Superior Court of Washington, County SPOKANE

In re the Marriage of: **SIRINYA SURINA** **Petitioner,** **And** **AARON MICHAEL SURINA** **Respondent.**	No. 17-3-01817-0 Parenting Plan (PPP/PPT/PP) [X] Clerk's action required: **1**.

Parenting Plan

1. This parenting plan is a **Court Order** signed by a judge. This is a Final order (PP).

2. **Children** - This parenting plan is for the following children:

	Child's name	Age
1.	David Michael Surina	7
2.	Andrew Alex Surina	3

3. **Reasons for putting limitations on a parent** (under RCW 26.09.191)

a. Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.

Neither parent has any of these problems.

b. Other problems that may harm the children's best interests:

A parent has one or more of these problems as follows:

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Abusive use of conflict - Respondent, Mr. Surina, has repeatedly engaged in abusive use of conflict with the Petitioner and has consistently involved the minor children in the conflicts, which is then contrary to the children's best interest and emotional health.

4. Limitations on a parent

The court's oral ruling has been reduced to writing. ~~The verbatim transcript of the court's oral ruling filed herein is included in the court's order related to this parenting plan.~~

The court's verbatim transcript (hereinafter "VBT") ~~shall be part of the permanent record~~ and shall be included ~~as the court's order in all future judicial rulings. Conflicts, if any, between the verbatim transcript and the written orders including the decree, child support order or parenting plan shall be resolved in favor of the verbatim transcript.~~

The following limits or conditions apply to Aaron Surina.

Please see the civil restraints/no contact order filed herein by separate order and or as noted in Section 14, paragraph l.

5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows.

a. Who can make major decisions about the children?

Type of Major Decision	Joint *(parents make these decisions together)*	Limited *(only the parent named below has authority to make these decisions)*
School / Educational		Sirinya Surina
Health care (not emergency)		Sirinya Surina
Other: Extra Curricular Activities*		Sirinya Surina

Religious upbringing Sirinya Surina

- Extracurricular Activities that interfere with the other parent's residential time shall be jointly decided.
- Those Extracurricular Activities where there is a request for financial contribution must be jointly decided. If either parent declines to contribute financially to a particular activity it shall not preclude the child from participating in the activity so long as it does not interfere with the other parent's residential time.

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b. Reasons for limits on major decision-making, if any:

Major decision-making **should** be limited because of problems as described in **3.b.** above.

6. Dispute Resolution - If you and the other parent disagree

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean.

a. To solve disagreements about this parenting plan, the parents will go to court (without having to go to mediation, arbitration, or counseling).

7. Custodian

The custodian is SIRINYA SURINA solely for the purpose of all state and federal statutes which require a designation of determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to spend more of their time.)

Parenting Time Schedule *(Residential Provisions)*

Complete *the parenting time schedule in sections* ***8*** *-* ***11****.*

8. School Schedule

a. Children under School-Age

The schedule for children under school-age is the same as for school-age children.

b. School-Age Children

~~This schedule will apply when begins: Other:~~

This schedule will apply immediately.

The children are scheduled to live with SIRINIYA SURINA except when they are scheduled to live with Aaron M. Surina on:

WEEKENDS: From Thursday after school until Monday morning when the children will be delivered to school on the following rotation:

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Two weekends with Aaron M. Surina, one weekend with Sirinya Surina and ~~the~~ then two weekends with Aaron M. Surina followed by one weekend with Sirinya Surina etc.

From Thursday at 3:00 p.m. to Monday at 8:30 a.m.:

9. Summer Schedule

Summer begins and ends according to the school calendar of the school district where the children primarily reside.

~~It is understood the parties will exchange the exact days for the summer schedule by May 1st of each year. In the event of a conflict, in even years the father's schedule will prevail, in odd years the mother's shall prevail.~~

Summer begins with that Friday immediately following the release of school, even if school is released on a Friday, and it ends on that Sunday preceding the Sunday of Labor Day weekend. The children will reside with Sirinya Surina the first and last week of every summer every year.

The parents will alternate weeks for the Summer and exchange the children on Sunday at 6:00 p.m. with Aaron Surina receiving the 1st week of the rotation each summer unless otherwise agreed upon in writing between the parties.

~~It is understood the parties will exchange the exact days for the summer schedule by May 1st of each year. In the event of a conflict, in even years the father's schedule will prevail, in odd years the mother's shall prevail.~~

10. Holiday Schedule (includes school breaks)

This is the Holiday Schedule for all children:

Holiday	Children with: Sirinya Surina	Children with: Aaron Surina
Martin Luther King Jr. Day	With the parent who is exercising residential time for the weekend	
Presidents' Day	With the parent who is exercising residential time for the weekend	
Spring Break	Spring break will be defined by the school district where the children primarily resides and will begin the Friday before Spring Break at 6:00 p.m. and end on Sunday at 6:00 p.m. the day before classes resume. Spring break will be alternated each year.	
	Odd	Even
Mother's Day	Every Year - from 9am to 9pm	
Memorial Day	With the parent who is exercising residential time for the weekend	
Father's Day - from 9am to 9pm.	Every Year	

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MP parent who has the children in their care pursuant to the summer schedule.

Holiday	Children with: Sirinya Surina	Children with: Aaron Surina
Fourth of July	~~Odd Years~~ Follow the Summer Schedule in Section **9**	~~Even Years~~
Labor Day	Every Year	
~~Halloween~~	~~Odd Years~~	~~Even Years~~ MP
Thanksgiving Day/Break	Odd Years Thanksgiving shall be defined as from 6:00 p.m. on Wednesday before Thanksgiving until 6:00 p.m. Sunday after Thanksgiving.	Even Years
Winter Break	Winter break shall be defined as: From the day school is released until the day before classes resume. Therefore, Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day are governed by winter break. The 1st half of Christmas break will be from the day school is released until 12:00 p.m. Christmas Eve Day The 2nd half will be from 12:00 p.m. Christmas Eve Day until the day before classes resume at the end of the Winter Break.	
	2nd Half Even Years 1st Half Odd Years	1st Half Even Years 2nd Half Odd Years

MP Childrens birthdays: with the parent that otherwise has the child in his/her care at that time.

11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule:

Named holidays shall be followed before school breaks.

12. Transportation Arrangements

The children will be exchanged for parenting time at school whenever possible. Until Andrew is enrolled in school he shall be exchanged at curbside or he may be escorted to the mother's door for the exchange. The parties will not communicate with each other during these exchanges. MP

MP ~~Aaron Surina~~ The receiving parent will provide all transportation for the weekly visitation exchanges.

When school is not in session, the exchanges will be at 3:00 p.m.

The Summer exchanges shall be at 6:00 p.m. on Sunday.

When Aaron is exercising a 3 day weekend that includes a Monday holiday, the return to school will be Tuesday morning.

Who is responsible for arranging transportation?

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The **picking up** parent - The parent who is about to **start** parenting time with the children must arrange to have the children picked up for the various extended vacations such as Spring Break Thanksgiving Winter Break and Summer.

Other details:

Exchanges shall be no longer than 5 minutes. Father may escort children to the door. There shall be no communication between the parties except through Family Wizard as noted below.

13. Moving with the Children (Relocation)

If the custodian plans to move, s/he **must notify** every person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days' notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice.*

Move within the same school district

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

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Warning! If you do not notify...

A custodian who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has already happened, and ordering the custodian to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the custodian's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your Objection with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the custodian may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the custodian may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the custodian may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the custodian. (However, the custodian may ask the court for an order allowing the move even though a hearing is pending if the custodian believes that s/he or a child is at unreasonable risk of harm.)
- the court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the custodian served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

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- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: *www.courts.wa.gov/forms*,
- The Administrative Office of the Courts - call: (360) 705-5328,
- Washington LawHelp: *www.washingtonlawhelp.org*, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

14. Other

a. Our Family Wizard: **The parties are ordered to visit www.OurFamilyWizard.com,** and each establish a parent account to utilize the tools listed in the "Services" tab. Each shall enroll in the program ~~for a one-year subscription.~~

The parties shall thereafter conduct all communications with each other using Our Family Wizard including but not limited to parenting plan matters, information sharing order matters, schedule alterations and reimbursable expenses matters on the website and shall not communicate with each other directly in any other way but especially regarding issues relating to the children and shall post all communication exclusively on the website. Each party shall respond to the other's request or notification within 48 hours if a response is required.

A party's failure to respond within such time period without requesting an extension of time to obtain further information of independent medical advice, shall be deemed a consent or a waiver, as the case may be, of the action, activity, period, or decision requested or offered.

Although no issues regarding health reimbursements are presently before the court, **the court orders the parties to** utilize the website's Expense feature, OFW Pay, to have a future record of all potentially reimbursable expenses in order to mitigate the necessity to litigate in the future over such matters.

Each parent shall preserve the original of any scanned document that is posted.

~~The parties shall consider and discuss establishing children's pages for each of the children on the website.~~

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Neither party shall fail to renew the annual subscription to the website without a signed and filed stipulation or a court order. allowing them not to renew

Admissibility. The above noted information and communications posted on the Family Wizard website shall be deemed admitted into any subsequent court hearings regarding this matter.

b. Neither parent shall speak disparagingly of the other parent while in the presence of the child nor allow 3rd parties to do so in the presence of the child.

c. There shall be no telephone contact between the children and the other parent who is not exercising residential time with the child

d. Neither party will transport the children without a valid driver's license. and insurance

e. Each parent will provide the other parent with a current telephone number at all times.

f. Neither part will consume alcohol to intoxication while caring for the children.

g. No illegal substances or legal marijuana when caring for the children.

h. All firearms with be locked and inaccessible to the children. at all times

i. Neither party shall travel outside Washington with the children without advising the other parent where they are going and when they are returning.

j. Neither party shall travel outside the United States with the children of the other parent without advanced written consent. If the parties are unable to agree, they will bring the issue before the court.

k. Telephone contact between the children and the non-~~visiting~~ custodial parent is suspended. After one year, either party can approach the court to ~~relook~~ review at this provision.

l. Mr. Surina is restrained for 1 year, unless it is related to the children as follows: 1.) no contact including but not limited to email, text or telephone or through other persons. 2.) He shall not come within 1 block of Sirinya unless it is to pick up of drop off the children. This is not a DV no contact and is not meant to involve Law Enforcement. The remedy shall be brought before the court by way of contempt or other relief.

m. During the occasions when exchanges are required at ~~the residence of the mother~~ either party's residence, drop of shall be limited to 5 minutes. maximum.

15. Proposal

Does not apply. This is a court order.

m. All communication shall be strictly limited to issues involving the children only. When communicating the parties will treat each other with respect dignity & courtesy at all times

16. Court Order

This is a court order (if signed by a judge or commissioner below).

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Findings of Fact - Based on the pleadings and any other evidence considered:

The Court adopts the statements in section **3.** (Reasons for putting limitations on a parent) as its findings.

Conclusions of Law - This *Parenting Plan* is in the best interest of the children.

Order - The parties must follow this *Parenting Plan.*

12/28/14
Date

JUDGE MICHAEL PRICE

Warning! If you don't follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't.

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 RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

Presented by:

KEITH A. GLANZER, WSBA No. 20424
Attorney for Petitioner

Approved for entry:

Presented separate order.

Aaron M. Surina, Self-represented
Respondent

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