

## Parenting Plan Conference Rules

- Objective:
- For litigants to learn the possible reactions their children may experience during the separation or divorce.
  - Plan parenting time.
  - Compute child support.
  - Establish Temporary Orders.
1. Both parties must attend the Parenting Plan Conference (PPC).
    - a. It is advised that both parties attend on the same day.
    - b. If both parties do not attend on the same day, they will need to set the case on a 2:00pm conference docket with the Referee after both parties have attended the PPC.
    - c. The following financial information is required at the PPC to properly determine temporary child support (this information should be exchanged before the PPC):
      - i. Temporary Order Financial Declaration form.
      - ii. Income information (i.e. W-2, pay stubs, income tax returns) and health insurance information.
  2. After the PPC, the parties must conference with each other (including all attorneys involved).
  3. If the parties cannot come to an agreement after conferencing with each other, they will need to conference with the Referee.
    - a. All parties must be present in order to conference with the Referee.
    - b. The parties must notify the Referee's clerk.
    - c. If an agreement as to custody and visitation cannot be reached while conferencing with the Referee, the Referee may establish temporary custody, visitation, and child support. This shall be memorialized on the blank **Temporary Order** form.
      - i. If financial information is not available, the Referee will elicit testimony from the parties regarding their income and child-related expenses and will impute income to the parties accordingly.
      - ii. Any findings and recommendations for custody, visitation, and child support entered by the Referee shall be effective immediately, and shall be subject to either party filing an appropriate appeal to their assigned Domestic Judge within three days, pursuant to Title 43 § 104.1.
    - d. Referrals for Temporary Order Hearings will only be granted in the most extreme cases in which the Referee determines that it is in the *best interest of the child* that a hearing be held before the assigned Domestic Judge.
  4. If parties come to an agreement, they will NOT need to set a conference with the Referee.
    - a. If an agreement is reached between the parties, a **Temporary Order Agreement** (blank forms are provided at the PPC) may be left with the Referee's clerk.
    - b. The following documentation must be attached to the Temporary Order Agreement:
      - i. Child Support Computation sheet.

- ii. Disclaimer of Interest by DHS. Please check with the Referee's clerk to see if this has been filed.
  - iii. Scheduling Order.
- 5. A **Scheduling Order** must be completed and signed by all parties on **ALL** cases.
  - a. The Referee's clerk will have Scheduling Orders available and will set a 120 day status date before their assigned Domestic Judge.
  - b. If an agreement is not submitted to the Referee, then this Scheduling Order must then be submitted to their assigned Domestic Judge.
- 6. It is the responsibility of the parties to insure that an *appropriate* minute is left with the Referee's clerk.
  - a. If the parties have come to an agreement and plan on submitting a Temporary Order Agreement, the appropriate minute is NOT, "Temporary Order to be submitted."
  - b. If the parties leave without a minute being entered AND without a Temporary Order Agreement submitted, the clerk will enter, "Both parties present (with attorneys). No temporary order submitted. No referral made. PPC must be reset by parties."
- 7. If there is a **Protective Order** in place that includes the minor children, the parties will be required to have the PO appropriately consolidated with the FD case and secure a hearing date before the assigned Domestic Judge.
  - a. The Referee will not grant a **Referral for Temporary Order Hearing** in such cases, but will instead pass the PPC to the date of the hearing on the protective order.
  - b. The assigned Domestic Judge will address the PPC at the same time as the **Protective Order** hearing.