

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING THE RULES OF COURT PRACTICE AND PROCEDURE FOR THE 55TH JUDICIAL CIRCUIT, FAMILY COURT DIVISION, BULLITT COUNTY

Upon recommendation of the Judges of the 55th Judicial Circuit, and being otherwise sufficiently advised,

The Rules of Court Practice and Procedure for the 55th Judicial Circuit, Family Court Division, Bullitt County, are hereby approved. This order shall be effective as of the date of this Order, and shall remain in effect until further orders of this court.

Entered this the 11th day of April 2012.


CHIEF JUSTICE JOHN D. MINTON, JR.

**LOCAL RULES
BULLITT CIRCUIT COURT
55TH JUDICIAL CIRCUIT, DIVISION TWO (2)
FAMILY COURT**

RULE 1. INTRODUCTION/ADMINISTRATIVE PROCEDURE

101 Preface

- A. These are the Uniform Rules of Court Practice and Procedures of the Bullitt Circuit Court, Family Division (Bullitt Family Court). These Rules supplement the Kentucky Rules of Civil Procedure (CR), the Kentucky Family Court Rules of Procedure and Practice (FCRPP) and the Kentucky Rules of Criminal Procedure (RCr). These rules shall be the only operative Bullitt Family Court Rules. All previous rules adopted by the Bullitt Family Court are hereby rescinded.
- B. The Court may assess costs and fees or impose appropriate sanctions against a party not complying with any these Rules.

102 Effective Date

The effective date of these Rules shall be thirty (30) days after Kentucky Supreme Court approval.

103 Citation

These Rules shall be cited as RBFC or “Rules of Bullitt Family Court.”

104 Assignment of Cases

Information regarding the assignment of cases may be obtained from the Bullitt Circuit Court Clerk’s Office.

105 Holidays

Holiday schedules for the Kentucky Court of Justice may be obtained from the Bullitt Circuit Court Clerk’s Office or on the Family Court website:
<http://courts.ky.gov/circuitcourt/familycourt/sites/bullitt.htm>

106 Style and Case Numbers

- A. Information regarding case numbers may be obtained from the Bullitt Circuit Court Clerk’s Office.
- B. The heading of the case shall read:

COMMONWEALTH OF KENTUCKY
BULLITT CIRCUIT COURT
DIVISION TWO (2)
FAMILY COURT
CIVIL ACTION NO. _____

C. The signature line for the judge shall read:

Judge, Bullitt Circuit Court
Division Two (2)
Family Court

107 Distribution List

A. The attorney shall affix to the bottom of any tendered Order or Judgment the distribution list of individuals to receive copies of the tendered Order or Judgment. In addition to the names of the individuals, the attorney shall include the address of each individual. The attorney shall also affix the following:

Order/Judgment distribution by:

Deputy Bullitt Circuit Court Clerk
Date:

B. The Circuit Court Clerk or Deputy Circuit Court Clerk who processes the Order/Judgment shall affix his or her name to signify that distribution has been completed.

108 Forms

Unless otherwise specified below, all forms may be downloaded from the Kentucky Court of Justice website:

<http://courts.ky.gov/forms/default.htm>

RULE 2. COURT SCHEDULING/MOTION HOUR/PROCEDURES FOR FILING

201 Regular Motion Hour and Hearing Docket Schedule

- A. Motion Hour shall be on Monday at 11:00 A.M.
- B. Motions for Paternity, Dependency, Neglect and Abuse, and Domestic Violence actions shall be noticed for the beginning of the regularly scheduled docket. All other motions shall be noticed for the Monday Motion Hour at 11:00 A.M.

- C. Paternity cases and civil non-support with juvenile case designations shall be heard on Tuesdays at 1:00 P.M. for motions and at 1:30 P.M. for any necessary hearings.
- D. Dependency, neglect and abuse cases shall be heard each Wednesday at 9:00 A.M. Status offense cases shall be heard each Wednesday at 1:30 P.M.
- E. Domestic violence cases shall be heard each Monday at 9:00 A.M.
- F. Adoptions and parental rights terminations shall be heard on Fridays as scheduled.

202 Exceptions to Regular Motion Hour Schedule

There shall be no Motion Hour during the week of the Judicial College. Whenever a state holiday falls on a Monday, the Motion Hour shall be held on Tuesday of that week. Any motion noticed for a Monday on which a state holiday falls shall be automatically scheduled by the Bullitt Circuit Court Clerk's Office for the Tuesday following the holiday if a Motion Hour is scheduled for that Tuesday. If the Court is closed for any other unforeseen reason, e.g. inclement weather, the Motion Hour shall be passed to the next available Motion Hour.

203 Deadlines for Serving and Filing Motions

- A. All Circuit Court motions shall be filed, clocked and noticed no later than 4:00 P.M. on the preceding Wednesday. All motions filed after 4:00 P.M. on such Wednesday shall be automatically passed to the next Motion Hour.
- B. All non-emergency motions of the Paternity, Dependency, Neglect and Abuse, Domestic Violence and Status dockets shall be filed, clocked and noticed no later than noon three business days preceding the appropriate docket.
- C. Motions filed by mail shall be mailed to the following address or such other mailing address as the Bullitt Circuit Court Clerk shall designate as the official mailing address:

Bullitt Circuit Court Clerk
P.O. Box 746
Shepherdsville, KY 40165
- D. All motions shall be accompanied by an Order stating the requested relief and an Order setting the issue(s) for hearing with appropriate blanks for the Court to insert the time and date of the hearing and a blank for the time allotted for the hearing.
- E. All pleadings shall be original documents. Original documents shall be those containing an original signature of the individual filing the document. No pleadings generated by facsimile shall be filed by the Bullitt Circuit Court Clerk's Office.

- F. All civil motions shall be heard on the regularly scheduled date and time unless a different time is designated by the Court.
- G. Motions, including motions for Temporary Restraining Orders, involving an emergency which will cause irreparable harm or injury to the persons or to the property by delay in waiting for the next scheduled motion day may be heard by the Court as the Court's schedule permits and with prior approval of the Court.

RULE 3. ADOPTIONS/TERMINATION OF PARENTAL RIGHTS

301 Petition

Upon the filing of a Petition, the case shall be brought, along with any related Dependency, Neglect and Abuse and/or Termination of Parental Rights case(s), to the Family Court Judge.

302 Guardian *ad Litem*

In all actions for adoption or termination of parental rights which require appointment of a guardian *ad litem*, counsel shall make a motion and tender an Order for appointment of a guardian *ad litem* for the child(ren). In the best interest of the child(ren), the Court shall appoint a guardian *ad litem* taking into consideration any previously appointed guardian *ad litem* in any related Dependency, Neglect and Abuse and/or Termination of Parental Rights case(s).

303 Counsel for Parents

- A. Whenever a parent in an action for involuntary termination of parental rights moves the Court for an appointment of counsel, supported by an affidavit of indigency, the Clerk shall bring the Court any related Dependency, Neglect and Abuse file(s).
- B. If the appointment of counsel is appropriate, the Court may offer the parent the option of being represented by the same counsel who represented the parent in the Dependency, Neglect and Abuse proceeding(s).

304 Involuntary Termination of Parental Rights

In accordance with FCRPP 34(1), the petitioner shall obtain a pretrial date by filing a motion noticed for the first available Motion Hour.

305 Guardian *ad Litem*/Court Appointed Counsel Fee

Motions for compensation shall be accompanied by the FINGAL-1 form available for download from the Kentucky Finance & Administration Cabinet website:
<http://finance.ky.gov/ourcabinet/caboff/OGC/galf.htm>

RULE 4. DOMESTIC VIOLENCE PROTOCOL AND 24 HOUR ACCESS POLICY

The Uniform Protocol for handling Domestic Violence Cases for the 55th Judicial Circuit and District is incorporated herein by reference as if copied and set forth verbatim, attached as Appendix 1.

RULE 5. PATERNITY

There are no local rules pertaining to Paternity cases. For statewide uniform rules of procedure see FCRPP 14 and FCRPP 15.

RULE 6. DEPENDENCY, NEGLECT AND ABUSE

601 Court Reports

Each written report from the guardian *ad litem*, the social worker assigned to the juvenile case and the CASA volunteer shall be filed with the Clerk by 11:00 A.M. on the Monday next preceding the Wednesday on which the case is scheduled to be heard. Copies of those reports shall be given to all attorneys of record, the social worker assigned to the particular case, the CASA volunteer, the guardian *ad litem* for the child(ren) and the Court with a certificate of service of the report.

602 Case File

When requested, a copy of each entire juvenile file, as well as all subsequent Orders/pleadings, shall be given to CASA, the guardian *ad litem* and the social worker when each enters a case.

603 Motions

Copies of each motion filed in a case shall be sent by the movant to CASA (if appointed in the case), the social worker (if assigned to the case), the guardian *ad litem* and each attorney of record in the case. These parties shall be listed under the notice section of the motion with such action certified by the attorney filing the motion.

604 Cases with Siblings

An original of each motion/pleading shall be filed in each individual case of a sibling before the Court.

RULE 7. DOMESTIC RELATIONS PRACTICE

701 Hearing of Cases

Trials in chief of all domestic relations cases and all hearings relating to child custody shall be heard by the judge. The foregoing provision shall not preclude the use of

depositions as provided in CR 32.01. This rule does not affect the method of taking proof in uncontested or settled actions.

702 Required Case Information

- A. A Case Data Information sheet shall be filed with the petition (Form AOC-FC-3).
- B. In any divorce action where the parties are ordered to attend Families in Transition Program, the Bullitt Circuit Court Clerk's Office shall provide a copy of the Case Data Information sheet to the agency providing said program.

703 Appearances, Waivers, and Agreements

- A. A party who is not represented by counsel shall sign and acknowledge Appearances, Waivers and Agreements before a notary or Deputy Circuit Court Clerk.
- B. All Agreements and Agreed Orders shall contain the correct mailing addresses for the attorneys and parties.

704 Mandatory Case Disclosure

- A. Pursuant to FCRPP 3(3), unless otherwise provided for by these Rules or waived by the Court for good cause shown, no Judgment will be entered until both parties have filed a fully completed Form AOC-239 attached with all required supporting documentation.
- B. At the option of the parties, the respondent may in lieu of the foregoing sign an acknowledgement of the petitioner's mandatory case disclosure before a notary or Deputy Circuit Court Clerk. The acknowledgement shall state that there are no other assets or debts other than those listed in the petitioner's mandatory case disclosure and that the respondent agrees with the contents as stated in the petitioner's statement.
- C. A complete mandatory case disclosure for each party, or a complete mandatory case disclosure of the petitioner coupled with an acknowledgement by the respondent as provided for in RBFC 704(B), must be filed in all cases even if all issues are resolved by agreement, subject to the following exceptions:
 - 1. Uncontested cases. The parties may acknowledge the exchange of documents required in the mandatory case disclosure or waive such exchange in the property settlement agreement.
 - 2. Default judgment cases. The petitioner may replace the required supporting documentation by testimony.

705 Families in Transition Program, Procedure and Failure to Attend

- A. Families involved in a divorce proceeding where there are minor children may be ordered to participate in the Families in Transition Program. If ordered, parents and children between the ages of five (5) and seventeen (17) shall attend, but children under the age of five (5) are not required to attend.
- B. Scheduling of Attendance
 - 1. Both the petitioner and respondent shall enroll in the Families in Transition Program within thirty (30) days of the date of entry of the Order of Attendance and shall complete the program within sixty (60) days.
 - 2. If any minor children of the parties are required to attend the Families in Transition Program, the parent who has possession of the child(ren) shall be responsible for taking the child(ren) to the program and ensuring they complete their participation in the program within the time period set forth above.
 - 3. Unless for good cause shown, a party's failure to attend the Families in Transition Program when ordered may result in delay of the court action, imposition of costs and/or attorney's fees and/or any other appropriate sanctions, including contempt.

706 Mediation

- A. Parties are encouraged and may be ordered to engage in mediation on all substantive issues pursuant to FCRPP 2(6).
- B. Confidentiality
 - 1. Mediation proceedings shall be held in private and all communications, verbal or written, made in the proceedings shall be confidential. The same protections shall be given to communications between the parties in the presence of the mediator, and to all communications, verbal or written, with Court staff. This Rule notwithstanding, the mediator shall be responsible for reporting abuse according to KRS 209.030 and KRS 620.030.
 - 2. All conduct and communications made during a mediation conference shall be treated as settlement negotiations and shall be governed by KRE 408.
 - 3. Mediators shall not be subpoenaed regarding the disclosure of any matter discussed during the mediation which is considered confidential. This privilege and immunity resides with the mediator and may not be waived by the parties.

707 Settlement Conference

Prior to the initial case management conference the parties shall conduct an extra-judicial settlement conference with counsel in attendance. Certification shall be filed three (3) days before the Case Management Conference.

708 Trial

The trial shall be held as scheduled, except for good cause shown. At the conclusion of the trial and upon submission for final judgment, each party shall file Form AOC-280 pursuant to SCR 1.050(8).

709 Requirements for Entry of Decree

A. Motions for final decree shall be accompanied by:

1. In default cases, a military affidavit.
2. A written request for restoration of a party's former name, if desired, unless the request is provided for in prior pleadings, entry of appearance or the agreement.
3. Certificates demonstrating that both parties and their children have completed the Families in Transition Program, if applicable, unless otherwise waived by the Court.

B. Proof in uncontested or settled cases:

1. Proof may be by written deposition in accordance with FCRPP 3(1)(a)(i)(G), written interrogatories or orally before the Court. Should the proof be entered by written interrogatories, the proof shall be given independently from the attorney's office with certification of such independence.
2. Either party may offer proof for the purpose of entering a decree.
3. When motion for final decree is made more than ninety (90) days after proof has been taken, an affidavit shall be filed stating that there has been no normal resumption of the marriage relationship and that no material change in circumstances has occurred since the taking of the proof. Such affidavit shall be accompanied by certification that notice has been given to the other party.
4. Where proof is submitted by written interrogatories and the parties have executed a settlement agreement resolving all issues, a motion to enter a decree need not be placed upon the Court's docket for Motion Hour but may be submitted directly to the Court with notice to the opposing party unless a waiver of notice has been filed. The Court shall be given notice of the submission for Judgment. Both parties shall file Form AOC-280 pursuant to SCR 1.050(8) when the case is

submitted for Judgment, unless the opposing party has filed a waiver of notice. In such case only the moving party shall file Form AOC-280.

710 Holiday Parenting Time Guidelines

Please refer to Appendix 2 for the Holiday Parenting Time Guidelines

RULE 8. STATUS OFFENSES

There are no local rules pertaining to Status cases. For statewide uniform rules of procedure see FCRPP 37 through FCRPP 44.

RULE 9. MISCELLANEOUS

901 Protection of Personal Identifiers and Other Information

- A. The Case Data Information sheet (Form AOC-FC-3) must be fully completed in all cases. In addition, pleadings must comply with the requirements of KRS Chapters 205, 403, 405, 406 and 407 by providing the personal identifying information required in those chapters. However, except as set forth in Paragraph B below, where personal identifiers are required by statute or contained in other documents or exhibits filed with the Court pursuant to the above-stated Chapters, parties shall comply with CR 7.03(1)(b) by filing one copy from which all personal identifiers have been redacted and filing an unredacted copy in a marked and sealed envelope. The Circuit Court Clerk or Deputy Circuit Court Clerk shall allow the unredacted sealed copy of the pleading, document or exhibit containing personal identifiers to be accessed only by a party to the case, an attorney of record in the case, any authorized Court personnel, a duly authorized employee or agent of the Cabinet for Health and Family Services involved in child support matters attendant to the case or a person authorized to view the copy by specific Orders of the Court. As used in this section, "personal identifier" means a Social Security number, taxpayer identification number, date of birth or financial account number.
- B. Pleadings, documents or exhibits filed in actions deemed confidential by statute need not be redacted and any access to those files shall be governed according to statute.
- C. When a party to any case wishes, for purposes of personal safety, to conceal any personal information, including but not limited to the party's phone number or physical or mailing address, from any other party to the case, the party shall file redacted copies of any pleadings or other documents requiring such information, or of any pleadings or other documents otherwise necessitating such information for the purpose of distribution of any Orders or other documents filed by the Court, along with unredacted copies in a sealed envelope. The envelope shall be marked with an admonition stating that it may be opened only by the party filing said envelope or by any other participant in the case upon written permission of the filing party or by

Order of this Court. The written permission must be signed and acknowledged before a notary or Deputy Circuit Court Clerk. As well, the Circuit Court Clerk or Deputy Circuit Court Clerk is permitted access to the sealed and unredacted copy for the sole purpose of distributing any Orders or other documents filed by the Court.

902 Case Management Conference

The Court may schedule a case management conference in any pending case in which sixty (60) days have elapsed following either the last court appearance or service of the petition upon the respondent if neither party has appeared before the Court. The case management conference will be scheduled during the particular Motion Hour docket appropriate for the type of case.

903 Guardians *ad Litem*

All guardians *ad litem* appointed to represent children in any litigation or those parties who are incarcerated shall file written reports with the Court and shall attend all court appearances involving their client.

Elise Turhan Spanhour, Judge Robert J. ...
Name/Date March 27, 2012 4-27-12

Name/Date

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING AMENDMENT TO APPENDIX 1 OF THE COURT RULES OF PRACTICE AND PROCEDURE FOR THE 55TH JUDICIAL CIRCUIT, FAMILY DIVISION, BULLITT COUNTY

Upon the recommendation of the Judges of the 55th Judicial Circuit, Bullitt County, and being otherwise sufficiently advised,

The amendment to Appendix 1 of the Local Rules of Practice and Procedure for the 55th Judicial Circuit is hereby approved. This order shall be effective as of the date of this Order and shall remain in effect until further orders of this court.

Entered this 11th day of December 2015.


CHIEF JUSTICE

Supreme Court of Kentucky

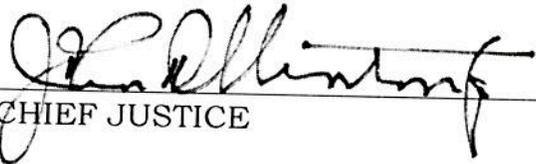
ORDER

IN RE: ORDER APPROVING TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION PROTOCOL FOR THE 55TH JUDICIAL CIRCUIT AND DISTRICT, BULLITT COUNTY

Upon the recommendation of the Judges of the 55th Judicial Circuit and District, Bullitt County, and being otherwise sufficiently advised,

The Twenty-Four Hour Accessibility to Protective Orders and Local Joint Jurisdiction Protocol for the 55th Judicial Circuit and District is hereby approved. This order shall be effective as of the date of this Order and shall remain in effect until further orders of this court.

Entered this 11th day of December 2015.


CHIEF JUSTICE

**TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL
JOINT JURISDICTION PROTOCOL**
55th **JUDICIAL CIRCUIT AND DISTRICT**
Bullitt **COUNTY/COUNTIES**

Pursuant to KRS 403.735 and KRS 456.030, and in compliance with Family Court Rule of Practice and Procedure Section IV, this local protective order protocol is established to ensure twenty-four hour accessibility to emergency protective orders (EPOs) and temporary interpersonal protective orders (TIPOs) and to establish written procedures for matters in which there may be joint jurisdiction between the Circuit/Family and District Courts.

I. Uniform Protocol for Handling Cases

- A. All petitions requested, completed and signed by persons seeking protection under KRS Chapter 403 or KRS Chapter 456 shall be made on form AOC-275.1, and shall be accepted and filed with the court. KRS 403.725, KRS 456.030.
- B. All protective order cases must be processed consistent with the rules and procedures set forth in the Kentucky Circuit Court Clerk's Manual.
- C. All cases will be assigned a "D" case number with the appropriate trailer number within the court case management system and may not be consolidated with any other case type.
- D. "No drop" policies which place limitations on a petitioner's right to modify or withdraw a petition for a protective order are not permitted. Pursuant to KRS 403.740 and KRS 456.060, any orders for relief issued directing or prohibiting any other actions that the court believes will be of assistance in eliminating future acts of domestic violence and abuse, dating violence and abuse, stalking, or sexual assault shall not order the petitioner to take any affirmative action.
- E. Cases may be reassigned within the judicial circuit and, pursuant to FCRPP 12, a case may be transferred to another circuit if there is a pending dissolution or custody matter. If reassignment or transfer occurs, the issuing judge shall re-issue a summons until the matter may be heard by the receiving judge.
- F. The court shall review a petition for a protective order immediately upon its filing. KRS 403.730, KRS 456.040. Petitioners shall not be sent away or left waiting for extended periods of time. Petitions should be reviewed within an hour of presentation to a judge or trial commissioner unless impossible due to no judge or trial commissioner being available.

II. Twenty-four Hour Accessibility

- A. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioner **during** regular business hours:

Deputy Circuit Court Clerks

- B. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioner **after** regular business hours and weekends:

Deputy Jailers
Deputy Circuit Court Clerks

- C. Upon receipt of a petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:

1- Either District Court Judge
2- Family Circuit Court Judge
3- IF ALL 3 ARE UNAVAILABLE, the
Circuit Court Judge.

- D. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to:

Rotating Schedule Among Two (2)
DISTRICT Court Judges and the
Family Circuit Court Judge.

III. Assignment of Cases

- A. Pursuant to KRS 403.735 and KRS 456.030, jurisdiction over petitions filed under this chapter is concurrent between district, circuit, and family court.
- B. The judge reviewing a petition for an order of protection shall indicate in the "Court Action" section of the petition whether the resulting action is a domestic violence action under KRS Chapter 403 or an interpersonal protective order action under KRS Chapter 456.
- C. The circuit clerk shall assign interpersonal protective order cases to the District Court.

D. The schedule for hearings on protective orders is as follows:

District Court Division 1.
Every Wednesday at 10:00 a.m.

E. Cases may be reassigned or transferred between courts if it is determined that there are other actions pending or circumstances indicate that review by the other court is proper. KRS 403.725, KRS 456.030. If reassignment or transfer occurs, the issuing judge shall re-issue a summons until the matter may be heard by the receiving judge.

IV. Contempt Proceedings

A. Pursuant to KRS 403.763 and KRS 456.180, civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive. Once a criminal or contempt proceeding has been initiated, the other shall not be undertaken regardless of the outcome of the original proceeding.

B. Petitioners seeking to initiate contempt proceedings should contact:

Bullitt County Attorney's Office.

C. No petitioner may be held in contempt for failure to appear at a domestic violence hearing or prosecute a criminal violation of a protective order.

The undersigned hereby acknowledge that all general orders, forms, policies and procedures relating to domestic violence within the judicial circuit are attached to this protocol and incorporated by reference.

The above protocol is adopted by all judicial officers in the circuit:

Elise Gibhan Spainhour
Name/Title/Date

Elise Gibhan Spainhour, Judge, Bullitt Circuit Court
Name/Title/Date Div. 2, Family Court

[Signature]
Name/Title/Date 10-26-15

Jennifer Porter, District Judge,
Name/Title/Date 10-26-15 DIV. 2

[Signature]
Name/Title/Date

Rebecca S. Ward, District Judge,
Name/Title/Date 10-26-15 DIV. 2

Rodney Burrell
10-27-15

³
Rodney Burrell, Bullitt Circuit Court
Div. 1

APPENDIX 2

Holiday Parenting Time Guidelines

- A. The following holiday parenting time schedule is suggested as a guideline for use by litigants and the Court. The parties to a proceeding may agree upon this guideline. In such a case the Court may adopt the schedule as an Order.
- B. The parents shall alternate possession of the minor children during the following holidays: New Years Day, Easter, Memorial Day, July 4th, Labor Day, Halloween, Thanksgiving Day, Christmas Eve from 10:00 A.M. until 10:00 A.M. Christmas Day, and Christmas Day after 10:00 A.M.
- C. The Petitioner shall have the following holidays:
 - 1. Even Years: New Years Day, Easter, July 4th, Thanksgiving Day and Christmas Day after 10:00 A.M.
 - 2. Odd Years: Memorial Day, Labor Day, Halloween, and Christmas Eve from 10:00 A.M. to 10:00 A.M. Christmas Day.
- D. The Respondent shall have the following holidays:
 - 1. Odd Years: New Years Day, Easter, July 4th, Thanksgiving Day and Christmas Day after 10:00 A.M.
 - 2. Even Years: Memorial Day, Labor Day, Halloween, and Christmas Eve from 10:00 A.M. to 10:00 A.M. Christmas Day.
- E. On Birthdays, Mother's Day and Father's Day:
 - 1. Possession of a child for his or her birthday shall alternate with Petitioner having even numbered years and with Respondent having odd numbered years, regardless of other visitation scheduled.
 - 2. The father shall have the children on Father's Day and his birthday, regardless of any other visitation scheduled.
 - 3. The mother shall have the children on Mother's Day and her birthday, regardless of any other visitation scheduled.
- F. School Break Periods:
 - 1. The Petitioner shall have the children:

- a. Even Years: Christmas Day at 10:00 A.M. to the first day of school, last day of school beginning spring break until 12:00 noon on Wednesday.
 - b. Odd Years: Last day of school before break through 10:00 A.M. Christmas Day, Wednesday at 12:00 noon through resumption of school ending the spring break.
2. The Respondent shall have the children:
 - a. Odd Years: Christmas Day at 10:00 A.M. to the first day of school, last day of school beginning spring break until 12:00 noon on Wednesday.
 - b. Even Years: Last day of school before break through 10:00 A.M. Christmas Day, Wednesday at 12:00 noon through resumption of school ending the spring break.
3. Fall breaks shall be alternated between the parents.
4. This visitation shall apply regardless of weekend alternation. Alternation of weekend visitation shall resume following the end of holiday visitation.
5. Petitioner shall be responsible to ensure that a child or children are delivered to visitation and Respondent shall ensure that the child or children are returned from visitation. Holiday visitation begins at 8:00 A.M. and lasts until 8:00 P.M. on the holiday unless the holiday follows a weekend visitation in which case the weekend visitation will continue through the holiday until 8:00 P.M. except as set out herein regarding Christmas Eve, Christmas Day, and spring break.
6. Any other Monday or Friday holidays not previously mentioned shall attach to the weekend so that the parent having the weekend shall receive the holiday.