

<b>HO-CHUNK NATION TRIAL COURT</b>	For Official Use
First name                      Middle name                      Last name _____ Petitioner/Joint Petitioner,	<b>Proposed Parenting Plan</b>
and	Case No. _____
First name                      Middle name                      Last name _____ Respondent/Joint Petitioner.	

**I understand that under Ho-Chunk law, the parties are encouraged to cooperate and agree regarding the fulfillment of their duties to their children.**

- The Court may approve any agreement between the parties as to the legal custody and physical placement and care of minor children if deemed by the Court to be in the best interests of the children. HCN CHILD SUPPORT CODE 4 HCC § 7.
- The parties may file a proposed parenting plan to assist the court with child support and custody. HCN CHILD SUPPORT CODE 4 HCC § 7.26.a.iii.
- In divorce, the Court may approve any agreement between the parties as to the legal custody and physical placement and care of minor children if deemed by the Court to be in the best interests of the children. HCN DIVORCE AND CUSTODY ORDINANCE, 4 HCC § 9.8.a.(2).

**PROPOSED PARENTING PLAN:**

**A. Legal Custody** - the right and responsibility to make major decisions concerning the child, except with respect to specific decisions as set forth by the court or the parties in the final judgment.

1. **Legal custody** of the minor children shall be as follows:

Name of Child	Date of Birth	Joint Legal Custody	Sole Legal Custody to Petitioner	Sole Legal Custody to Respondent
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2. Specific Decision Making Authority**

Decisions in the following listed areas will be made as follows:

Decision	Jointly	By Petitioner	By Respondent
a. Non-Emergency Health Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Education/School Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Child Care Providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Non-School Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**B. Physical Placement**

In allocating the time the minor children spend between the parents, the court should award the placement on a day-to-day basis as follows:

Name of Child	Equal Shared Placement	Primary Physical Placement to Petitioner	Primary Physical Placement to Respondent
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AND the physical placement schedule shall be:

- a.  as listed in the attached document.
- b.  as proposed below (on a biweekly basis):

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.
Week 1							
Week 2							

**C. Child Care**

- 1.  The children do not require child care.
- 2.  The child care will be provided by \_\_\_\_\_

**And** the cost of child care will be paid as follows:

- a. The petitioner to pay \_\_\_\_%.
- b. The respondent to pay \_\_\_\_%.

**D. Summer and Holiday Placement Schedule:** The summer and holiday placement schedule should be as follows:

1.  According to the attached \_\_\_\_\_ County standard placement schedule.
2.  See attached
3.  as proposed here:

HOLIDAYS	With Petitioner the following years			With Respondent the following years		
	Every Year	Even years	Odd years	Every year	Even years	Odd Years
a. Mother's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Memorial Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Father's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. July 4 <sup>th</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Labor Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Halloween	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Thanksgiving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Christmas Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Christmas Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. New Year's Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. New Year's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Religious Holiday _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Religious Holiday _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Father's Birthday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Mother's Birthday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. Children's Birthday(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. School Spring Break	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. School Teacher Conventions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. Summer Break to be shared as follows: _____						

**E. Child Support - Note:** If the proposal is different from the state guidelines, the reason why it is different must be given.

The noncustodial parent shall be responsible for child support as follows:

1.  as required by the state support guidelines.
2.  according to the *attached* proposal.

**F. Transportation Issues**

1. The physical transfer of the children for placement should be as follows:
  - a.  All transportation to and from placements will be provided by the petitioner.
  - b.  All transportation to and from placements will be provided by the respondent.
  - c.  Transportation will be shared with:
    1.  parent with children shall deliver.
    2.  parent without children shall pick up.
  - d.  Other: \_\_\_\_\_
2. Transfers of children shall take place at:
  - a.  parent's home.
  - b.  halfway point: \_\_\_\_\_
  - c.  other location: \_\_\_\_\_
  - d.  Inter-spousal battery/domestic violence is an issue in this relationship and in order to ensure the safety of the children and/or parent, transfers of the children between the parents shall be:
    1.  supervised by \_\_\_\_\_
    2.  at a neutral public site \_\_\_\_\_
    3.  at a home of the following person \_\_\_\_\_
    4.  Other: \_\_\_\_\_
3. Transfers of children shall take place at:
  - a.  paid by party who incurs the costs.
  - b.  paid as follows: \_\_\_\_\_

**G. School**

1. The children will attend school at:

Name of Child	School/ School District
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Education costs will be paid as follows:
  - a. The petitioner to pay \_\_\_\_\_%.
  - b. The respondent to pay \_\_\_\_\_%.

**H. Residence**

**1. Current**

a. The petitioner resides at:

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

This is on Ho-Chunk Nation trust land.

This is not on Ho-Chunk Nation trust lands.

This is an inter-spousal battery/domestic violence case; I decline to give a specific address, but my general location is currently \_\_\_\_\_.

b. The respondent/joint petitioner currently resides at:

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

This is on Ho-Chunk Nation trust land.

This is not on Ho-Chunk Nation trust lands.

This is an inter-spousal battery/domestic violence case; I decline to give a specific address, but my general location is currently \_\_\_\_\_.

**I. Current Employer**

1. The petitioner is currently employed at:

Employer \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Days/Hrs. \_\_\_\_\_

This is an inter-spousal battery/domestic violence case; I decline to give my specific employment, but where I generally work is \_\_\_\_\_.

2. The respondent/joint petitioner is currently employed at:

Employer \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Days/Hrs. \_\_\_\_\_

This is an inter-spousal battery/domestic violence case; I decline to give my specific employment, but where I generally work is \_\_\_\_\_.

**J. Health Care**

1. **Providers:** Healthcare services will be provided to the children by the following:

Doctors/Pediatrician/Clinic

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Eye/Optomtrist \_\_\_\_\_

Dentist/Orthodontist \_\_\_\_\_

Insurance/Health Plan (if any) \_\_\_\_\_

Other: \_\_\_\_\_

**2. Expenses**

a. Healthcare Insurance for the minor children shall be:

- 1.  paid by the petitioner
- 2.  paid by the respondent/joint petitioner
- 3.  shared equally by both of us.
- 4.  paid as follows: \_\_\_\_\_
- 5.  **See attached plan.**

b. Uninsured healthcare expenses shall be:

- 1.  paid by petitioner
- 2.  paid by the other respondent/joint petitioner
- 3.  shared equally by both of us.
- 4.  paid as follows: \_\_\_\_\_
- 5.  **See attached plan.**

**K. Upbringing**

1.  The minor children will be raised in the following way:

- a.  Traditional
- b.  Religious
- c.  Native American Church
- d.  No religious affiliation is planned.
- e.  Other \_\_\_\_\_

**L. Maintaining Contact with Other Parent**

I shall assist the children in maintaining contact with the other parent by:

- 1.  direct contact through periods of placement.
- 2.  telephone contact.
- 3.  cards/letters.
- 4.  e-mail.
- 5.  providing copies of children's school projects.

6.  providing photographs of children participating in activities.
7.  assisting children with gift purchasing for other parent for birthdays and holidays.
8.  assisting children with letter writing to other parent.
9.  creating personal web-site for posting pictures, letters, information, comments.
10.  Other: \_\_\_\_\_

*(Note: Each parent is expected to take personal responsibility for contacting the schools to obtain school calendars and report cards and attending parent-teacher meetings.)*

**M. Resolving Disagreements**

If there are disagreements between the parents on issues that are to be joint decisions, the way to resolve the disagreements will be:

1.  the parent who has primary physical placement will decide.
2.  the parent who has physical placement at the time of the disagreement will decide.
3.  to allow the parent who generally made this type of decision before these court proceedings were started to make the same type of decision in the future.
4.  to review the issues from the other parent's or children's standpoint and reconsider my position.
5.  to determine whether my opposition is in good faith and in the best interests of the children or whether it is an attempt to spite the other parent, if it is not in good faith or the best interests, reconsider my position.
6.  to determine whether this is a situation in which the children is/are attempting to manipulate one parent against the other; if it appears to be manipulative, attempt to consult with the other parent to prevent the children from trapping us in this position.
7.  to ask for assistance from friends, relatives, clergy, or others who can be neutral and fair.
8.  I would suggest the following person(s) to serve as a third-party neutral(s):  
\_\_\_\_\_
9.  to contact the tribal court regarding options for mediation.
10.  Other: \_\_\_\_\_

Parties may each submit a separate parenting plan. In that instance they must provide a certificate of service for all parties and the court.

To the extent that parties agree to submit one parenting plan, it should be notarized and filed with the court.

This is an individually filed plan.

**OR**

This plan is jointly filed as noted by the below information.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Respondent/Joint Petitioner

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Date