

IN THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

FILED

JUN 23 2023

CLERK OF CIRCUIT COURT #19
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:)

DANIELA B.S. MCGINNIS,)

Petitioner,)

and)

KEVIN D. MCGINNIS,)

Respondent.)

Case No: 23-DC-100

AGREED PARENTING PLAN and
ALLOCATION JUDGMENT OF PARENTAL RESPONSIBILITIES

This Parenting Plan is entered on this 19th day of June, 2023. This Parenting Plan is in accordance with the provisions of 602.5 and 602.7 of the Illinois Marriage and Dissolution of Marriage Act ("Act") and considers the provisions and purposes of the Act in securing the maximum involvement and cooperation of both parents.

The children's welfare can best be served by the mutual cooperation as partners in parenting to ensure predictable decision-making for the care of the children and for the allocation of parenting time and responsibilities between the parents.

Both parents are fit and proper parents to share significant decision-making and caretaking functions for the children. The children will have a continuing need for close, frequent and continuing contact with both parents in order to minimize or eliminate, to the greatest extent possible, the detrimental effects of the termination of the marriage.

The children shall have a significant amount of quality time with each parent. Father and Mother ("the parents") will share significant decision-making and caretaking functions for the children.

1. **Weekdays and Weekends.** Due to the age of the children, the parents will share all parenting time as agreed between them. The parents will follow the schedule below if they cannot agree:

Mother will have the children every Sunday evening at 8:30 p.m. to Wednesday morning at 8:00 a.m. and Father will have the children every Wednesday morning at 8:00 a.m. to Sunday evening at 8:30 p.m.

2. **Vacation Time:** Each parent may have at least fourteen (14) days of vacation time with the children. The parents will give the other parent as much written notice as possible, but not less than 21 days written notice, of the vacation time he or she wishes to schedule with the children in order to avoid any potential conflicts. If the parents are not able to agree about vacation time with the children, then during the even-numbered years, Mother will have first priority when scheduling vacation time with the children, and during the odd-numbered years, Father will have first priority when scheduling time with the children. Father acknowledges that Mother travels to Brazil for two weeks every year.

3. **Holidays and Special Days:** The parents will follow the schedule below:

<u>Holiday or Special Day</u>	<u>Years</u>	<u>Parent</u>
New Year's Day (January 1 st) From 12:00 noon on January 1 st to 12:00 noon on January 2 nd	Even years with Odd years with	Mother Father
MLK Day (January) From the Sunday evening before at 6:00 p.m. to MLK Day at 6:00 p.m.	Every year with	Mother
Easter From 6:00 p.m. on the Saturday before Easter to 6:00 p.m. on Easter	Even years with Odd years with	Mother Father
Mother's Day (May) From 9:00 a.m. to 9:00 a.m. the following day	Every year with	Mother
Memorial Day (May) From 9:00 a.m. to 9:00 a.m. the following day	Even years with Odd years with	Mother Father
Father's Day (June) From 9:00 a.m. to 9:00 a.m. the following day	Every year with	Father
Independence Day (July 4 th) From 12:00 noon on July 4 th to 12:00 noon on July 5 th	Even years with Odd years with	Mother Father
Labor Day (September) From 9:00 a.m. to 9:00 a.m. the following day	Even years with Odd years with	Father Mother
Thanksgiving (November) From 6:00 p.m. on the Wednesday before Thanksgiving to 6:00 p.m. on the Sunday after Thanksgiving	Even years with Odd years with	Mother Father

Christmas Eve (December 24 th)	From 8:00 a.m. on December 24 th to 10:00 a.m. on December 25 th	Even years with Odd years with	Father Mother
Christmas Day (December 25 th)	From 10:00 a.m. on December 25 th to 10:00 a.m. on December 26 th	Even years with Odd years with	Mother Father
New Year's Eve (December 31 st)	From 12:00 noon on December 31 st until 12:00 noon on January 1 st	Even years with Odd years with	Mother Father

4. **Hierarchy of Schedules.** Holidays and Special Days will supersede summer vacation plans, and both will supersede weekday and weekend schedules.

5. **Special Occasions.** Both parents will allow the children to attend special occasions for close family members. Special occasions are weddings, funerals, graduations, baptisms, confirmations, milestone birthdays and anniversaries. Close family members include the children's parents, step-parents, aunts, uncles, first cousins, grandparents, and great-grandparents.

6. **Changes to Schedule and Parents' Courtesies to Each Other.** Neither parent will do anything to undermine the children's love and respect for the other parent. Each parent will consider reasonable changes to the schedule when the other parent or the children request a change. Each parent will give the other parent as much notice as possible, two weeks' notice if possible, of any requested changes to the schedule. The non-requesting parent will make reasonable accommodations to accept the change to the schedule, but are not under an obligation to accept the change. If the change is significant, the parents may choose to put the changes in writing to document and confirm their new schedule. The parents understand and agree that in the event that either of them should remarry, each of them will be responsible to advise their subsequent spouse of the terms of this Parenting Plan with regard to the children, and that each of them shall remain primarily responsible for the care, supervision, and discipline of the children.

7. **Travel/Vacation Plans.** Each parent may temporarily take the children to another state for trips and vacation purposes. Mother may take the children to Brazil to visit Mother's family. The parent vacationing with the children will provide the other parent with a complete itinerary, including flight numbers, dates, hotels, and residences, as well as contact phone numbers if cell phone service is not available during the period of vacation. The non-vacationing parent and children will have reasonable contact between each other during the period of vacation. Each parent will be considerate of the children's social and school commitments when scheduling vacation.

8. **Transportation.** Both parents will share the responsibility for the transportation of the children to and from the parents' respective residences or any place where the children are scheduled to be. In general, the parent beginning a period of parenting time or coming "on duty" will pick up the children from school, the other parent's home or any other place they are scheduled to be unless the parents agree otherwise. The parent providing the children's care at the time an extracurricular activity or special event is scheduled will provide the transportation for the activity or event unless the parents agree otherwise. Due to the age of the children, the parents acknowledge that the children may drive themselves to and from the parents' homes.

9. **Right of First Refusal.** Each parent must offer the other parent a right of first refusal if he or she needs childcare for a period in excess of twelve (12) hours during his or her parenting time with the children. He or she must give the other parent the option to care for the children before finding alternate childcare. The parent needing childcare will notify the other parent in writing. The other parent will respond to the request in a reasonable amount of time, preferably within 24 hours.

10. **Communication.** Both parents may maintain reasonable daily telephone, electronic, and written communication with the children during the time they are with the other parent, including telephone, texting, e-mail, Skype, Facetime, and other similar communication tools. Both parents shall have a continuing responsibility to keep the other parent advised as to the children's whereabouts, including address, telephone numbers, activities and events.

11. **Relocation.** Illinois law requires that should either parent wish to relocate their residence with the children more than 50 miles within the State of Illinois or more than 25 miles to outside the State of Illinois from their current residences in Glen Carbon and Edwardsville, Illinois, the parent who wishes to relocate would be required to file a written notice with the Court at least 60 days prior to the relocation. If the parents are in agreement as to the relocation, the parents would be required to file an agreed written notice with both parents' signatures with the Court. If the parents are not in agreement with the relocation, the relocating parent must file a written notice and petition with the Court seeking permission to relocate. The parents acknowledge that their parenting time schedule works well for the children so long as their residences remain in close proximity to each other. In the event that we are unable to negotiate an agreement as to the relocation, we agree to mediate their differences with a professional mediator prior to seeking any legal remedies.

12. **Educational Decision Making Responsibilities.** The parents will confer and agree on any decision regarding changes of schools, special education needs, counseling and tutoring. Both parents will have complete access to any and all school records and the right to be informed of any parent-school activities and to participate in school events, extracurricular activities, and conferences. Each parent will have the responsibility to provide the other parent with any notices, reports, report cards, or any other school-related documents received by the children. Both parents will have access

to all online school records and programs. Both parents may contact the children's schools directly to request that the children's reports cards and any notices regarding the children's activities be sent directly to the requesting parent.

13. **Designation of Custodian for Purposes of Other Statutes.** For the sole purposes of all State and Federal statutes that require a designation of a custodian, the parents agree that both parents have been allocated substantially equal parenting time. The children's address for school enrollment purposes will be Father's address, so long as he continues to reside in the Edwardsville School District. The parent's rights and responsibilities under this Parenting Plan are not affected by this designation.

14. **Healthcare Decision-Making Responsibilities.** Both parents will use the same healthcare and dental providers for the children when possible. Both parents have the right to have a physician or other professional examine the children. Both parents agree to consult with one another concerning all medical, dental, optical, psychiatric, psychological, pharmaceutical, and orthodontia care for the children, and except in the case of a life threatening or health endangering emergency, not to commit to major medical, dental, optical, psychiatric, psychological, pharmaceutical, and orthodontia care or surgery without the consent of the other parent. In the event that any of the children have a serious injury or illness, the parent with whom the child is staying will make every reasonable effort to notify the other parent as soon as possible. For purposes of this Parenting Plan, a serious injury or illness is defined as one which requires a child (1) to be confined to home for more than 48 hours, (2) to be admitted to or treated at a hospital, surgical center or urgent care facility, or (3) to receive any type of general anesthesia, invasive surgical procedure or test. Each parent has the right, in his or her sole discretion, to consent to routine or emergency medical treatment for the children. Both parents will have complete access to any and all medical, dental, optical, counseling, or other records regarding the children, subject to the Mental Health and Developmental Disabilities Confidentiality Act. Each parent may contact the children's healthcare providers directly to request that information regarding the children's treatment be released to the requesting parent.

15. **Religious Decision-Making Responsibilities.** The parents will make all major decisions concerning religious upbringing, instruction, and attendance together. Each parent may take the children to a church or place of worship consistent with the past pattern and practice of the family.

16. **Extracurricular Activities and Decision-Making Responsibilities.** Both parents will discuss and agree on any extra-curricular lessons or organized activities in which the children may wish to be enrolled or participate. The parent who is providing the children's care at the time of the extracurricular lesson or activity will be responsible for the children's transportation to and from the lesson or activity unless the parents agree otherwise. Both parents are welcome to attend and participate in, where appropriate, any of the children's sporting events, games, lessons, performances or activities unless the parents agree otherwise.

17. **Reward and Discipline Decisions.** Both parents will communicate and endeavor to maintain consistent, cooperative, and appropriate rewards and discipline for the children. Each parent is responsible for using reasonable and age-appropriate discipline for the children while they are in his/her care. The parents agree that they will be responsible for all discipline for their children and not permit or allow any other third party to discipline the children. If either of us disagrees with the proposed discipline, we agree to try to work out effective ways to improve the children's behavior.

18. **Decision Making.** Each parent will have the power to make minor, routine, day-to-day decisions concerning the well being of the children during his or her parenting time. Both parents will discuss and agree on other issues affecting the children's education, healthcare, extracurricular and social activities, religious upbringing, the children's employment, the purchase or operation of a motor vehicle, contraception and sex education, decisions related to actual or potential litigation on behalf of the children and other matters of similar importance affecting the children.

19. **Extended Family Relationships.** Both parents will encourage the children to foster meaningful relationships with their grandparents, aunts, uncles, cousins, and other relatives. Both parents agree that should either parent die before the children reach age 18, the surviving parent will not take or direct any action be taken that will restrict or terminate the rights of the deceased parent's family to visit or communicate with the children. The surviving parent will make every reasonable effort to assure the continued contact of the children with the deceased parent's family.

20. **Review and Modification of Parenting Plan.** Both parents will discuss and review from time to time, but not less than annually, the Parenting Plan as to adequacy, feasibility and appropriateness in view of the children's best interests considering their physical, mental, moral and emotional well-being, and in the event that either parent's circumstances change significantly. The parents may agree to change the Parenting Plan. Any major changes to the Parenting Plan should be in writing and acknowledged by both parents.

21. **Dispute Resolution.** In the event that the parents cannot agree and negotiate a disagreement with regard to a parenting issue, they will make a good faith attempt to mediate their differences with the services of a professional mediator of mutual choice before proceeding with other legal remedies. The parents will equally share the costs of mediation.

22. **Parenting Standards**

- a. The parents agree to always keep in mind what is in the best interests of their children.
- b. The parents will refrain from talking negatively, or allowing others to talk negatively, about the other parent, their family or friends, or

- their home in the presence of the children, except in a laudatory or complimentary way.
- c. The parents will not threaten to withhold the time of the other parent with the children or threaten to prevent or delay the return of the children after a period of parenting time.
 - d. The parents will ensure that the children are ready to go at the agreed-upon times for pickup and return. We will be on time when picking up and returning the children to each other. We will call ahead if we expect to arrive early or late.
 - e. The parents will advise the other parent as soon as possible if he/she is unable to exercise his/her parenting time with the children. If either parent misses parenting time resulting from illness, injury, hospitalization, or out-of-town employment obligations, the parents will confer to make up such missed parenting time as soon as practicable.
 - f. The parents will provide adequate daily supervision for the children while in their care. Neither parent will leave the children unsupervised for extended periods of time.
 - g. The parents will be considerate of the children's schedules and activities.
 - h. The parents agree to co-parent through the holidays and special occasions in a manner that will be best for the children, so that these events and celebrations will be happy ones.
 - i. The parents will talk with each other directly (not in the presence or hearing of the children) about parenting matters, financial issues and other related topics. The parents will not ask the children to carry messages between each parent.
 - j. The parents will not question the children about the activities of the other parent.
 - k. The parents will not consume alcohol to excess or use illegal substances during his/her parenting time. The parents will not have the children in the presence of others who are engaging in the excessive consumption of alcohol or use of illegal substances.
 - l. The parents will both be respectful of the other parent's time with the children. The parents shall make every effort not to schedule activities or appointments for the children during the other parent's parenting time, without his or her agreement in advance.
 - m. The parents will cooperate to promote the children's physical, mental, moral and emotional well being and to foster love, affection and respect for the other parent.

23. **Parental Information.** Both parents are required to provide the following information within the Parenting Plan: If either parent changes his or her residence, he or she is required to give the other parent at least sixty (60) days prior written notice of his or her new address and the intended date of the change in residency, unless such

notice is impracticable or unless otherwise ordered by Court. If such notice is impracticable, written notice shall be given at the earliest date practicable. If a child support order has been entered in this case, the parents are required to notify the other parent and the Clerk of the Court within ten (10) days of any change or termination of employment.

Mother's Information: Daniela B.S. McGinnis
Residential Address: 1130 C Century Drive
Edwardsville, IL 62025
Cell Phone Number: 618-409-0004
Employer: Boeing
Employer's Address: St. Louis, Missouri

Father's Information: Kevin D. McGinnis
Residential Address: 120 Somerset Drive
Glen Carbon, IL 62034
Cell Phone Number: 314-630-7782
Employer: Navigate Building Solutions
Employer's Address: Brentwood, Missouri

Daniela B.S. McGinnis
Daniela B.S. McGinnis, Mother

Kevin D. McGinnis
Kevin D. McGinnis, Father

ENTERED this 22nd day of June, 2023.

[Signature]
JUDGE