

_____ Court County, Tennessee	UNIFORM CIVIL AFFIDAVIT OF INDIGENCY page 1 of 2	Case Number _____
_____ Plaintiff(s) vs. _____ Defendant(s)		

I, _____, having been duly sworn according to law, make oath that because of my poverty, I am unable to bear the expenses of this case and that I am justly entitled to the relief sought to the best of my belief. The following facts support my poverty.

1. Full Name: _____
 3. Telephone Number: _____

2. Address: _____
 4. Date of Birth: _____

5. Names and Ages of All Dependents:

_____	Relationship: _____
_____	Relationship: _____
_____	Relationship: _____
_____	Relationship: _____

6. I am employed by: _____
 My employer's address is: _____
 My employer's phone number is: _____

7. My present income, after federal income and social security taxes, are deducted, is \$ _____

8. I receive or expect to receive money from the following sources:

Families First	\$ _____	per month	beginning _____
SSI	\$ _____	per month	beginning _____
Retirement	\$ _____	per month	beginning _____
Disability	\$ _____	per month	beginning _____
Unemployment	\$ _____	per month	beginning _____
Worker's Compensation	\$ _____	per month	beginning _____
Other	\$ _____	per month	beginning _____

9. My expenses are:

Rent/House Payment	\$ _____	per month	Medical/Dental	\$ _____	per month
Groceries	\$ _____	per month	Telephone	\$ _____	per month
Electricity	\$ _____	per month	School Supplies	\$ _____	per month
Water	\$ _____	per month	Clothing	\$ _____	per month
Gas	\$ _____	per month	Child Care or	\$ _____	per month
Transportation	\$ _____	per month	Court Ordered Child Support		
			Other	\$ _____	per month

10. Assets:

Automobile	\$ _____	(FMV)	_____
Checking/Savings Account	\$ _____		
House	\$ _____	(FMV)	_____
Other	\$ _____		

11. My debts are:

Amount Owed	To Whom
_____	_____
_____	_____
_____	_____

I hereby declare under the penalty of perjury that the foregoing answers are true, correct, and complete and that I am financially unable to pay the costs of this action.

PLAINTIFF

Court County, Tennessee	UNIFORM CIVIL AFFIDAVIT OF INDIGENCY page 2 of 2	Case Number
vs. Plaintiff(s) Defendant(s)		

ORDER ALLOWING FILING ON PAUPER'S OATH

It appears based upon the Affidavit of Indigency filed in this cause and after due inquiry made that the Plaintiff is an indigent person and is qualified to file case upon a pauper's oath.

It is so ordered this the ____ day of _____, 20 ____

JUDGE

DETERMINATION OF NONINDIGENCY

It appearing based upon the Affidavit of Indigency filed in this cause and after due inquiry made that the Plaintiff is not an indigent person because _____.

IT IS ORDERED AND AJUDGED that the Plaintiff does not qualify for filing this case on a pauper's oath.

This the ____ day of _____, 20 ____.

JUDGE

NOTICE: If the judge determines that based upon your affidavit you are not eligible to proceed under a pauper's oath, you have the right to a hearing before the judge or, in those cases that can be appealed to Circuit Court, a hearing before the Circuit Court judge.

The child or children presently reside with _____
(persons and address).

During the last five years, the child or children have resided with _____
(persons, addresses, and dates).

Could another court case affect custody of a child? ☐ Yes ☐ No (If yes, attach copy.)

Does one spouse have an Order of Protection against the other? ☐ Yes ☐ No (If yes, attach copy.)

The wife is ☐ pregnant ☐ not pregnant.

4. THE COURT

Specify one or more of the following:

This court has jurisdiction over the Defendant because:

- ☐ the Plaintiff or the Defendant resided in Tennessee for the six months before the filing of the Complaint.
- ☐ the grounds for the divorce occurred while the Plaintiff was a resident of Tennessee.

Specify one or more of the following:

The Plaintiff has filed the Complaint in this county because:

- ☐ the parties resided in this county at the time of their separation.
- ☐ the Defendant resides in this county.
- ☐ the Plaintiff resides in this county, *and* the Defendant is a nonresident of Tennessee or is incarcerated.

5. GROUNDS FOR DIVORCE

The husband and wife have irreconcilable differences or in the alternative the Defendant is guilty of inappropriate marital conduct toward the Plaintiff.

6. PROPERTY

Select one of the following:

- ☐ Husband and wife now own, either alone or together, property which should be divided by the court.
- ☐ The property of the parties has been divided by them. (Caution: The court may review the fairness of the division.)
- ☐ The parties have no property.

7. DEBTS

Select one of the following:

- ☐ Husband and wife now have, either alone or together, debts that should be divided by the court.
- ☐ The debts of the parties have been divided by them. (Caution: The court may review the fairness of the division.)
- ☐ The parties have no debts.

8. ALIMONY

Select one of the following:

- ☐ Alimony is not requested.
- ☐ The Plaintiff needs alimony, and the Defendant has the ability to pay it.

9. RESTRAINING ORDERS AND INJUNCTIONS

Select one of the following:

- ☐ No restraining order or injunction is needed.
- ☐ A restraining order or injunction is needed because of the following behavior by Defendant:

Select one of the following:

- ☐ A Statutory Injunction against Both Parties will be in effect because irreconcilable differences are not the sole ground for the divorce. It is being filed with this Complaint.
- ☐ A Statutory Injunction against Both Parties will not be in effect because irreconcilable differences are the sole ground for the divorce.

10. OTHER MATTERS (State here any special circumstances.)

RELIEF REQUESTED

The Plaintiff requests that the court enter a Final Decree of Divorce and grant any other relief to which the Plaintiff may be entitled, including orders that will:

If a Marital Dissolution Agreement has been signed, select all that apply:

- ☐ Approve the Marital Dissolution Agreement between the parties.
- ☐ Approve the Permanent Parenting Plan.
- ☐ Divide the court costs as follows: ☐ equally ☐ husband only ☐ wife only
- ☐ Change the name of the _____ to _____.

If a Marital Dissolution has not been signed, select all that apply:

- ☐ Issue service of process on the Defendant.
- ☐ Restrain or enjoin the Defendant because of the behavior described above. THIS IS THE FIRST REQUEST FOR EXTRAORDINARY RELIEF.
- ☐ Provide alimony for the Plaintiff temporarily and permanently.
- ☐ Approve the Plaintiff's Temporary and Permanent Parenting Plans, including child support.

- ☐ Divide fairly the property and debts of the parties.
- ☐ Change the name of the Plaintiff to _____.
- ☐ Compel the Defendant to pay Plaintiff's attorney fees, other professional fees and costs.
- ☐ Make the Defendant pay the court costs.
- ☐ Other: _____

SIGNATURE AND VERIFICATION

I declare under penalty of perjury under the laws of the State of Tennessee that the facts stated in this Complaint are true to the best of my knowledge and belief for the causes mentioned in it. The Complaint is not made out of levity or in collusion with the Defendant.

Signed at _____ on _____
Place
Date

 Plaintiff's Signature

Your Address: _____

Telephone: _____ Fax: _____ E-Mail: _____

STATE OF TENNESSEE
 COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____.

My commission expires: _____
Notary Public

_____ Court _____ County, Tennessee	ATTACHMENT UNDER SEAL TO COMPLAINT FOR DIVORCE	Case Number
_____ vs. _____ Plaintiff Defendant		

WIFE

Full Name (*First, Middle, MAIDEN, Last*): _____
 Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

HUSBAND

Full Name (*First, Middle, Last*): _____
 Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

CHILDREN

Full Name (*First, Middle, Last*): _____
 Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

Full Name (*First, Middle, Last*): _____
 Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

Full Name (*First, Middle, Last*): _____
 Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

State of Tennessee	Court	County
Health Insurance Notice		File No.
Plaintiff Defendant		

You must:

- Fill out this form completely, **OR** ask the person in charge of employee benefits where you work to fill it out.
- File the copy with the Court.
- Mail a copy to your spouse by certified mail. Keep a copy of this form for your records.

Important! Your spouse must receive this notice at least 30 days before the insurance coverage ends. Most courts require you to send this to your spouse before you can get a hearing date.

To:

From:

If you do NOT have health insurance, check here. ☐ Fill out the Certificate of Service section **below**. **Mail a copy of the paper to your spouse. File this form with the court clerk's office. If you do HAVE health insurance that covers your spouse now, check here.** ☐

Then fill out the information about your health insurance policy that covers your spouse now:

Health Insurance Company: _____ Policy Number _____

(Employee Benefits Contact Person): (Name/Phone #/Street Address/City/State/Zip) **Check one:**

- ☐ This policy has COBRA. That means your spouse can keep the insurance after the divorce. BUT s/he must apply by the deadline and pay the premiums and any fees. To learn more, speak to the employee benefits person listed above.
- ☐ This is a group insurance policy. Your spouse might be able to continue coverage under TCA §56-7-2312(d)(1). To learn more, speak to the employee benefits person listed above. Your spouse may also get insurance somewhere else.
- ☐ This policy does not offer COBRA. That means your spouse will lose this insurance after the divorce. Your spouse must get health insurance somewhere else.
- ☐ My spouse is not covered by my policy.

Certificate of Service:

I hereby certify that a true and exact copy of this **Health Insurance Notice** was served on spouse with the Complaint for Divorce.

Sign Here: _____ Date (MM/DDD/YYYY)

_____ Court _____ County, Tennessee	MOTION FOR DEFAULT JUDGMENT	Case Number
_____ vs. _____ Plaintiff(s) Defendant(s)		

Pursuant to Rule 55 of the Tennessee Rules of Civil Procedure, Plaintiff moves the court for an order of default for the reasons below.

SERVICE OF PROCESS ON THE DEFENDANT

Select the most appropriate choice.

- ☐ The Defendant was personally served with process on _____ (date).
☐ The Defendant was served by the Secretary of State on _____ (date).
☐ The Defendant was served by certified mail on _____ (date).
☐ The Defendant was served by publication on _____ (date).

More than 30 days have elapsed since the date of service of process on the Defendant, and the Defendant has failed to file an Answer to the Complaint.

Dated: _____ Signature _____

Address: _____

Telephone: _____ Fax: _____ E-Mail: _____

DATE OF HEARING ON MOTION

This motion is scheduled to be heard on _____, 20____ at _____ a.m./p.m.

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing upon the other party or counsel at the following address:

I did so on or before the date below by personal delivery or by U.S. Mail.

Dated: _____ Plaintiff _____

_____ Court _____ County, Tennessee	FINAL DECREE OF DIVORCE {WITH DEFAULT JUDGMENT}	Case Number _____
_____ vs. _____ Plaintiff Defendant		

A Default Judgment has been entered on behalf of the Plaintiff.

Findings of Fact

Defendant did not appear at the hearing for default judgment. Other findings:

_____.

Conclusions of Law

On the basis of the Complaint, the Default Judgment, and the entire record, the Court finds good cause to enter this Final Decree.

Therefore, it is **ORDERED, ADJUDGED AND DECREED** that:

DISSOLUTION OF THE MARRIAGE

Select one of the following:

- ☐ The marriage of the parties is dissolved on the ground of inappropriate marital conduct by the Defendant.
- ☐ Other: _____.

REAL ESTATE

Select one of the following:

- ☐ The parties have no real estate that they own individually or jointly.
- ☐ The parties have divided the real estate they own individually or jointly. They are satisfied that a fair division has been made of it.
- ☐ The following real estate is owned by one or both of the parties, is located at _____ [address] in _____ [city, state, and zip]. It is more specifically described in Deed Book _____, Page _____ of the Office of the Register of Deeds in _____ County, _____ [state] as follows:
 [Attach separate sheet if necessary.]
- _____

Upon entry of the Final Decree, the real estate shall be vested solely in the ☐ wife ☐ husband, and the other spouse will thereby be divested of all right, title and interest in it.

PERSONAL PROPERTY AWARDED TO THE HUSBAND

Select one of the following:

- ☐ The parties have divided the personal property they own individually or jointly. The husband is satisfied that a fair division has been made of it.
- ☐ The husband is awarded as his personal property these assets: *[Add additional pages if needed.]*

Vehicle: _____ [year] _____ [make] _____ [model] _____ [VIN]

Other: _____

He shall receive the above listed items, if not already in his possession, by _____
[date].

PERSONAL PROPERTY AWARDED TO THE WIFE

Select one of the following:

- ☐ The parties have divided the personal property they own individually or jointly. The wife is satisfied that a fair division has been made of it.
- ☐ The wife is awarded as her personal property these assets: *[Add additional pages if needed.]*

Vehicle: _____ [year] _____ [make] _____ [model] _____ [VIN]

Other: _____

She shall receive the above listed items, if not already in her possession, by _____
[date].

DEBTS TO BE PAID BY THE HUSBAND

The husband shall pay the debts set forth set forth below: *[Add additional pages if necessary.]*

He shall also pay all debts incurred by him since the date of separation.

DEBTS TO BE PAID BY THE WIFE

The wife shall pay the debts set forth set forth below: *[Add additional pages if necessary.]*

She shall also pay all debts incurred by her since the date of separation.

NOTICE

This Final Decree does not necessarily affect the ability of a creditor from proceeding against either party or their property, even though one party may no longer be responsible under this decree, for an account or debt. It may be in either party's best interest to cancel, close, or freeze any jointly held accounts.

HOLD HARMLESS PROVISION

Each party shall hold the other party harmless from any collection action relating to debts set forth above, including reasonable attorney's fees and costs incurred in defending against any attempts to collect an obligation of the other party.

ALIMONY

☐ Neither spouse shall pay alimony to the other.

☐ Other: _____.

PENSION PLAN OR ACCOUNT

Select one of the following:

☐ Neither spouse has an interest in a pension or other plan or account that is qualified under the Internal Revenue Code.

☐ Each spouse shall retain whatever interest he or she has in a pension or other plan or account that is qualified under the Internal Revenue Code.

☐ Qualified Domestic Relations Order(s) will be submitted to the Court at a later time reflecting the following division of assets: _____% for Husband and _____% for Wife.

CHILD OR CHILDREN

Select one of the following:

☐ There is no child under age 18 or disabled and dependent on the parties.

☐ The Court has jurisdiction over each child under age 18 or disabled and dependent on the parties. The Court finds that the parties have made adequate and sufficient provision by a Permanent Parenting Plan for the custody and maintenance of each child. It is attached and incorporated as part of this Decree. Child support provisions are found in Section 3 of the Plan.

Enforcement of Child Support Obligations by the State of Tennessee

- ☐ Neither parent is receiving assistance from the State of Tennessee on behalf of a child. Title IV-D of the Social Security Act does not apply.
- ☐ A parent is receiving assistance from the State of Tennessee on behalf of a child. Title IV-D of the Social Security Act does apply. A Title IV-D Information Sheet is attached and made a part of this Decree.

Payment of Child Support that is in Arrears

- ☐ Payment of child support is current.
- ☐ Child support in the amount of \$ _____ is in arrears, and judgment is entered for that amount.

CHANGE OF NAME

Select one of the following:

- ☐ No change of name is made by these proceedings.
- ☐ The name of _____ shall be changed to _____.

FEES AND COSTS

Attorney fees shall be paid by the party who incurred them. Court costs shall be paid by ☐ the husband ☐ the wife ☐ both parties equally.

Enter: _____
Judge or Chancellor

Presented by:

Plaintiff
Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

CLERK'S CERTIFICATE OF SERVICE OF FINAL DECREE

I certify a copy of this Order was served upon the following persons at the following addresses:

Dated: _____

Deputy Clerk

Attachments:

- ☐ Permanent Parenting Plan
- ☐ Order of Wage Assignment
- ☐ Title IV-D Information
- ☐ Certificate of Divorce
- ☐ Qualified Domestic Relations Order(s)
- ☐ Other: _____

STATE OF TENNESSEE	COURT <i>(Must be completed)</i>	COUNTY <i>(Must be completed)</i>
PERMANENT PARENTING PLAN ORDER ☐ PROPOSED ☐ AGREED ☐ ORDERED BY THE COURT		FILE NO. _____ <i>(Must be completed)</i> DIVISION _____
PLAINTIFF <i>(Name: First, Middle, Last)</i> _____ ☐ Mother ☐ Father		DEFENDANT <i>(Name: First, Middle, Last)</i> _____ ☐ Mother ☐ Father

The mother and father will behave with each other and each child so as to provide a loving, stable, consistent and nurturing relationship with the child even though they are divorced. They will not speak badly of each other or the members of the family of the other parent. They will encourage each child to continue to love the other parent and be comfortable in both families.

This plan ☐ is a new plan.
 ☐ modifies an existing Parenting Plan dated _____.
 ☐ modifies an existing Order dated _____.

Child's Name	Date of Birth

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Parenting Plan must designate the parent with whom the child is scheduled to reside a majority of the time as the Primary Residential Parent of the child(ren). The designation shall not affect either parent's rights and responsibilities under the Parenting Plan.

The Primary Residential Parent is

- ☐ Mother
- ☐ Father
- ☐ Joint Primary Residential Parents (only if by agreement)
 Child must reside an equal amount of time with both parents.
- ☐ Waived by Mother and Father (only if by agreement)
 Child must reside an equal amount of time with both parents.

Under the schedule set forth below, each parent will spend the following number of days with the children:

Mother _____ days Father _____ days

B. DAY-TO-DAY SCHEDULE

The ☐ mother ☐ father shall have responsibility for the care of the child or children except at the following times when the other parent shall have responsibility:

From _____ to _____
Day and Time Day and Time

☐ every week ☐ every other week ☐ other: _____.

The other parent shall also have responsibility for the care of the child or children at the additional parenting times specified below:

From _____ to _____
Day and Time Day and Time

☐ every week ☐ every other week ☐ other: _____.

This parenting schedule begins ☐ _____ **or** ☐ date of the Court's Order.
Day and Time

C. HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS

Indicate if child or children will be with parent in ODD or EVEN numbered years or EVERY year:

	MOTHER	FATHER
New Year's Day	_____	_____
Martin Luther King Day	_____	_____
Presidents' Day	_____	_____
Easter Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Passover Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Mother's Day	_____	_____
Memorial Day (if no school)	_____	_____
Father's Day	_____	_____
July 4 th	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Thanksgiving Day & Friday	_____	_____
Children's Birthdays	_____	_____
Other School-Free Days	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Other: _____	_____	_____

A holiday shall begin at 6:00 p.m. on the night preceding the holiday and end at 6:00 p.m. the night of the holiday, unless otherwise noted here _____.

This holiday schedule and other school free days shall supersede the Day-To-Day Schedule.

D. FALL VACATION (If applicable)

The day to day schedule shall apply except as follows: _____
_____ beginning _____.

E. WINTER (CHRISTMAS) VACATION

The ☐ mother ☐ father shall have the child or children for the first period from the day and time school is dismissed until December _____ at _____ a.m./p.m. ☐ in odd-numbered years ☐ in even-numbered years ☐ every year. The other parent will have the child or children for the second period from the day and time indicated above until 6:00 p.m. on the evening before school resumes. The parties shall alternate the first and second periods each year.

Other agreement of the parents: _____

F. SPRING VACATION (If applicable)

The day-to-day schedule shall apply except as follows: _____
_____ beginning _____.

G. SUMMER VACATION

The day-to-day schedule shall apply except as follows: _____
_____ beginning _____.

Is written notice required? ☐ Yes ☐ No. If so, _____ number of days.

H. TRANSPORTATION ARRANGEMENTS

The place of meeting for the exchange of the child or children shall be: _____

Payment of long distance transportation costs (if applicable): ☐ mother ☐ father ☐ both equally.

Other arrangements: _____

If a parent does not possess a valid driver's license, he or she must make reasonable transportation arrangements to protect the child or children while in the care of that parent.

I. SUPERVISION OF PARENTING TIME (If applicable)

☐ Check if applicable

Supervised parenting time shall apply during the day-to-day schedule as follows:

☐ Place: _____

☐ Person or organization supervising: _____

☐ Responsibility for cost, if any: ☐ mother ☐ father ☐ both equally.

J. OTHER

The following special provisions apply:

II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

B. MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

Educational decisions	☐ mother	☐ father	☐ joint
Non-emergency health care	☐ mother	☐ father	☐ joint
Religious upbringing	☐ mother	☐ father	☐ joint
Extracurricular activities	☐ mother	☐ father	☐ joint
_____	☐ mother	☐ father	☐ joint

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is \$ _____

Mother's gross monthly income is \$ _____

1. The final child support order is as follows:

- a. The ☐ mother ☐ father shall pay to the other parent as regular child support the sum of \$ _____ ☐ weekly ☐ monthly ☐ twice per month ☐ every two weeks. **The Child Support Worksheet shall be attached to this Order as an Exhibit.***

If this is a deviation from the Child Support Guidelines, explain all of the following:

The reason for the deviation: _____

The presumptive amount of the child support (without the deviation): _____

How is the application of the Guidelines unjust or inappropriate?

How is the best interest of the child served?

Does the child support obligation after the deviation provide for all of the child(ren)'s needs, taking into consideration both parents' income? _____

2. Retroactive Support: A judgment is hereby awarded in the amount of \$ _____ to ☐ mother ☐ father against the child support payor representing retroactive support

required under Section 1240-2-4.06 of the D.H.S. Income Shares Child Support Guidelines dating from _____ which shall be paid (including pre/post judgment interest) at the rate of \$ _____ per ☐ week ☐ month ☐ twice per month ☐ every two weeks until the judgment is paid in full.

3. Payments shall begin on the _____ day of _____, 20____.

This support shall be paid:

- ☐ directly to the other parent.
- ☐ to the Central Child Support Receiving Unit, P. O. Box 305200, Nashville, Tennessee 37229, and sent from there to the other parent at: _____.
- ☐ A Wage Assignment Order is attached to this Parenting Plan.
- ☐ by direct deposit to the other parent at _____ Bank for deposit in account no. _____.
- ☐ income assignment not required; Explanation: _____.
- ☐ other: _____.

The parents acknowledge that court approval must be obtained before child support can be reduced or modified.

*Child Support Worksheet can be found on DHS website at <http://www.state.tn.us/humanserv/is/isdocuments.html> or at your local child support offices.

B. FEDERAL INCOME TAX EXEMPTION*

The ☐ mother ☐ father is the parent receiving child support.

The Mother shall claim the following children: _____

The Father shall claim the following children: _____

The ☐ mother ☐ father may claim the exemptions for the child or children so long as child support payments are current by the claiming parent on January 15 of the year when the return is due. The exemptions may be claimed in: ☐ alternate years starting _____

☐ each year ☐ other: _____.

The ☐ mother ☐ father will furnish IRS Form 8332 to the parent entitled to the exemption by February 15 of the year the tax return is due.

C. PROOF OF INCOME AND WORK-RELATED CHILD CARE EXPENSES

Each parent shall send proof of income to the other parent for the prior calendar year as follows:

- IRS Forms W-2 and 1099 shall be sent to the other parent on or before February 15.
- A copy of his or her federal income tax return shall be sent to the other parent on or before April 15 or any later date when it is due because of an extension of time for filing.
- The completed form required by the Department of Human Services shall be sent to the Department on or before the date the federal income tax return is due by the parent

* NOTE: The child support schedule assumptions in the guidelines (1240-2-4-.03 (6)(b)) assume that the parent receiving the child support will get the tax exemptions for the child.

paying child support. *This requirement applies only if a parent is receiving benefits from the Department for a child.*

The parent paying work-related child care expenses shall send proof of expenses to the other parent for the prior calendar year and an estimate for the next calendar year, on or before February 15.

D. HEALTH AND DENTAL INSURANCE

Reasonable health insurance on the child or children will be:

- ☐ maintained by the mother
- ☐ maintained by the father
- ☐ maintained by both

Proof of continuing coverage shall be furnished to the other parent annually or as coverage changes. The parent maintaining coverage shall authorize the other parent to consult with the insurance carrier regarding the coverage in effect.

Uncovered reasonable and necessary medical expenses, which may include but is not limited to, deductibles or co-payments, eyeglasses, contact lens, routine annual physicals, and counseling will be paid by ☐ mother ☐ father ☐ pro rata in accordance with their incomes. After insurance has paid its portion, the parent receiving the bill will send it to the other parent within ten days. The other parent will pay his or her share within 30 days of receipt of the bill.

If available through work, the ☐ mother ☐ father shall maintain dental, orthodontic, and optical insurance on the minor child or children.

E. LIFE INSURANCE

If agreed upon by the parties, the ☐ mother ☐ father ☐ both shall insure his/her own life in the minimum amount of \$_____ by whole life or term insurance. Until the child support obligation has been completed, each policy shall name the child/children as sole irrevocable primary beneficiary, with the ☐ other parent ☐ other _____, as trustee for the benefit of the child(ren), to serve without bond or accounting.

IV. PRIMARY RESIDENTIAL PARENT (CUSTODIAN) FOR OTHER LEGAL PURPOSES

The child or children are scheduled to reside the majority of the time as designated in Section I.A. This parent is designated as the primary residential parent also known as the custodian, **SOLELY** for purposes of any other applicable state and federal laws. If the parents are listed in Section II as joint decision-makers, then, for purposes of obtaining health or other insurance, they shall be considered to be joint custodians. THIS DESIGNATION DOES NOT AFFECT EITHER PARENT'S RIGHTS OR RESPONSIBILITIES UNDER THIS PARENTING PLAN.

V. DISAGREEMENTS OR MODIFICATION OF PLAN

Should the parents disagree about this Parenting Plan or wish to modify it, they must make a good faith effort to resolve the issue by the process selected below before returning to Court. *Except for financial support issues including child support, health and dental insurance, uncovered medical and dental expenses, and life insurance*, disputes must be submitted to:

- ☐ Mediation by a neutral party chosen by the parents or the Court.

- ☐ Arbitration by a neutral party selected by parents or the Court.
- ☐ The Court DUE TO ORDER OF PROTECTION OR RESTRICTIONS.

The costs of this process may be determined by the alternative dispute process or may be assessed by the Court based upon the incomes of the parents. It must be commenced by notifying the other parent and the Court by ☐ written request ☐ certified mail

☐ other: _____.

In the dispute resolution process:

- A. Preference shall be given to carrying out this Parenting Plan.
- B. The parents shall use the process to resolve disputes relating to implementation of the Plan.
- C. A written record shall be prepared of any agreement reached, and it shall be provided to each parent.
- D. If the Court finds that a parent willfully failed to appear without good reason, the Court, upon motion, may award attorney fees and financial sanctions to the prevailing parent.

VI. RIGHTS OF PARENTS

Under T.C.A. § 36-6-101 of Tennessee law, both parents are entitled to the following rights:

- (1) The right to unimpeded telephone conversations with the child at least twice a week at reasonable times and for reasonable durations. The parent exercising parenting time shall furnish the other parent with a telephone number where the child may be reached at the days and time specified in a parenting plan or other court order or, where days and times are not specified, at reasonable times;
- (2) The right to send mail to the child which the other parent shall not destroy, deface, open or censor. The parent exercising parenting time shall deliver all letters, packages and other material sent to the child by the other parent as soon as received and shall not interfere with their delivery in any way, unless otherwise provided by law or court order;
- (3) The right to receive notice and relevant information as soon as practicable but within twenty-four (24) hours of any hospitalization, major illness or injury, or death of the child. The parent exercising parenting time when such event occurs shall notify the other parent of the event and shall provide all relevant healthcare providers with the contact information for the other parent;
- (4) The right to receive directly from the child's school any educational records customarily made available to parents. Upon request from one parent, the parent enrolling the child in school shall provide to the other parent as soon as available each academic year the name, address, telephone number and other contact information for the school. In the case of children who are being homeschooled, the parent providing the homeschooling shall advise the other parent of this fact along with the contact information of any sponsoring entity or other entity involved in the child's education, including access to any individual student records or grades available online. The school or homeschooling entity shall be responsible, upon request, to provide to each parent records customarily made available to parents. The school may require a written request which includes a current mailing address and may further require payment of the reasonable costs of duplicating such records. These records include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores;
- (5) Unless otherwise provided by law, the right to receive copies of the child's

medical, health or other treatment records directly from the treating physician or healthcare provider. Upon request from one parent, the parent who has arranged for such treatment or health care shall provide to the other parent the name, address, telephone number and other contact information of the physician or healthcare provider. The keeper of the records may require a written request including a current mailing address and may further require payment of the reasonable costs of duplicating such records. No person who receives the mailing address of a requesting parent as a result of this requirement shall provide such address to the other parent or a third person;

- (6) The right to be free of unwarranted derogatory remarks made about such parent or such parent's family by the other parent to or in the presence of the child;
- (7) The right to be given at least forty-eight (48) hours notice, whenever possible, of all extracurricular school, athletic, church activities and other activities as to which parental participation or observation would be appropriate, and the opportunity to participate in or observe them. The parent who has enrolled the child in each such activity shall advise the other parent of the activity and provide contact information for the person responsible for its scheduling so that the other parent may make arrangements to participate or observe whenever possible, unless otherwise provided by law or court order;
- (8) The right to receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than forty-eight (48) hours, an itinerary which shall include the planned dates of departure and return, the intended destinations and mode of travel and telephone numbers. The parent traveling with the child or children shall provide this information to the other parent so as to give that parent reasonable notice; and
- (9) The right to access and participation in the child's education on the same bases that are provided to all parents including the right of access to the child during lunch and other school activities; provided, that the participation or access is legal and reasonable; however, access must not interfere with the school's day-to-day operations or with the child's educational schedule.

VII. NOTICE REGARDING PARENTAL RELOCATION

The Tennessee statute (T.C.A. § 36-6-108) which governs the notice to be given in connection with the relocation of a parent reads in pertinent part as follows:

- (a) After custody or co-parenting has been established by the entry of a permanent parenting plan or final order, if a parent who is spending intervals of time with a child desires to relocate outside the state or more than fifty (50) miles from the other parent within the state, the relocating parent shall send a notice to the other parent at the other parent's last known address by registered or certified mail. Unless excused by the court for exigent circumstances, the notice shall be mailed not later than sixty (60) days prior to the move. The notice shall contain the following:
 - (1) Statement of intent to move;
 - (2) Location of proposed new residence;
 - (3) Reasons for proposed relocation; and
 - (4) Statement that absent agreement between the parents or an objection by the non-relocating parent within thirty (30) days of the date notice is sent by registered or certified mail in accordance with subsection (a), the relocating parent will be permitted to do so by law.
- (b) Absent agreement by the parents on a new visitation schedule within thirty (30) days of the notice or upon a timely objection in response to the notice, the relocating parent

shall file a petition seeking approval of the relocation. The non-relocating parent has thirty (30) days to file a response in opposition to the petition. In the event no response in opposition is filed within thirty (30) days, the parent proposing to relocate with the child shall be permitted to do so.

- (c) (1) If a petition in opposition to relocation is filed, the court shall determine whether relocation is in the best interest of the minor child.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by ☐ both parents ☐ mother ☐ father ☐ neither.
Failure to attend the parent education class within 60 days of this order is punishable by contempt.

Under penalty of perjury, we declare that this plan has been proposed in good faith and is in the best interest of each minor child and that the statements herein and on the attached child support worksheets are true and correct. (A notary public is required if this is a proposed plan by one parent. A notary public is required if this is an agreed plan by both parents.)

Mother _____ Date and Place Signed _____

Sworn to and subscribed before me this _____ day of _____, 20____.

My commission expires: _____
Notary Public _____

Father _____ Date and Place Signed _____

Sworn to and subscribed before me this _____ day of _____, 20____.

My commission expires: _____
Notary Public _____

APPROVED FOR ENTRY:

Attorney for Mother

Attorney for Father

Address

Address

Address

Address

Phone and BPR Number

Phone and BPR Number

Note: The judge or chancellor may sign below or, instead, sign a Final Decree or a separate Order incorporating this plan.

COURT COSTS (If applicable)

Court costs, if any, are taxed as follows:

_____.

It is so ORDERED this the _____ day of _____, _____.

Judge or Chancellor