

## **Appendix "A": Supplemental Order for Parental and Child Support Responsibilities**

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**Best Interests of Children:** Divorce is an unfortunate part of modern life and is particularly difficult for children. The jurisdiction of the Court to control custody and child support is intended to allow the Court to make rulings in the best interests of the children and to minimize the negative impact of divorce or separation upon children. You and your former spouse have divorced or separated; that is your right. However, you cannot divorce your children. You both have continuing duties and responsibilities as parents to your children. No matter how carefully the Court crafts custody and child support orders, the success of the order and the well-being of your children will be limited unless both parents make a firm commitment to serve the best interests of their children. Please commit yourself to working with your former spouse to promote the well-being of your children.

**Mediation:** If you are unable to agree upon parenting issues between yourselves, the Court strongly recommends that you consider mediation before resorting to Court intervention. Mediation is a problem-solving process in which you can discuss alternatives and assess options with the assistance of an independent, neutral and qualified mediator.

**On-Duty/Off-Duty Parent:** A parent is "ON-DUTY" when the child(ren) are in his or her care pursuant to agreement of the parents or any court order, including: a parenting plan; custody or residential schedule; or visitation schedule. A parent is "OFF-DUTY" when the other parent is "ON-DUTY".

You have the following rights and responsibilities regarding the child(ren) of your marriage UNLESS THE COURT ORDERS OTHERWISE:

1. **Affirmative Basic Duties:** When "ON-DUTY" each parent shall provide the child(ren) with: (a) regular and nutritious food; (b) clean and appropriate clothing; (c) reasonably private living and sleeping quarters; and (d) appropriate health care.
  - Both parents shall instruct in and promote: (a) ethical and moral principles; (b) respect for the law and the rights of others; (c) conscientious attendance at all regular sessions of school until graduation, unless excused for medical reasons, by the school, by the Court, or by law.
  - Neither parent will engage in, permit the child(ren) to engage in, or allow the child(ren) to be present during the use of any illegal drug, excessive alcohol use, violence, or disrespect for law and order. If the "ON-DUTY" parent does not prevent the use of illegal drugs, the excessive use of alcohol, violence or disrespect for law and order by other persons in the child(ren)'s presence, then the "ON-DUTY" parent shall remove the child(ren) from the environment where that conduct is occurring.
  - Each parent shall pursue and support the provisions of any Court order including: a parenting plan; custody or residential schedule; or visitation schedule. The "ON-DUTY" parent will personally supervise, control, and assume responsibility for the conduct and activities of the child(ren), and will advise the "OFF-DUTY" parent of: (a) the scheduling of routine medical or dental care appointments; (b) medical emergencies as soon as possible after the child(ren) receive appropriate medical care; (c) all school disciplinary or law enforcement contacts as soon as possible so as to allow the "OFF-DUTY" parent an opportunity to become involved in the resolution of such contact.
  - Each parent shall deliver their child(ren)'s clothing, school supplies and other personal belongings at the same time that the children are delivered. All clothing shall be delivered in a clean condition.
2. **Transportation:** The receiving parent shall provide transportation and shall arrive on time (no more than 10 minutes early or late).
3. **Neither parent** shall schedule activities for their child(ren) during the time the other parent is "ON-DUTY" without the prior agreement of the other parent.
4. **Address and telephone information:** Each parent shall provide to the other his or her current telephone number, physical and mailing addresses and, if different from parent's, the telephone number, physical and mailing address of where the child(ren) live.
5. **Move from current residence:** Each parent shall provide the other not less than **60** days prior written notice of a decision to move. A move requiring more than 2 hours automobile travel between the homes of the parents ( "two hour travel zone") will require modification of the parenting plan, custody or residential schedule, or visitation schedule. The moving parent shall not move the child(ren) to a location outside the "two hour travel zone" until a new order is in place.
6. **During "ON-DUTY" periods** the child support obligor shall remain liable for child support payments unless the decree or child support order specifically provides otherwise. Child support

may not be withheld for failure to comply with any Court order including: a parenting plan; custody or residential schedule; visitation schedule; or for any other reason. Parenting time shall not be withheld for nonpayment of child support or other financial obligations.

7. **Support/method of payment:** All child support payments shall be paid to the State of Idaho, Child Support Receiving, P.O. Box 70008, Boise, ID 83707. Any amount not paid through the State of Idaho will be considered a gift and will not be credited as child support. The State may report a failure to pay child support to the prosecuting attorney, who may enforce payment. The child support obligee may request forms for entry of a Wage Withholding Order from the Clerk's office.
  - **Payment due date:** If the decree or child support order is entered on or before the 15th day of the month, child support payments shall be due on or before the last day of the month in which the decree or child support order is entered and on the 10th day of each and every month following. If the decree or child support order is entered after the 15th day of the month, the child support payment shall be due on the 10th day of each calendar month following the month in which the decree of child support order is entered.
8. **Notices:**
  - **Notice of automatic and immediate income withholding:** This support order is enforceable by automatic and immediate income withholding as of the effective date of this order under chapter 12, title 32, Idaho code. This automatic and immediate income 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.
  - **Failure to comply with court orders** may result in civil contempt proceedings pursuant to Idaho Code §7-601 et seq. and/or license suspensions pursuant to Idaho Code §7-1401 et seq.
  - **Either parent's** willful failure or refusal to return the children to the other parent in accordance with the court ordered parenting plan, custody or residential schedule or visitation schedule may subject that parent to criminal prosecution for custodial interference.
9. **Interference:** Neither parent will intrude on the privacy of the other nor make unkind statements about the other to or in the presence of the children. Neither parent will interfere in any way, or encourage or permit any other person to interfere in any way, with the other parent's rights granted by the decree or other order of the Court.
10. **Injunction:** This order restrains and enjoins both parents from doing, attempting, or threatening to do harm of any kind to the other parent or to the child(ren), or permitting another to so act on their behalf.
  - By order of the District Court of the First Judicial District of the state of Idaho.  
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