

**FILED**

MAY 29 2024

**SUPERIOR COURT  
BRIDGEPORT**

DOCKET NO. FBT-FA-23-6121261-S : SUPERIOR COURT  
 SALEM, HATEM : JUDICIAL DISTRICT  
 V. : OF BRIDGEPORT  
 SALEM, ZHULJETA : MAY 29, 2024

MEMORANDUM OF DECISION

This dissolution of marriage action was commenced by the plaintiff husband, Hatem Salem, against the defendant wife, Zhuljeta Salem, by summons and complaint dated February 1, 2023, and made returnable to this court on February 14, 2023. The plaintiff then filed an amended complaint dated July 27, 2023. The defendant filed a cross complaint on May 6, 2024. The court had a trial and heard testimony on May 13, 2024.<sup>1</sup> The plaintiff was represented by counsel and filed proposed orders. The defendant represented herself and articulated proposed orders during her trial testimony. The parties and the court benefited from the services of an Albanian interpreter.

“It is well established that [i]n a case tried before a court, the trial judge is the sole arbiter of the credibility of the witnesses and the weight to be given specific testimony . . . and the trial court is privileged to adopt whatever testimony [it] reasonably believes to be credible . . . .” (Internal quotation marks omitted.) *Caciopoli v. Lebowitz*, 131 Conn. App. 306, 327, 26 A.3d 136 (2011), *aff’d*, 309 Conn. 62, 68 A.3d 1150 (2013). “Nothing in our law is more elementary than that the trier is the final judge of the credibility of witnesses and of the weight to be accorded their testimony.” *Morande v. Newman Lincoln-Mercury, Inc.*, 5 Conn. App. 423, 423, 499 A.2d 78 (1985), citing *Morgan v. Hill*, 139 Conn. 159, 161, 90 A.2d 641 (1952).

<sup>1</sup> Based on the testimony of the parties, the court took judicial notice of the defendant’s docket concerning a restraining order application that was granted in her favor: FBT-FA-22-5050487-S, and the plaintiff’s criminal docket concerning the related incident: FBT-CR-22-0349872-S.

MAILED TO THE COURT  
 and pro se parties of  
 record 5/27/24 for

“The factfinding function is vested in the trial court with its unique opportunity to view the evidence presented in a totality of circumstances, i.e., including its observations of the demeanor and conduct of the witnesses and parties, which is not fully reflected in the cold, printed record which is available to [the Appellate Court].” *Lupien v. Lupien*, 192 Conn. 443, 445, 472 A.2d 18 (1984).

In reaching the decisions reflected herein, the court has fully considered the rules of practice, the court file, evidence presented, proposed orders, arguments of counsel, pertinent statutory law, in particular General Statutes §§ 46b-56 (custody, care, education, visitation and support of children), 46b-81 (assignment of the marital estate), 46b-82 (alimony), 46b-56c (educational support orders), 46b-84 (support and medical insurance for a minor child), and 46b-215a (child support guidelines), and the relevant case law. The court further considered the demeanor of all witnesses at trial and assessed credibility accordingly. As financial matters were in dispute, the court unseals the financial affidavits pursuant to Practice Book § 25-59A (h).

As part of a fair and equitable distribution and in the best interest of the minor child, the court finds and orders as follows:

#### **FINDINGS OF FACT AND DISCUSSION**

The court makes the following findings of fact by a preponderance of evidence.

The court has jurisdiction over this matter, which has been pending for more than ninety days and all statutory stays have expired. The parties were married on February 11, 2019, in Waterbury, Connecticut. The parties continuously lived in the state of Connecticut for at least one year before this action was filed. The court is concerned about the allegations of abuse and anger between the parties and finds that evidence supports that the marriage has indeed broken

down irretrievably, with no hope or possibility for reconciliation. The court declines to assess fault to one party. The allegations of the amended complaint and cross complaint are proven and are found to be true, with the exception of the marriage date and minor child's birthday noted in the cross complaint.<sup>2</sup>

The parties have one minor child from their marriage: Noah Hatem Salem born on April 20, 2020, who recently turned four (4) years old. The defendant is not currently pregnant.

The plaintiff husband is fifty-five (55) years old and is in relatively good health. The plaintiff husband has an associate's degree in management information systems, and is self-employed as a licensed cosmetologist. He is 100 percent owner of De Coiffure By Salem, which the plaintiff estimates has a value of \$50,000. He also is 100 percent owner of an entertainment business, H Salem Entertainment, which he began roughly six months ago. The plaintiff did not place a value on that business. Both are cash businesses with the plaintiff currently earning \$1800 a week (gross/net). The plaintiff filed a financial affidavit on April 9, 2024 (Entry No. 124.00). Several inconsistencies were found, such as (i) having income listed as \$830.77 while expenses totaled \$1816.54 and (ii) a car loan expense for \$219.23 was listed, however, there were no vehicles listed with a loan balance. After inconsistencies were found in the April 9, 2024 filing and questioning by the court during the plaintiff's testimony, the court had the plaintiff re-file an affidavit on the day of trial (Entry No. 136.00). After hearing further testimony from the plaintiff and comparing the affidavits, the court believes the financial affidavits undervalue the plaintiff's overall finances and the court does not find the representations made therein to be complete.

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<sup>2</sup> The defendant's cross complaint references February 4, 2019, as the date of marriage, and April 4, 2020, as the minor child's birthday. The defendant's application for a restraining order in docket FBT-FA-22-5050487-S lists April 20, 2020, as the minor child's birthday.

The defendant wife is forty-one (41) years old and is also in relatively good health. The defendant wife has a high school degree with working experience as a caretaker. She has a limited work history. She is recently employed (within the past two months) as a nursing assistant for the elderly at Visiting Angels. The defendant is earning \$290 per week (gross)/\$235 per week (net). She hopes to get additional training over the next few months and increase her earning capacity.

The parties lived together throughout their marriage in an apartment they rented, up until the plaintiff husband moved out of the marital home in late 2022. On November 21, 2022, there was a domestic violence incident, which resulted in the issuance of an ex parte restraining order on December 22, 2022. The ex parte ordered the plaintiff husband to have no contact with the defendant and the minor child. As a result, the plaintiff husband moved out of the marital home. After a hearing, the ex parte restraining order was issued for one year as to the defendant only and ordered the plaintiff husband to continue to have no contact with the defendant, except for communications related to the minor child. After an extension was sought, the restraining order is currently set to expire on July 25, 2024.

The plaintiff was the head of household and the primary (at times sole) financial contributor to all expenses throughout the parties' marriage. At the time of trial, the plaintiff was paying the rent for two households (himself and the defendant), including associated costs. The plaintiff also maintains the defendant's cellphone through a family plan.

There is a significant disparity of income between the defendant and plaintiff. At the time of trial, the defendant wife was or has been the recipient of the following forms of state assistance: (i) Care4Kids monies for daycare, (ii) food stamps, (iii) Husky insurance, and (iv) funds from a state program that paid utilities. A certification of notice in family matters of

public assistance was sent to the state of Connecticut, and there has been no appearance filed or any claims by the state in this matter.<sup>3</sup>

Unless otherwise stated herein, the court relied on the financial affidavits filed in this matter by the parties.

A. ALIMONY

i. *Relevant Case Law*

As noted by the Appellate Court,

“We have often stated that the power to act equitably is the keystone to the court's ability to fashion relief in the infinite variety of circumstances that arise out of the dissolution of a marriage. . . . These equitable powers give the court the authority to consider all the circumstances that may be appropriate for a just and equitable resolution of the marital dispute. . . . The trial court may award alimony to a party *even if that party does not seek it and has waived all claims for alimony*. . . . A trial court may award alimony as part of the court's general equitable power.”

(Citations omitted; emphasis in original; internal quotation marks omitted.) *Porter v. Porter*, 61 Conn. App. 791, 797–98, 769 A.2d 725 (2001).

“[R]ehabilitative alimony, or time limited alimony, is alimony that is awarded primarily for the purpose of allowing the spouse who receives it to obtain further education, training, or other skills necessary to attain self-sufficiency . . . . Rehabilitative alimony is not limited to that purpose, however, and there may be other valid reasons for awarding it.” (Internal quotation marks omitted.) *Mongillo v. Mongillo*, 69 Conn. App. 472, 478, 794 A.2d 1054, cert. denied, 261 Conn. 928, 806 A.2d 1065 (2002) (quoting *Bornemann v. Bornemann*, 245 Conn. 508, 539-40, 752 A.2d 978 (1998)).

ii. *Facts and Discussion*

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<sup>3</sup> Certification of Notice was sent on February 1, 2023 (Entry No. 101.00) and July 27, 2023 (Entry No. 110.00).

Neither party is seeking alimony. As previously noted, the plaintiff provided sole financial support during the entire marriage. The defendant was often encouraged not to work and to take care of the child. The defendant wife was canvassed on this issue, including her understanding of what alimony entailed. Although the plaintiff husband currently has a significantly higher earning capacity than the defendant wife, the defendant was adamant about not seeking alimony so she can support herself freely. The defendant worked sporadically during the parties' marriage and has recently begun work with the desire to increase her hours and earning capacity. She has the ability to support herself but will need some financial support while she develops a career as a nursing assistant and attains self-sufficiency. It would be unfair and inequitable to allow the dissolution of this marriage without financial support given to the defendant, who has been primarily taking care of the minor child and has relied heavily on the plaintiff financially.

In his proposed orders, the plaintiff husband proposed paying the defendant wife's rent for a period of one year. The plaintiff's financial affidavit outlines a weekly expense of \$472 for the defendant's rent, utilities, cellphone, cable and internet. It would be fair and equitable for the plaintiff to pay limited alimony to the defendant in the net after tax amount of \$500 per week, which totals \$26,000 a year, for a period of three years. The foregoing duration and amount is intended to provide the defendant with financial support to create a self-sustaining life for herself and her child.

#### B. CHILD CUSTODY AND CHILD SUPPORT

The parties disagree on child custody, visitation and support. The best interests of the child guides the court in resolving the disputed issues.

##### *i. Relevant Case Law*

“It is statutorily incumbent upon a court entering orders concerning custody or visitation or a modification of such order to be guided by the best interests of the child.” (Internal quotation marks omitted.) *McKechnie v. McKechnie*, 130 Conn. App. 411, 420, 23 A.3d 779, cert. denied, 302 Conn. 931, 28 A.3d 345 (2011). In determining a child’s best interests, the court “may consider, but shall not be limited to, one or more of the . . . factors” in General Statutes § 46b-56 (c). “The trial court is vested with broad discretion in determining what is in the child’s best interests.” *Schult v. Schult*, 241 Conn. 767, 777, 699 A.2d 134 (1997). “The court is not required to assign any weight to any of the factors that it considers, but shall articulate the basis for its decision.” General Statutes § 46b-56 (c).

“[T]he authority to exercise the judicial discretion [authorized by § 46b-56] . . . is not conferred [on] this court, but [on] the trial court, and . . . we are not privileged to usurp that authority or to substitute ourselves for the trial court . . . . A mere difference of opinion or judgment cannot justify our intervention. Nothing short of a conviction that the action of the trial court is one [that] discloses a clear abuse of discretion can warrant our interference.” (Citations omitted; footnote added; internal quotation marks omitted.) *Coleman v. Bembridge*, 207 Conn. App. 28, 49, 263 A.3d 403 (2021) (quoting *Zhou v. Zhang*, 334 Conn. 601, 632–33, 223 A.3d 775 (2020)).

“[I]n matters involving child custody, and, by implication, visitation rights, [although] the rights, wishes and desires of the parents must be considered it is nevertheless the ultimate welfare of the child which must control the decision of the court.” (Internal quotation marks omitted.) *Ridgeway v. Ridgeway*, 180 Conn. 533, 541, 429 A.2d 801 (1980).

ii. *Facts and Discussion*

The minor child has spent limited time with the plaintiff husband since the plaintiff left the marital home in early 2023. The defendant wife wants sole legal and physical custody of the minor child, and the plaintiff husband seeks joint legal custody with final decision making with him and shared physical custody. Both parties have difficulty reaching common ground and agreeing on things and acknowledge their inability to communicate in a healthy manner with each other.

As it relates to parenting time, the defendant wife does not trust the plaintiff with taking care of the minor child. The defendant is concerned that the plaintiff would take the minor child out of state and away from her. The plaintiff husband wants more parenting time to develop a bond with the child. Both parties love their son but have voiced frustration trusting and/or communicating with each other. The court finds and concludes that it is in the best interests of the child to have parenting time with both parents so he can develop a healthy relationship with each of them. However, there needs to be an initial period of reunification before the court can order the increased amount of parenting time that the plaintiff is seeking.

As it relates to child support, the plaintiff does not believe a child support order should issue if there is shared physical custody. The defendant seeks child support for the care of the child. In entering the orders below, the court relies upon and incorporates herein by reference the Child Support Guidelines Worksheet filed with the court on May 13, 2024. The referenced Worksheet reflects that the presumptive child support amount payable by the plaintiff husband to the defendant wife is \$241 per week, that unreimbursed medical expenses are allocable 67 percent to the plaintiff and 33 percent to the defendant and that the plaintiff should contribute 67 percent towards child care expenses. The court finds no basis upon which to deviate from



the presumptive guidelines amount. The court enters child support orders that it finds to be fair and equitable under all of the facts and circumstances as presented.

The parties discussed and demonstrated the importance of caring for their child's daily needs and setting him up for a successful future. The court finds that if the parties had remained an intact family, it is more likely than not that they would have contributed to postmajority educational expenses for their son.

Neither party has yet to complete the parenting education program. To assist the parties with furthering their communication skills in a healthy manner and consistent with the court's notice of automatic court orders, the court enters an order requiring the completion of the parenting education program within a reasonable time from the entry of judgment.

C. REAL PROPERTY

Neither party owns real estate.

D. RETIREMENT ACCOUNTS

The plaintiff has a retirement account, valued at \$19,619, which lists the minor child as the beneficiary. The defendant has no retirement account. The court finds this to be a marital asset. In light of the alimony orders issued, the court finds that it is fair and equitable to have the plaintiff keep this account free and clear of any claim from the defendant.

E. BANK ACCOUNTS

Both parties want to keep their respective bank accounts. There was a joint TD bank account, which the plaintiff emptied out and closed prior to trial. The closure of this account was in violation of the "Notice of Automatic Court Orders" filed on February 1, 2023.

At the time of trial, the plaintiff husband had approximately \$33,770 in his personal and business bank accounts and \$15,881 in an additional bank account listing himself as the

beneficiary. Beyond initially having the joint TD bank account, the defendant wife has no additional bank account of significance, either in her name or held jointly with the plaintiff. However, she did recently open a bank account on behalf of the minor child, worth approximately \$300, for any child support related payment she would receive on behalf of the child.

The court finds the bank accounts by both parties to be a marital asset. In light of the alimony orders issued, the court finds that it is fair and equitable to have the parties keep their respective accounts free and clear of any claim from each other.

#### F. VEHICLES

Per their financial affidavits and testimony, the plaintiff husband owns all the motor vehicles: (i) 2007 Low Rider Harley, (ii) 2007 Toyota Solara, (iii) 2019 Toyota Highlander, and (iv) 2022 BMW X3. One or more of the motor vehicles are in the defendant wife's name; however, the defendant wife does not have a driver's license. The plaintiff drove the defendant everywhere, including to and from any jobs she held during the marriage. Since the separation, the defendant takes public transportation.

The defendant does not want to own any of the motor vehicles. All motor vehicle loans have been paid off in full, except for the 2022 BMW X3, which currently holds a loan balance of \$29,750. The plaintiff purchased the BMW approximately three weeks prior to trial. Before the BMW purchase, there was no debt on any vehicle. The three vehicles that are paid off are listed with a \$46,000 value.

The court finds all the motor vehicles to be marital assets. In light of the alimony orders issued, the court finds that it is fair and equitable to have the plaintiff keep these vehicles free and clear of any claim from the defendant.

G. CREDIT CARD DEBT/LOAN DEBT

Pursuant to their financial affidavits, the plaintiff husband has \$40,538 total debt, which encompasses credit cards and a deferred student loan. The defendant wife has no debt. The court finds that it is fair and equitable to have the parties be solely responsible for their respective debts held in their name and as listed on their financial affidavits.

H. BUSINESSES OWNED BY PLAINTIFF

The plaintiff is 100 percent owner of two businesses: De Coiffure By Salem and H Salem Entertainment. Both businesses were opened during the marriage and are considered marital assets. In light of orders issued by the court herein, the court finds that it is fair and equitable to have the plaintiff keep these businesses free and clear of any claim from the defendant.

I. PENDENTE LITE MOTION FOR MODIFICATION (ENTRY NO. 122.00)

There was one pendente lite motion identified for the court to address during trial, which was filed by the defendant: motion for modification of visitation, dated March 7, 2024 (Entry No. 122.00). The issues raised in this motion are moot since the court heard testimony from both parties that the current exchange of the child for the plaintiff's parenting time occurs at the police station. Therefore, the court will incorporate the issue in its orders herein.

**ORDERS**

1. Dissolution: The marriage of the parties is dissolved on the ground of irretrievable breakdown. The parties are declared to be single and unmarried.
2. Alimony:
  - a. No order of alimony is awarded to the plaintiff.

b. The plaintiff shall pay alimony to the defendant in the net after tax amount of \$500 per week, which totals \$26,000 a year, for a period of three years. This award is modifiable as to amount, but not as to term. The award is non modifiable in the event the plaintiff re-marries or cohabitates. Alimony shall terminate upon the death of either party.

3. Residential Lease and Cellphone: Within 120 days of judgement, the defendant will obtain a residential lease and cellphone in her name, and the plaintiff will cooperate to the extent necessary to have transferred to the defendant's name (i) any existing residential lease where the defendant currently resides with the minor child and (ii) the cellphone number currently used by the defendant if she wishes to retain the number.

4. Custody and Visitation: The parties shall share joint legal custody of the minor child. In the event the parties are unable to reach agreement after reasonable and meaningful discussions, the defendant mother shall have the final decision-making authority. The minor child's primary physical residence shall be with the defendant mother.

a. The parties' parenting time and related custody orders with the minor child are set forth on the attached Schedule A. The schedule for parenting time may be modified by agreement of the parties. The parties shall make every effort to accommodate the other parent regarding reasonable requests for changes to this schedule.

b. No later than July 1, 2024, the parties shall agree upon and chose a parenting communication application to download and utilize, such as OurFamilyWizard ("OFW") or AppClose, for all non-emergency communication regarding child and parenting issues, such as their respective parenting time, notifications

required by these orders and other related issues. Responses to communications shall be timely made. The parties shall abide by all conditions required by the co-parenting app. If there is an emergency involving the minor child, the parties will notify each other by telephone, to be followed, when circumstances reasonably allow, by additional notification via the co-parenting app. If there is a cost associated with using the co-parenting app, the plaintiff will be responsible for covering the cost for both parties.

5. Relocation: Neither party shall relocate with the child outside the state of Connecticut without prior order of the court permitting such relocation. If either parent plans to move from the town or city in which he or she is then residing to another town or city within the state of Connecticut, such parent shall comply with General Statutes § 46b-56d and shall provide the other parent with at least sixty (60) days written notice of the change of address.

6. Child Support: Commencing on June 3, 2024, the plaintiff father shall pay to the defendant mother the amount of \$241 per week for child support. This amount reflects the presumptive weekly amount of child support and is consistent with the Child Support Guidelines Worksheet (Entry No. 138.00) and shall be paid in accordance with General Statutes § 46b-84. Payments shall be made weekly by direct deposit into the account the defendant created for the child or as otherwise directed by the defendant. Said child support shall be secured by a contingent wage withholding order.

a. Unreimbursed Medical Expenses: The plaintiff father shall pay 67 percent and the defendant mother shall pay 33 percent of any unreimbursed and/or any uncovered medical and dental expenses for the minor child. This allocation is consistent with the presumptive percentages in the Child Support Guidelines

Worksheet (Entry No. 138.00) and such expenses shall be paid in accordance with General Statutes § 46b-84.

b. Child Care Contribution: The plaintiff father shall pay 67 percent and the defendant mother shall pay 33 percent of any work related child care expenses. This allocation is consistent with the presumptive percentages in the Child Support Guidelines Worksheet (Entry No. 138.00) and such expenses shall be paid in accordance with General Statutes § 46b-84.

7. Educational Support Order: The court reserves jurisdiction to determine whether to enter an educational support order and, if so, the terms of that order pursuant to General Statutes § 46b-56c.

8. Parenting Education Program: The parties are ordered to complete the parenting education program and file a certificate of completion with the court within ninety days of the issuance of this order.

9. Income Tax Dependency Exemptions: The parties shall alternate claiming the minor child as a dependent for income tax filings with the plaintiff father taking the exemption in even years and the defendant mother taking the exemption in odd years.

10. Tax Returns: Starting with the 2024 tax year, each party shall file taxes separately. Each party is responsible for filing their individual tax return and shall provide the other party with a copy of the first two pages of his or her individual federal income tax return, 1099s and W-2s for the previous year by April 30th of each year as long as there are financial obligations between the parties.

11. Health Insurance:

- a. Each party shall be responsible for the procurement and cost of his/her own health insurance.
- b. The parties shall cooperate in enrolling or maintaining the minor child in the HUSKY Insurance Program; provided, however, that either party shall provide health insurance for the benefit of the minor child if such insurance becomes available to him or her at a reasonable cost not to exceed five (5) percent of net income, including if available through employment.

12. Debts and Liabilities: Each party shall be solely responsible for payment of the debts and liabilities listed on his/her respective Financial Affidavit and each party shall hold the other harmless and indemnify the other from all liability therefrom.

13. Marital Assets:

- a. Retirement Account: The plaintiff shall keep his retirement account, free and clear of any claim by the defendant.
- b. Businesses: The plaintiff shall retain sole ownership of his businesses, De Coiffure By Salem and H Salem Entertainment, free and clear of any claim or interest by the defendant.
- c. Motor Vehicles: The plaintiff shall retain all motor vehicles free and clear from any claim by the defendant. The plaintiff shall be solely responsible for and shall pay all costs and liabilities associated with all vehicles, where previously incurred or incurred in the future, and he shall forever indemnify and hold the defendant harmless with the respect to the same. Where applicable, the parties will cooperate with each other to ensure that the title, registration and insurance

of any vehicle in the defendant's name is transferred to the plaintiff and is solely in his name. This shall be done within sixty days of final judgment.

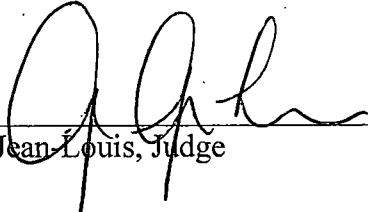
14. Attorney's Fees: Each party shall pay his/her own legal fees and costs incurred in connection with these divorce proceedings.

15. Contact Information: So long as either party may owe the other party any duty or obligation under these orders, each party shall keep the other fully informed of their residential address, mailing address (if different), email and mobile telephone number.

16. Pending Motion: Motion for Modification-Visitation (Entry No. 122.00) – Moot

17. Unsealing Financial Affidavits: Because financial matters were in dispute in the trial of this action, the automatic sealing of the parties' sworn statements of income, expenses, assets, and liabilities filed with the court pursuant to Practice Book § 25-30 is terminated in accordance with Practice Book § 25-29A (h) with respect to all such sworn statements now on file with the court.

Unless otherwise specifically set forth herein, these orders are effective immediately. Judgment may enter accordingly.

  
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Jean-Louis, Judge



## SCHEDULE A

1. The plaintiff shall have parenting time with the minor child as follows:
  - a. Alternating weekends (overnight):
    - i. Phase One (June 2024): Beginning Saturday at 8 a.m. until Sunday at 5 p.m. Drop off and pick up will continue to take place at the Police Station selected by the defendant, unless otherwise agreed by the parties. The plaintiff's first weekend parenting time pursuant to this order shall commence on the first scheduled Saturday in the month of June 2024 of his current alternating weekend schedule.
    - ii. Phase Two (January 2025): Beginning Friday after daycare/school until Sunday at 5 p.m. On Friday, pick up will occur at the child's daycare, school, or at the Police Station selected by the defendant (if daycare or school is closed that day) unless otherwise agreed by the parties, and on Sunday, drop off will continue to take place at the Police Station selected by the defendant unless otherwise agreed by the parties. The plaintiff's first weekend parenting time pursuant to this phase of the order shall commence on the first scheduled Friday in the month of January 2025 of his alternating weekend schedule at that time.
    - iii. Phase Three (June 2025): Beginning Friday after daycare/school until Monday at the start of daycare/school. On Friday, pick up will occur at the child's daycare, school, or at the Police Station selected by the defendant (if daycare or school is closed that day) unless otherwise agreed by the parties, and on Monday, drop off at the child's daycare, school, or at the Police Station selected by the defendant (if daycare or school is closed that day) unless otherwise agreed by the parties. The plaintiff's first weekend parenting time pursuant to this phase of the order shall commence on the first scheduled Friday in the month of June 2025 of his alternating weekend schedule at that time.
  - b. Every week on the following weekdays (no overnight): Tuesday and Thursday from 3 p.m. to 5 p.m. Pick up will take place at daycare or after school and drop off will take place at the Police Station selected by the defendant unless otherwise agreed by the parties. The plaintiff's weekly parenting time pursuant to this order shall commence on the week of June 3, 2024. Additional weekday parenting time can be added as mutually agreed upon by the parties.
  - c. If either parent is unable to be with the minor child during their scheduled parenting time, then he or she shall offer the other parent the right of first refusal to care for the child during that period. The parent who cannot be with the child during his or her parenting time shall give the other parent as much notice as reasonably possible. The parent's right of first refusal supersedes the right of extended family members to care for the minor child.
2. Holidays:
  - a. The parties will alternate the following holidays each year: New Years Eve, New Years Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.

Holiday	Even Years	Odd Years
New Years Eve	Dad	Mom
New Years Day	Mom	Dad
Easter Sunday	Dad	Mom
Memorial Day	Mom	Dad
Independence Day	Dad	Mom
Labor Day	Mom	Dad
Thanksgiving	Dad	Mom
Christmas Eve	Mom	Dad
Christmas Day	Dad	Mom

- b. The plaintiff shall have the minor child on Father's Day.
  - c. The defendant shall have the minor child on Mother's Day.
  - d. Both parties can see the minor child on the same holiday as agreed upon by the parties via telephone call or text message.
  - e. If the plaintiff has parenting time on a holiday that is not his scheduled parenting time, the plaintiff will pick up the child at 8 a.m. and return him to the defendant at 5 p.m. Pickup and drop off will be at a location selected by the defendant.
  - f. If the defendant has parenting time on a holiday that is not her scheduled parenting time, the plaintiff will drop off the child to the defendant at 8 a.m. and pick him up from the defendant at 5 p.m. Pickup and drop off will be at a location selected by the defendant.
3. Birthday: The minor child shall spend his birthday with the plaintiff from 9 a.m. to 1 p.m., and with the defendant from 1 p.m. to 5 p.m. Pickup and drop off will be as outlined in the holiday schedule. If his birthday falls on a school day, then the plaintiff will be allowed visitation from 3 p.m. to 5 p.m. after the child is out of daycare or school.
  4. Vacation: Both parties may exercise up to one week of vacation time with their minor child each year. Any exercised vacation time should not require the child to miss school once he is enrolled.
    - a. For 2024, vacation will be conducted as agreed upon by the parties.
    - b. On even years, starting in 2026, the plaintiff shall elect his first choice of vacation week on or before May 1st, and the defendant will elect her choice of vacation week (which will not conflict with the plaintiff's choice) by May 15th of that year.
    - c. On odd years, the defendant shall elect her first choice of vacation week on or before May 1st, and the plaintiff will elect his choice of vacation week (which will not conflict with the defendant's choice) by May 15th of that year.
  5. Out of State Travel: In the event the minor child travels out of state with a parent, the parent who is traveling with the child or arranging the travel of the child shall provide the other parent with a written itinerary, including, as applicable, dates of travel, destinations, telephone numbers, addresses, flight information, lodging, accommodations, and other pertinent information. The other parent shall not use such information in a manner which unreasonably interferes with the traveling parent's or child's privacy and enjoyment of the trip.

6. The parties shall ensure that the minor child is properly fed, bathed, dressed and groomed when in his/her care.
7. Neither party shall physically discipline the minor child in any manner.
8. Both parents shall be involved in their child's upbringing and are entitled to all information and records concerning their child's education and health. Where applicable, the defendant shall provide the plaintiff access to the minor child's academic, medical, hospital and health records. The defendant shall also notify the plaintiff of any pending events concerning the child's medical conditions, education, extracurricular activities, religious and social life. Pending events should be shared via the calendar feature on the selected co-parenting app.
9. Routine or day-to-day decisions shall be made by the party with whom the minor child is residing at the time a decision is required.
10. These orders shall not prevent either party from making a bona fide emergency medical decision for the minor child without first consulting with the other party, so long as the other party is informed and consulted as soon as is practicable given the nature of the emergency.
11. The parties shall have reasonable telephone contact with the minor child when the child is in the other party's care.
12. The schedule for parenting time may be modified by agreement of the parties. The parties shall make every effort to accommodate the other parent regarding reasonable requests for changes to this schedule.
13. The parties shall exchange and maintain updated contact information with one another. The parties will notify the other if the child is seriously injured or becomes seriously ill when in that party's care.
14. The parties shall use their best efforts and strive to foster a strong relationship between each parent and the minor child.
15. Neither party shall do or utter anything to harm, or which would estrange the minor child's relationship with the other party.
16. Neither party will inquire about the opinion of the child as to the father or mother, or act in such a way as to hamper the free and natural development of the child's love and respect for the other party.
17. Neither party shall discuss the details regarding court matters with the child.
18. Neither party shall interrogate the child for any details after they return from parenting time with the other party.