

What do I do with the form once I have completed it?

Once you have completed the Proposed Parenting Plan you will need to make copies and send/deliver them to the following individuals:

- **Court Official** (the original form must be filed in the Family Court, Rm. C -112).
- **Family Court Social Worker**
- **The other parent**
- **The other parent's attorney** (if he/she has one)
- **Your attorney**
- **The Guardian ad Litem (GAL)** (if assigned)
- **Keep one for yourself**

If you are not represented by an attorney you may have it reviewed for completeness and have copies made in the Family Court Self-Help Center, Courthouse room C-108.



What if I don't file a parenting plan?

If the court orders that it be completed and you fail to do so, you may lose the right to contest or argue against any plan filed by the other parent. The judge may adopt the other parent's plan without asking what you believe is in your child's best interest.



What if the other parent and I have already reached an agreement on these issues?

The best parenting plan is one reached cooperatively between the parents. The Proposed Parenting Plan is **not required** if you and the other parent have already worked out an agreement regarding child custody, physical placement, support, and the other issues covered by the form. Your agreement takes the place of the Parenting Plan.

However, it may be helpful to use the Proposed Parenting Plan form as framework on which to write your agreement. You may then attach it to your Marital Settlement Agreement (if your divorce/legal separation has not yet been granted) or to a form called the Stipulation and Order to Amend Judgment (if your divorce, legal separation, or paternity has already been granted) and file it with the court for the judge's approval.

Disclaimer: This document is intended to give some general information to the public about proposed parenting plans in Waukesha County family court. It is not intended to give specific legal advice to any individual. If you need specific legal advice, you should consult with an attorney.

Original document created by
The Honorable Gary L. Carlson,
Circuit Court Judge of Taylor County and adapted for use in
the Waukesha County Family Court
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Proposed Parenting Plans in the Waukesha County Family Court



Family Court Self-Help Center

Waukesha County Courthouse, Room C-108
515 W. Moreland Blvd., Waukesha, WI 53188
<http://courtsselfhelp.waukeshacounty.gov>

Phone-in Hours:

Tuesdays 9-10 a.m.

Thursdays 2-3 p.m.

Seminars to change or enforce a legal custody or physical placement order:

Please go on-line or call 262-548-7524 to book a seminar.

Legal Clinic Appointments:

Please call 262-548-7524 to schedule an appointment if you have a legal question.

RESOURCE FEES APPLY



What is a Parenting Plan?

A parenting plan is a written proposal by a parent indicating how the two parents should handle their future relationship with their child(ren). It specifically covers solutions on legal custody and physical placement.

What does "Legal Custody" mean?

"Legal custody" refers to the major decision-making authority of a child. The court may award joint legal custody (shared decision-making) or sole legal custody (one parent makes the decisions). In making an order of legal custody, the court may specify which parent will have responsibility for certain decisions.

Major custodial decisions are defined by, but not limited to, consent to marry, enter military service and obtain a motor vehicle license, authorization for non-emergency health care and choice of school and religion.

In general, at the birth of the child, the parents are the legal custodians. If the child is born to parents who are not married, a father's rights are determined at the time of a formal court adjudication of paternity.

What does the form mean by "Physical Placement"?

"Physical placement" refers to the right to have a child physically placed with a parent. It gives that parent the right and responsibility to make, during that placement, routine daily decisions regarding the child's care, consistent with major decisions made by a person having legal custody. One party may be awarded primary physical placement with the other party having periods of physical placement (visitation), or the parties may be awarded equally shared placement.



Is there a "form" for such a Parenting Plan?

Yes. A form called the Proposed Parenting Plan, was written to help guide you through the process of making the necessary decisions. The form provides various alternatives and allows you to choose those you believe are best for your child, the other parent, and yourself. It also provides the opportunity to expand on any answer by attaching additional comments or notes. There is no cost for the Proposed Parenting Plan, which can be obtained for free in the Family Court Self-Help Center, during walk-in hours, Room C-108 of the Waukesha County Courthouse, or for free on-line at <http://courtsselfhelp.waukeshacounty.gov>.



In what types of cases are Parenting Plans *required* to be completed and filed?

Unless the court orders otherwise, Parenting Plans are required to be completed in cases with an action pending involving a legal custody or physical placement dispute of a minor child, and the parties are ordered to participate in a a Physical Placement Evaluation/Study because they either failed to reach an agreement regarding legal custody and/or physical placement in mediation or the mediation requirement was waived.



At what point in the case *must* it be completed and filed?

Unless otherwise ordered by the court, the Proposed Parenting Plan must be completed and filed with the court within 60 days the mediator notifies the court that no agreement has been reached in mediation or 60 days after the court waives the mediation requirement.