set forth above by wage assignment together with a 5% fee for a total of \$ _____ per _____ beginning _____.

The payer of child support and the payer's attorney, if any, affirm that this amount conforms to the Tennessee Child Support Guidelines.

The payer of child support and the payer's attorney, if any, affirm that this amount of child support does not conform to the Tennessee Child Support Guidelines, but it is in the best interest of the child because _____

_____ and should nevertheless be approved by the Court because: _____

The amount payable under the Guidelines would be _____

A wage assignment shall issue by separate order presented together with the filing of this plan to _____ the employer of the payer of child support, whose address is _____

The payer's social security number is _____ - _____ - _____.

Other provisions for financial support: _____

The parties affirmatively acknowledge that no action by either or both of them will be effective to reduce child support after the due date of each payment. The parties further understand that Court approval must be obtained before child support can be reduced or modified, unless such payments are automatically reduced or terminated under the terms of this parenting plan.

5.2 Tax Deduction

The Mother Father will receive the tax deduction child{ren). Each party shall provide to the other, by or before April 15 of every year, a copy of their respective W-2 form or a copy of the first page of their tax return.

Other provisions regarding tax deduction: _____

5.3 Health Insurance

The Mother Father shall maintain medical/hospital insurance on the minor child{ren) and he/she shall provide proof of continuing coverage upon demand, but in any event annually.

Uncovered medicals, including deductibles, if any, will be

born by Mother Father

divided equally by the parties

shared as follows: _____

5.4 Life Insurance

[] The [] Mother [] Father shall insure his/her own life in the minimum amount of \$ _____, whole or term, which may not decrease in face amount during the minority of any child. The policy shall name the minor child(ren) as primary beneficiaries of the coverage required by the Court. The choice of the secondary beneficiary(ies) is up to the policy owner(s).

[] Other provisions regarding life insurance: _____

5.5 Dental/Orthodontic care

[] The [] Mother [] Father will maintain [] dental [] and orthodontic insurance on the minor child(ren). Uncovered expenses will be borne by [] Mother [] Father [] divided equally by the parties.

[] Other provisions for dental/orthodontic care: _____

VI. BASIS FOR RESTRICTIONS

6.1 Restrictions due to Parental Conduct (T.C.A. §36-6-406)

[] Does not apply.

[] Mutual decision-making and designation of a dispute resolution process other than court action shall NOT be required because [] Mother [] Father *has engaged in:*

[] Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting responsibilities.

[] Physical, sexual, or a pattern of emotional abuse of a child or of another person living with that child.

[] A history of acts of domestic violence as defined in T.C.A. §36-3-601 or an assault or sexual assault which caused serious bodily injury or the fear of such injury.

[] Other: _____

6.2 Restrictions due to Parental Conduct (T.C.A. §36-6-406(b))

[] Does not apply.

[] Mother's [] Father's residential time with the child(ren) shall be LIMITED because that parent has engaged in:

[] Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting responsibilities.

[] Physical, sexual, or a pattern of emotional abuse of a child or of another person living with that child.

[] Other: _____

VII. STANDARD PARENTING ORDERS

Pursuant to T.C.A. §36-6-101 both parents are entitled to the following rights:

1. Unimpeded telephone conversations with the child(ren) at least twice each week at reasonable times and for a reasonable duration;

2. Sending mail to the child(ren) which the other parent will not open and will not censor;

3. Receiving notice and relevant information as soon as practical (but not more than 24 hours) in the event of hospitalization, major illness, or death of the child(ren);

4. Receiving, directly from the school, copies of the child(ren)'s report cards, attendance records, teachers' names, class schedules, standardized test scores, and other records which are customarily made available to parents. A

written request must be made to the school with a current mailing address and payment must be made for the reasonable cost of duplicating and mailing these records;

5. Receiving, directly from the child(ren)'s physician and other health care

providers, copies of the child(ren)'s medical records. A written request must be made to the health care provider with a current mailing address and payment must be made for the reasonable cost of duplicating and mailing these records;

6. To be free of derogatory remarks made about one parent and his or her family by the other parent to the child(ren) or in the child(ren)'s presence.

7. To be given at least forty-eight (48) hours notice, whenever possible, of all extra curricular activities, and the opportunity to participate or observe, including, but not limited to, the following:

- (i) School activities;
- (ii) Athletic activities;
- (iii) Church activities; and
- (iv) Other activities as to which parental participation or observation would be appropriate.

8. To receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than two (2) days, an itinerary including telephone numbers for the use in the event of an emergency;

9. Access and participation in education, including the right of access to the minor child or children for lunch and other activities, on the same basis that is provided to all parents, provided the participation or access is reasonable and does not interfere with day-to-day operations or with the child's educational performance.

VIII. OTHER PROVISIONS

8.1 Violations

Violations of residential provisions of this order with actual knowledge of its terms are punishable by contempt of court and may be a criminal offense under T.C.A. §39-13-306, Tennessee custodial interference statute. Violation of this Order may subject a person to arrest.

8.2 Good Faith

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, as detailed above in Section IV.

8.3 Binding Effect

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

8.4 Other provisions.

There are no other provisions.

There are the following other provisions: _____

IX. DECLARATION FOR PROPOSED (NOT AGREED) PARENTING PLAN

Does not apply.

(only sign if this is proposed parenting plan.) I declare under penalty of perjury under the laws of the State of Tennessee that this plan has been proposed in good faith and that the statements are true and correct.

Mother

Date and Place of Signature

Father

Date and Place of Signature

X. DECLARATION FOR AGREED PARENTING PLAN

[] Does not apply.

[] We agree to be bound by the foregoing Permanent Parenting Plan and understand that it will become a Court order when acted upon by the Court.

Mother

Date and Place of Signature

Father

Date and Place of Signature

XI. ORDER BY THE COURT

IT IS ORDERED, ADJUDGED and DECREED that the Permanent Parenting Plan set forth above is adopted and approved as an Order of this Court.

ENTERED this the _____ day of _____, 20_____.

CHANCELLOR