

Supplemental Order Regarding Parenting Responsibilities
Effective Date: February 1, 2006

**In the District Court of the Second Judicial District of the
State of Idaho, In and for the County of Latah**

_____,)
Petitioner)
vs.)
_____,)
Respondent)

Case No. _____
**Supplemental Order Regarding
Parenting Responsibilities**

1. INTRODUCTION

Specific questions as to your rights and duties regarding custody, support, visitation, personal conduct or other matters should always be answered first by looking at the terms of your Divorce Decree and/or Child Custody Order. The following general rules are intended to give you guidance when your decree or custody order is silent, or unclear. Keep in mind that children need as much continuing contact with both parents as is reasonably possible under the circumstances. If either parent tries to improperly deny, diminish or discourage the custody or visitation rights that the court has set up in your decree or custody order (or in these supplemental provisions), it can be taken into consideration by the court at any future hearings.

2. GENERAL RULES OF CARE AND SUPERVISION

When you have the care and supervision of your children, you will provide them with a reasonable standard of living, taking into account your resources and financial abilities. When your children are present, or if you are corresponding with them, do not refer to the other parent in a disrespectful or insulting way, nor permit anyone else to do so.

3. VISITATION, CORRESPONDENCE, & CUSTODY

(A) Reasonable Visitation Rights. If you have been given “reasonable” visitation rights, you may visit the children at such times and places as does not unreasonably interfere with the normal activities of the children *and* the custodial parent. What is “reasonable” may depend upon the age of the children, where you and your ex-spouse live, the mental and physical health of everyone in the family, and other factors of proper concern to you, the other parent, the children, *or the court*. Failure to provide child support does *not* by itself cancel visitation rights.

(B) Alternative Visiting Sites. If a custodial parent asks the visiting parent to find a place to hold visits outside of the custodial home, the visiting parent must find a suitable place to do so. If a visiting parent wants to take the children to activities away from the custodial home, the custodian will have the children ready, clothed and equipped for the planned activities. (Such a request should not require the custodial parent to make extraordinary purchases.)

(C) Schedule Conflicts. If a child wants to do something which could interfere with a parental visit, the custodial parent must obtain the visiting parent's approval before encouraging or permitting the conflicting activity. The visiting parent, however, should not unreasonably withhold consent to the child's activities. Both parents are to be flexible in working out arrangements, and in the event of conflicts in scheduling, they should not adhere rigidly to the arrangements set forth in the Decree or Custody Order. If the visiting parent is unable to visit at a certain scheduled time or the children cannot be available, then every effort must be made to work out a compromise so that the visiting parent can still spend time with the children to assure the frequent continuing contact anticipated by the custodial arrangement.

(D) Correspondence. The noncustodial parent may correspond with the children, and the custodian shall not censor such correspondence.

(E) Joint Physical Custody. Where the court has awarded joint *physical* custody it means that the children should spend a significant amount of time living with or under the care and supervision of *each* of the parents.

(F) Joint Legal Custody. Where the court has awarded joint *legal* custody, both parents share decision-making rights, responsibilities, and authority for the health, education, and general welfare of their children.

4. CHILD SUPPORT PAYMENTS

Payments may be made by check, cashier's check, or money order **payable to the Department of Health and Welfare** and should include the name of the recipient, the county, and the case number in order to assure that proper credit is given and to avoid delays in processing the payment. Child support payments must be sent to: State of Idaho, Child Support Receiving, Post Office Box 70008, Boise, ID 83707

5. NOTICE OF LIEN & AUTOMATIC IMMEDIATE INCOME WITHHOLDING

The support order is enforceable by a lien which arises automatically upon a child support delinquency, pursuant to Title 7, Chapter 12 of the Idaho Code and by automatic and immediate income withholding under Title 32, Chapter 12 of the Idaho Code. The automatic and immediate withholding order shall be issued by the Department of Health and Welfare or other obligee to your employer or other person who pays your income without additional notice to you.

6. MEDICAL, DENTAL AND OPTICAL NEEDS OF THE CHILDREN

Unless otherwise specified in the decree or custody order, both parents are jointly responsible for the medical, dental and optical needs of their child(ren) until each child reaches 18 years of age (or 19 if enrolled full time in high school.) The parent paying child support shall obtain medical insurance for the child(ren), if available at a reasonable cost, which will ordinarily be the case for employment-related group health insurance. The Court may issue a Qualified Medical Child Support Order or other order if necessary. Each parent will pay their share of medical costs over and above what insurance will pay. Any health care expense which would result in an out-of-pocket cost of \$500 or more to the parent who did not incur the expense must be approved beforehand in writing by both parents, or by order of the Court, except under extraordinary circumstances. The Court may subsequently divide this expense in its discretion between the parents. Consent for treatment must not be requested or withheld unreasonably.

7. NOTICE OF MEDICAL SUPPORT ORDER

Failure to provide medical insurance coverage may result in the direct enforcement of a medical support order by either the obligee or the Department of Health and Welfare. A national medical support notice will be sent to your employer, requiring your employer to enroll the child in a health benefit plan as provided by Sections 32-1214A through 32-1214K, Idaho Code, and applicable rules of the department.

8. INTERFERENCE

Neither parent will intrude upon the privacy of the other or interfere with the other parent's rights under the decree or any other order of the court. Neither parent is to say or do anything which undermines or questions the other parent's authority and right to discipline the children in a reasonable manner. Neither parent is to make insulting or critical statements about the other parent, or that parent's family and friends, nor are they to imply anything derogatory about the other parent.

9. DOMESTIC VIOLENCE

If either parent or the children are victims of domestic violence (that is, physical injury, sexual abuse, or forced imprisonment, or threats thereof) the parent can ask the prosecuting attorney to file a criminal complaint. A parent may also have the right to file a petition in Magistrate Court requesting an order for protection from domestic abuse. The forms needed to obtain that protection order are available from the Clerk of the District Court.

10. CONTEMPT

Violation of any of the orders of the court, including the Decree of Divorce, any subsequent orders, or this order, may be considered contempt of court, and is punishable by fines and/or jailing.

11. ENFORCEMENT

Either parent having knowledge of a violation of this order, or the Decree, or Custody Order may ask the court, under oath, to hold the other parent in contempt. The parent who makes the claim may need to present evidence of the violation to the court. A parent who makes a frivolous or bad faith claim can be punished. For these reasons, among others, it is preferable that such claims be made through an attorney.

**BY ORDER OF THE DISTRICT COURT
OF THE SECOND JUDICIAL DISTRICT
OF THE STATE OF IDAHO**