****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Steps to Ask for Temporary Orders Only in a Suit Affecting the Parent Child Relationship (SAPCR)

Instructions:
Follow these steps to ask for Temporary Orders only.

Do not use these instructions if you need a Temporary Restraining Order (TRO).

Forms Included:
- *Motion for Temporary Orders*
- *Order to Appear*
- *Proposed Support Decision and Information (for Movant)*
- *Proposed Support Decision and Information (for Non movant)*
- *Temporary Orders*
- *Standard Possession Order* (For other options, see https://texaslawhelp.org/possession-orders)

Talk to a lawyer if you have questions.

Step 1: Fill out these forms:
- *Motion for Temporary Orders*
- *Order to Appear* (attach blank *Proposed Support Decision and Information* if asking for temporary child support)

Note: You will ask the Court to sign the *Order to Appear* form to order the other party to come to your temporary orders hearing. If you're asking for temporary child support, attach a blank *Proposed Support Decision and Information* form to your *Order to Appear* form.

Step 2: Make copies of the Motion. Make a copy for yourself and each party listed in the *Petition* you or the other party filed to start your case. You can find a copy machine at a library, an office supply or shipping store, and at many courthouses. Call to find out pricing and payment methods for copies.

Step 3: Take completed forms to the courthouse where the Petition was filed. (Or create an account and file online at https://efile.txcourts.gov/ofsweb.)
File your *Motion for Temporary Orders* with the clerk. The clerk will keep your original and stamp and return your copies to you. Ask the clerk where to go to ask the Court to sign your *Order to Appear* form.

File the *Order to Appear*. Ask the clerk to issue the paperwork necessary to have the other party or parties in your case personally served with your *Motion for Temporary Orders* and the *Order to Appear*. If the other party or parties live in the county that the court is located, ask the clerk to forward the paperwork to the local constable. If the other party or parties live in a different county, ask the clerk how they handle service outside of the county. You may need to contact the other county's constable directly. Unless you are low-income and file a *Statement of Inability to Afford Court Costs*, you must pay issuance and service fees. You may get the *Statement of Inability to Afford Court Costs* form from the courthouse or at TexasLawHelp.org.

Step 4: Prepare for your temporary orders hearing.

Ask a lawyer to help you get ready. A lawyer can help you get ready by:

- explaining the law and how it applies to the facts in your case
- telling you what the Judge expects
- giving you advice about the best strategy for your case
- determining the most helpful evidence to present in your case
- preparing you to testify
- helping you decide what witnesses to bring
- preparing questions to ask your witnesses and the other party in court
- writing proposed orders that are unique to your situation
- helping you reach an agreement with the other party before the hearing

Fill out the *Proposed Support Decision and Information* form if you **or** the other party are asking for temporary child support. Bring the completed form and at least two copies to the temporary orders hearing. In many courts, you **must** give a copy of the completed form to the Judge and the other party or parties **before** the hearing starts.

Fill out the *Temporary Orders* form and the *Standard Possession Order* form. If possible, ask a lawyer to review your form.

Practice what you want to say to the Judge. Make a list of the orders you want and practice saying them. Try not to take more than three minutes to say what you want. If possible, go to the courthouse and observe a temporary orders hearing. Court proceedings are usually open to the public.

Make a Trial Notebook. A notebook will help you organize your thoughts and paperwork so that you can present your case to the court more effectively. You may want to include the following in your notebook:

- A list of specific orders you want the Judge to make.
- A list of what you want to tell the Judge when you tesify.
- A list of questions to ask the other party in front of the Judge.
- A list of questions to ask your witnesses, if any.
- Any evidence, such as pictures or documents, you would like to show the Judge. (For tips on how to present your evidence, visit https://texaslawhelp.org/article/gathering-and-presenting-evidence.)

If it's safe, talk to the other side before court. Make a list of the issues you agree on and those you need the Judge to decide.

Step 5: Go to your Temporary Orders Hearing.

Dress neatly. Don't wear shorts, t-shirts with inappropriate words or pictures, tank tops or flip-flops.

Get to the courthouse at least 30 minutes early. You will need to find parking, get through security, and find the correct courtroom.

Bring:

- Money for parking (parking meters accept coins and credit cards only, not dollars)
- A copy of the paperwork you filed with the court
- Your completed *Proposed Support Decision and Information* form
- Your trial noteboook
- Extra paper and pens
- Any witnesses you would like to testify at the hearing
- Any evidence, such as pictures or documents, you would like to show the Judge (See https://texaslawhelp.org/article/gathering-and-presenting-evidence)

Don't bring: weapons **or** children. (Children can be a distraction from the important events taking place and many topics that come up are innapropriate for children to hear. If you must bring children, bring someone with you who can watch them outside the courtroom).

Find your courtroom. If you are unsure ask the deputies at the front door.

While in the courtroom:

- Sit quietly. Watch and listen. This will help you when it's your turn.
- Turn off all cell phones or other electronics (or they may be taken away from you.)
- Don't chew gum or bring food or drinks into the courtroom.
- Stand up when the Judge enters or exits the courtroom.

When it's your turn to be heard:

- Address the Judge as "Your Honor." Stand up when you talk to the Judge (unless you're in the witness stand).
- Be ready to tell the Judge exactly what orders you want. If you get nervous just read from your list.
- Be able to explain why you want those orders. Focus on what is most important.
- Try to control your emotions so that you can tell your story in a way that is understandable.
- When the other side is talking to the Judge, do not interrupt or react by sighing or gesturing. This will hurt your case. Even if you think the other side is being dishonest, wait until it's your turn to talk.
- Be respectful towards the Judge and everyone else in the courtroom at all times.
- If you have a question about how to proceed, ask the Judge.

When the hearing is over, be ready to write down the Judge's decision. Use your list to see if the Judge has made orders about all of the issues you wanted the Judge to decide. Let the Judge know that you have a proposed temporary orders form. The Judge may decide to use your form or may decide to use another form. The Judge may also ask you to hire an attorney to write the temporary orders.

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(Print court information exactly as it appears on the Petition filed in your case)

Cause Number: _____

In the interest of (List Children):

1 Name: _____ In the _____
Court Number

2 Name: _____

3 Name: _____ ☐ District Court ☐ County Court of:

4 Name: _____

5 Name: _____ _____ County, Texas

Motion for Temporary Orders

Print your answers
My name is:

_____
First *Middle* *Last*

I am the ☐ Petitioner ☐ Respondent.

This case involves the following children:

Child's name	Sex	Date of Birth	Current Address
1			
2			
3			
4			
5			

I am the children's: ☐ Mother ☐ Father ☐ Other: _____

The **Non movant,** _____, is the ☐ Petitioner ☐ Respondent.
PRINT the other side's full name

The Non movant is the children's: ☐ Mother ☐ Father ☐ Other: _____

1. Temporary Orders Regarding Children

I ask the Court, after notice to the other parties and a hearing, to make the following temporary orders and any appropriate temporary injunctions for the safety and welfare of the children including but not limited to the temporary orders: *(Check one box below)*

☐ set out in the proposed parenting plan attached to this motion *(If you checked this box, skip to #2)*

☐ requested below.

1A. Temporary Conservatorship (Custody)

I ask the court to make temporary conservatorship orders naming: *(Check a, b, c, or d)*

a. ☐ Mother and Father Temporary Joint Managing Conservators with:

(If you checked a, check a-1 or a-2.)

a-1. ☐ Father having the exclusive right to determine the residence of the children within the following geographic area: *(Check one box below)*

☐ in this county. ☐ in this county or in counties adjacent to this county.

☐ in Texas. ☐ anywhere. ☐ other _____

a-2. ☐ Mother having the exclusive right to determine the residence of the children within the following geographic area: *(Check one box below)*

☐ in this county. ☐ in this county or in counties adjacent to this county.

☐ in Texas. ☐ anywhere. ☐ other _____

b. ☐ Mother Temporary Sole Managing Conservator

c. ☐ Father Temporary Sole Managing Conservator

d. ☐ Other: _____

_____

1B. Temporary Possession and Access (Visitation)

I ask the court to make temporary possession and access orders as follows:
(check a, b, c, d, or e.)

a. ☐ Children should live primarily with Mother; Father should have the children at the times set out in the Texas Family Code's Standard Possession Order (*See* Texas Family Code Chapter 153, Subchapter F.)

b. ☐ Children should live primarily with Father; Mother should have the children at the times set out in the Texas Family Code's Standard Possession Order (*See* Texas Family Code Chapter 153, Subchapter F.)

c. ☐ The Texas Family Code's Standard Possession Order would be unworkable or inappropriate. Possession and access to the children should be as set out in the attached "*Proposed Possession Order*"

d. ☐ One or more of the children is under 3. Until the child turns 3, possession should be as set out in the attached "*Proposed Possession Order for Child Under 3*."

e. ☐ I am concerned about my safety or the safety of the children when with the other parent. Therefore, I ask that: *(If you checked e, check all that apply below)*

e-1. ☐ exchanges of the children be supervised, or in the alternative, be in a public place

e-2. ☐ the other parent's possession of the children be limited to day visits

e-3. ☐ the other parent's possession of the children be supervised

e-4. ☐ the other parent has no right to possession or access to the children

e-5. ☐ the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the children

e-6 ☐ the other parent's possession and access to the children be restricted as follows:_____

_____

_____

_____

_____

(Check only if applicable.)

☐ I am concerned that the other parent may take the children to another country and refuse to return them. I ask the Court to determine whether there is a risk of international abduction of the children by the other parent and to take such measures as are necessary to protect the children.

1C. Temporary Child Support

I ask the court to make temporary child support orders as follows: *(check a, b, or c.)*

a. ☐ Father should pay guideline child support, health insurance premiums for coverage of the children, and _____% of the children's uninsured medical expenses.

b. ☐ Mother should pay guideline child support, health insurance premiums for coverage of the children, and _____% of the children's uninsured medical expenses.

c. ☐ Other: _____

_____

_____

_____

1D. Other Temporary Orders Regarding Children

I ask the Court to make the following additional temporary orders and/or injunctions:

_____

_____

_____

_____

_____

_____

_____

_____

_____

2. Prayer

I ask the Court to make the orders I have asked for in this motion and any other orders to which I am entitled.

Respectfully submitted,

/s/ _____ _____

Your Signature *Date*

_____ _____

Your Printed Name *Phone*

_____

Mailing Address *City* *State* *Zip*

_____ _____

Email Address *Fax # (if any)*

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(Print court information exactly as it appears on the Petition filed in your case)

Cause Number: _____

In the interest of (List Children):

1 Name: _____ In the _____
Court Number

2 Name: _____

3 Name: _____ ☐ District Court ☐ County Court of:

4 Name: _____

5 Name: _____ _____ County, Texas

Order to Appear for Temporary Orders Hearing

IT IS **ORDERED** that the clerk shall issue notice to:

Non movant, _____,
PRINT the other side's full name

is hereby **ORDERED** to appear at the _____
(Courthouse name)

_____, Texas and report to the courtroom of the District Judge or
(Courthouse street address)

Associate Judge to whom this case has been assigned on
_____/ _____/ _____ at _____ _____.m.
Month *Day* *Year* *Time*

_____ is also **ORDERED** to complete the attached *Proposed Support Decision and Information* form and bring it and the following documents to the hearing:(*Check all applicable boxes*)

☐ All of their tax returns for the past two years

☐ All of their pay stubs for the past three months

☐ Other _____

The purpose of the hearing is to determine whether the Court should make temporary orders as requested in the Movant's *Motion for Temporary Orders*.

SIGNED ON _____ at _____ _____ .m.

_____
JUDGE PRESIDING

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

(Print court information exactly as it appears on the Petition filed in your case)

Cause Number: _____

In the interest of (List Children):

1 Name: _____ In the _____
Court Number

2 Name: _____

3 Name: _____ ☐ District Court ☐ County Court of:

4 Name: _____

5 Name: _____ _____ County, Texas

Proposed Support Decision and Information of _____

(A) GROSS MONEY EARNED PER MONTH:

(1) Gross wages and salary income $_____

(2) Commissions, tips and bonuses $_____

(3) Self-employment income (net of expenses other than depreciation and tax credits) $_____

(4) Rental income (net of expenses other than depreciation) $_____

(5) All other income actually received (specify):

_____ $_____

_____ $_____

GROSS MONEY EARNED PER MONTH $ 0.00 **(A)**

(B) ACTUAL DEDUCTIONS PER MONTH – Attach most recent pay stub from each employer.

(1) Income Tax withholding $_____

(2) FICA (Social Security) $_____

(3) Health Insurance $_____

(4) Union dues $_____

(5) Other (specify):

_____ $_____

_____ $_____

TOTAL ACTUAL DEDUCTIONS PER MONTH **$** 0.00 **(B)**

(C) NET MONEY ACTUALLY RECEIVED PER MONTH. SUBTRACT (B) FROM (A).

$ 0.00 **(C)**

(D) STATUTORY NET RESOURCES DEDUCTIONS ALLOWED PER MONTH:

(1) Income tax withholding for a single person claiming one personal exemption and standard deduction $_____

(2) FICA (Social Security) $_____

(3) Health insurance attributable to child(ren) $_____

(4) Union dues $_____

STATUTORY NET RESOURCES DEDUCTIONS ALLOWED PER MONTH: $ 0.00 **(D)**

(E) STATUTORY NET RESOURCES PER MONTH. SUBTRACT (D) FROM (A).

$ 0.00 **(E)**

(F) TOTAL MONEY NEEDED PER MONTH BY ME AND MINOR CHILD(REN) LIVING WITH ME. For items which are not paid monthly, express the amount as a monthly average.

(1) Rent or house payment $_____

(2) Real property taxes (omit if part of house payment) $_____

(3) Residence maint. (repairs, yard) $_____

(4) Insurance – home or renters (omit if part of house payment) $_____

(5) Utilities – Gas $_____

(6) Utilities – Electric and water $_____

(7) Telephone (incl. avg. long dist.) $_____

(8) Utilities – Garbage service $_____

(9) Groceries and household items $_____

(10) Meals away from home $_____

(11) School lunches $_____

(12) Dental and orthodontia $_____

(13) Medical and prescriptions $_____

(14) Laundry and dry cleaning $_____

(15) Car payment $_____

(16) Gas and vehicle maintenance $_____

(17) Clothing and Shoes $_____

(18) Insurance – Car $_____

(19) Insurance – Life $_____

(20) Insurance – Health (omit if payroll deduction) $_____

(21) Child care $_____

(22) Children's activities $_____

(23) Entertainment $_____

(24) Haircuts $_____

(25) Cable TV and newspaper $_____

(26) Total monthly payments on debts (list below at G and only show total here) $_____

(27) Support or alimony payments to other persons $_____

(28) Other (specify):

_____ $_____

_____ $_____

TOTAL MONEY NEEDED PER MONTH $ 0.00

(G) TOTAL MONTHLY PAYMENTS ON DEBTS:

Description Of Debt	Balance Now Owed	Date of Final Payment	Amount of Monthly Payment

TOTAL MONTHLY PAYMENTS ON DEBTS **$** 0.00 **(G)**

(H) DIFFERENCE BETWEEN MONEY RECEIVED AND MONEY NEEDED. SUBTRACT (F) FROM (C)

$ 0.00 **(H)**

(I) STATUTORY PRESUMED CHILD SUPPORT. MULTIPLY (E) BY THE GUIDELINE PRECENTAGE _____%

$ 0.00 **(I)**

I,_____, would testify under oath in open court that the foregoing information is true and correct. I understand that at such a court hearing I may be required to prove these amounts by testimony and by records such as pay vouchers, cancelled checks, receipts, and bills.

SIGNED this_____day of_____, 20_____.

/s/_____
Signature of party

I intend to ask the court to set support at $_____ per month.

SIGNED this_____day of_____, 20_____.

/s/_____
Signature of party

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(Print court information exactly as it appears on the Petition filed in your case. Leave financial information blank and attach to the Order to Appear if you are asking for temporary child support.)

Cause Number: _____

In the interest of (List Children):

1 Name: _____ In the _____
Court Number

2 Name: _____

3 Name: _____ ☐ District Court ☐ County Court of:

4 Name: _____

5 Name: _____ _____ County, Texas

Proposed Support Decision and Information of _____

(A) GROSS MONEY EARNED PER MONTH:

(1) Gross wages and salary income $_____

(2) Commissions, tips and bonuses $_____

(3) Self-employment income (net of expenses other than depreciation and tax credits) $_____

(4) Rental income (net of expenses other than depreciation) $_____

(5) All other income actually received (specify):

_____ $_____

_____ $_____

GROSS MONEY EARNED PER MONTH $_____(A)

(B) ACTUAL DEDUCTIONS PER MONTH – Attach most recent pay stub from each employer.

(1) Income Tax withholding $_____

(2) FICA (Social Security) $_____

(3) Health Insurance $_____

(4) Union dues $_____

(5) Other (specify):

_____ $_____

_____ $_____

TOTAL ACTUAL DEDUCTIONS PER MONTH **$_____(B)**

(C) NET MONEY ACTUALLY RECEIVED PER MONTH. SUBTRACT (B) FROM (A).

$_____**(C)**

(D) STATUTORY NET RESOURCES DEDUCTIONS ALLOWED PER MONTH:

(1) Income tax withholding for a single person claiming one personal exemption and standard deduction $_____

(2) FICA (Social Security) $_____

(3) Health insurance attributable to child(ren) $_____

(4) Union dues $_____

STATUTORY NET RESOURCES DEDUCTIONS ALLOWED PER MONTH: $_____**(D)**

(E) STATUTORY NET RESOURCES PER MONTH. SUBTRACT (D) FROM (A).

$_____**(E)**

(F) TOTAL MONEY NEEDED PER MONTH BY ME AND MINOR CHILD(REN) LIVING WITH ME. For items which are not paid monthly, express the amount as a monthly average.

(1) Rent or house payment $_____

(2) Real property taxes (omit if part of house payment) $_____

(3) Residence maint. (repairs, yard) $_____

(4) Insurance – home or renters (omit if part of house payment) $_____

(5) Utilities – Gas $_____

(6) Utilities – Electric and water $_____

(7) Telephone (incl. avg. long dist.) $_____

(8) Utilities – Garbage service $_____

(9) Groceries and household items $_____

(10) Meals away from home $_____

(11) School lunches $_____

(12) Dental and orthodontia $_____

(13) Medical and prescriptions $_____

(14) Laundry and dry cleaning $_____

(15) Car payment $_____

(16) Gas and vehicle maintenance $_____

(17) Clothing and Shoes $_____

(18) Insurance – Car $_____

(19) Insurance – Life $_____

(20) Insurance – Health (omit if payroll deduction) $_____

(21) Child care $_____

(22) Children's activities $_____

(23) Entertainment $_____

(24) Haircuts $_____

(25) Cable TV and newspaper $_____

(26) Total monthly payments on debts (list below at G and only show total here) $_____

(27) Support or alimony payments to other persons $_____

(28) Other (specify):

_____ $_____

_____ $_____

TOTAL MONEY NEEDED PER MONTH $_____

(G) TOTAL MONTHLY PAYMENTS ON DEBTS:

Description Of Debt	Balance Now Owed	Date of Final Payment	Amount of Monthly Payment

TOTAL MONTHLY PAYMENTS ON DEBTS **$_____(G)**

(H) DIFFERENCE BETWEEN MONEY RECEIVED AND MONEY NEEDED. SUBTRACT (F) FROM (C)

$_____**(H)**

(I) STATUTORY PRESUMED CHILD SUPPORT. MULTIPLY (E) BY THE GUIDELINE PRECENTAGE _____%

$_____**(I)**

I,_____, would testify under oath in open court that the foregoing information is true and correct. I understand that at such a court hearing I may be required to prove these amounts by testimony and by records such as pay vouchers, cancelled checks, receipts, and bills.

SIGNED this_____day of_____, 20_____.

/s/_____
Signature of party

I intend to ask the court to set support at $_____ per month.

SIGNED this_____day of_____, 20_____.

/s/_____
Signature of party

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Cause Number: _____

In the interest of (List Children):

1 Name: _____ In the _____
Court Number

2 Name: _____

3 Name: _____ ☐ District Court ☐ County Court of:

4 Name: _____

5 Name: _____ _____ County, Texas

Temporary Orders

A hearing took place today on the Motion for Temporary Orders Filed in this case.

1. Appearances

The parties in this case are:

Petitioner

The Petitioner's name is: _____
First *Middle* *Last*

The Petitioner is the Children's: ☐ Mother ☐ Father ☐ Other: _____

(Check one box.)
☐ Petitioner **was present**, representing him/herself, and announced ready
☐ Petitioner **was present**, representing him/herself, and has agreed to the terms of this order
☐ Petitioner **was not present** but has signed below, agreeing to the terms of this order

Respondent

The Respondent's name is: _____
First *Middle* *Last*

The Respondent is the Children's: ☐ Mother ☐ Father ☐ Other:_____

(Check one box.)
☐ Respondent **was present**, representing him/herself, and announced ready
☐ Respondent **was present**, representing him/herself, and has agreed to the terms of this order
☐ Respondent **was not present** but was properly notified and has defaulted
☐ Respondent **was not present**, but has filed a *Waiver of Service* or *Answer* and has signed below, agreeing to the terms in this order

2. Jurisdiction

After examining the record and hearing evidence, the Court finds that it has jurisdiction over this case and the parties and that all notice requirements have been met.

3. Temporary Orders Regarding Children

The following Orders are for the safety and welfare and in the best interest of the following children:

	Child's name	Sex	Date of Birth	Place of Birth	Home State
1	_____	_____	_____	_____	_____
2	_____	_____	_____	_____	_____
3	_____	_____	_____	_____	_____
4	_____	_____	_____	_____	_____
5	_____	_____	_____	_____	_____

3A. Temporary Conservatorship (Custody)

The Court ORDERS that the parents are: *(Check box 1 or 2 below)*:

☐ **1. Temporary Joint Managing Conservators**

The parent with the exclusive right to designate the primary residence of the children is *(name)*:

_____

The children's primary home: *(Check box a or b below.)*

a. ☐ may be anywhere

b. ☐ must be within the following geographic area: *(Check one box below.)*

☐ in this county.

☐ in this county or in counties adjacent to this county.

☐ in Texas.

☐ other _____

☐ **2. Temporary Separate Conservators**

The **Sole Managing Conservator** is *(name)*:

_____

The Sole Managing Conservator has the exclusive right to decide where the child's primary home is located without a geographic restriction.

The **Possessory Conservator** is *(name)*:

_____

The Court ORDERS that both parents always have the following rights: (*See* Texas Family Code, Section 153.073)

1. to receive information from any other conservator of the child concerning the health, education, and welfare of the child;
2. to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the child;
3. of access to medical, dental, psychological, and educational records of the child;
4. to consult with a physician, dentist, or psychologist of the child;
5. to consult with school officials concerning the child's welfare and educational status, including school activities;
6. to attend school activities, including school lunches, performances, and field trips;
7. to be designated on the child's records as a person to be notified in case of an emergency;
8. to consent to medical, dental, and surgical treatment during an emergency involving an immediate danger to the health and safety of the child; and
9. to manage the estate of the child to the extent the estate has been created by the parent or the parent's family.

The Court ORDERS that both parents always have the following duties: (*See* Texas Family Code, Section 153.076)

1. To inform the other parent or conservator, in a timely manner, about significant information concerning the child/ren's health, education and welfare.
2. Each parent has a duty to inform the other parent or conservator if the parent resides with for at least 30 days, marries, or intends to marry a person who the parent knows is a registered sex offender under Chapter 62 of the Texas Code of Criminal Procedure, or who is currently charged with an offense that would require the person to register as a sex offender under the chapter, if convicted. The parent is ORDERED to give this notice as soon as practicable, but no later than 40th day after the date the parent or conservator begins to reside with the person, or within 10 days of marrying the person. The notice must include a description of the offense that required the person to register as a sex offender or the offense that the person is charged with that may require the person to register a sex offender.

The Court ORDERS that both parents have the following right and duties when the child/ren are with them: (*See* Texas Family Code, Section 153.074)

1. To care for, control, protect, and reasonably discipline the child/ren.
2. To support the child/ren, providing them with food, clothing, and shelter, and medical and dental care that does not involve an invasive procedure.
3. To consent to non-invasive medical and dental care for the child/ren.
4. To direct the child/ren's moral and religious training.

The Court ORDERS that the parents shall have the following rights and duties as marked below: (*See* Texas Family Code, Section 153.132)

	Mother Alone	Father Alone	Mother & Father together	Either Mother or Father
1. Consent to invasive medical, dental, and surgical treatment for the child/ren	☐	☐	☐	☐
2. Consent to psychiatric or psychological treatment for the child/ren	☐	☐	☐	☐
3. Right to receive and give receipt for child support payments, and to hold or disburse these funds for the child/ren benefit	☐	☐	**NO**	**NO**
4. Represent the child/ren in a legal action and make important legal decisions that affect the child/ren	☐	☐	☐	☐
5. Consent to a child's marriage, or to a child enlisting in the U.S. Armed Forces	☐	☐	☐	☐
6. Make decisions concerning the child/ren's education	☐	☐	☐	☐
7. Manage or control the earnings or services of a child who works	☐	☐	☐	☐
8. Make decisions for the child/ren about their estates if required by law (unless the child/ren have a guardian ad litem or guardian of the estate)	☐	☐	☐	☐
9. Manage the child/ren estates if any were created by the parents' community or joint property	☐	☐	☐	☐
10. Apply for a passport for the child; renew the child's passport; and maintain possession of the child's passport	☐	☐	☐	☐

3B. Temporary Possession and Access (Visitation)

The Court ORDERS that the parents shall have temporary possession and access to the children as ordered in the following exhibit which is attached to and fully incorporated into this order:
(Check one box below)

☐ Exhibit – Standard Possession and Access (Visitation) Order

☐ Exhibit – Modified Possession and Access (Visitation) Order

☐ Exhibit – Supervised Possession and Access (Visitation) Order

☐ Exhibit – Possession and Access (Visitation) Order for Child under 3

3C. Temporary Child Support

_____ is ORDERED to pay temporary child support:
(Full name of person to pay child support)

(Check one box below)

☐ **Monthly,** in the amount of $_____ each month, with the 1st payment due on _____ and a like payment is due on the _____ day of each month after that until further order of this Court.

☐ **Semi-monthly,** in the amount of $_____ two times each month, with the 1st payment due on _____ and a like payment due on the 1st and 15th day of each month after that until further order of this Court.

☐ **Every two weeks,** in the amount of $_____ every two weeks, with the 1st payment due on _____ and a like payment due on the same day of the week every two weeks after that until further order of this Court.

☐ **Every week,** in the amount of $_____ every week, with the 1st payment due on _____ and a like payment due on the same day of the week every week after that until further order of this Court.

IT IS ORDERED that temporary child support is payable to _____ _____but must be sent to the **place of payment** listed below.
(*Full name of person receiving child support*)

The person ordered to **pay** child support is **ORDERED** to send all child support payments to the **Texas Child Support State Disbursement Unit, PO Box 659791, San Antonio, TX 78265,** for distribution according to law. Include the following information with each payment:

1. Name of person ordered to pay child support, and
2. Name of person ordered to receive child support, and
3. Cause Number and County of Decree or Order, and
4. Attorney General Case Number, if applicable

The person ordered to **receive** child support is ORDERED to establish a child support account by _____

IT IS FURTHER ORDERED that any employer of the person ordered to pay child support is ordered to withhold child support from the person's disposable earnings.

If an income withholding for support order is served on the employer of the person ordered to pay child support, the employer shall withhold child support payments from the employee's pay, and send it to the **Texas Child Support State Disbursement Unit, PO Box 659791, San Antonio, TX 78265,** where the payments shall be recorded, and forwarded to the person ordered to receive child support. All child support withheld and paid in accordance with this order shall be credited against the child support obligation.

If the employer withholds less than 100% of the child support ordered, the person ordered to pay child support is ORDERED to send the balanced owed to the **Texas Child Support State Disbursement Unit, PO Box 659791, San Antonio, TX 78265**.

If an income withholding for support order is not served on the employer, or if the person paying child support is self-employed or unemployed, the person ordered to pay child support is ORDERED to send all child support payments to the **Texas Child Support State Disbursement Unit, PO Box 659791, San Antonio, TX 78265.**

IT IS ORDERED that the clerk of this Court shall cause a certified copy of the income withholding for support order to be delivered to any employer of the person ordered to pay child support, if asked to do so by the person ordered to pay or receive child support, a prosecuting attorney, the title IV-D agency, a friend of the Court, or a domestic relations office.

☐ Mother ☐ Father is **ORDERED** to maintain and timely pay the premiums for health insurance coverage for the children.

Father is **ORDERED** to pay _____% and Mother is **ORDERED** to pay _____% of the children's health care expenses not covered by health insurance.

3D. Other Temporary Orders Regarding Children

_____

_____

_____

_____

_____

_____

3E. Required Notices

EACH PERSON WHO IS A PARTY TO THIS ORDER IS ORDERED TO NOTIFY EVERY OTHER PARTY, THE COURT, AND THE STATE CHILD SUPPORT REGISTRY OF ANY CHANGE IN THE PARTY'S:

- CURRENT RESIDENCE ADDRESS,
- MAILING ADDRESS,
- HOME TELEPHONE NUMBER,
- NAME OF EMPLOYER,
- ADDRESS OF EMPLOYMENT,
- DRIVER'S LICENSE NUMBER, AND
- WORK TELEPHONE NUMBER.

THE PARTY IS ORDERED TO GIVE NOTICE OF AN INTENDED CHANGE IN ANY OF THE REQUIRED INFORMATION TO THE OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY ON OR BEFORE THE 60TH DAY BEFORE THE INTENDED CHANGE. IF THE PARTY DOES NOT KNOW OR COULD NOT HAVE KNOWN OF THE CHANGE IN SUFFICIENT TIME TO GIVE NOTICE OF THE CHANGE TO PROVIDE 60-DAYS NOTICE, THE PARTY IS ORDERED TO GIVE NOTICE OF THE CHANGE ON OR BEFORE THE 5TH DAY AFTER THE DATE THAT THE PARTY KNOWS OF THE CHANGE.

THE DUTY TO FURNISH THIS INFORMATION TO EVERY OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY CONTINUES AS LONG AS ANY PERSON, BY VIRTUE OF THIS ORDER, IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT OR ENTITLED TO POSSESSION OF OR ACCESS TO A CHILD.

FAILURE BY A PARTY TO OBEY THE ORDER OF THIS COURT TO PROVIDE EVERY OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY WITH THE CHANGE IN THE REQUIRED INFORMATION MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO $500 FOR EACH VIOLATION AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

Notice shall be given to every other party by delivering a copy of the notice to each party by registered or certified mail, return receipt requested.

Notice shall be given to the Court by delivering a copy of the notice either in person to the clerk of the Court or by registered or certified mail addressed to the clerk.

Notice shall be given to the **State Case Registry** by mailing a copy of the notice to the State Case Registry, Contract Services Section, MC046S, PO Box 12017, Austin, Texas 78711-2017.

3F. WARNING TO PARTIES

FAILURE TO OBEY A COURT ORDER FOR CHILD SUPPORT OR FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THIS ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO $500 FOR EACH VIOLATION AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

FAILURE OF A PARTY TO MAKE A CHILD SUPPORT PAYMENT TO THE PLACE AND IN THE MANNER REQUIRED BY A COURT ORDER MAY RESULT IN THE PARTY'S NOT RECEIVING CREDIT FOR MAKING THE PAYMENT.

FAILURE OF A PARTY TO PAY CHILD SUPPORT DOES NOT JUSTIFY DENYING THAT PARTY COURT-ORDERED POSSESSION OF OR ACCESS TO A CHILD. REFUSAL BY A PARTY TO ALLOW POSSESSION OF OR ACCESS TO A CHILD DOES NOT JUSTIFY FAILURE TO PAY COURT-ORDERED CHILD SUPPORT TO THAT PARTY.

4. Mediation

(Check box below, if mediation is ordered)

☐ The parties are ordered to participate in mediation on or before: _____
(Date)

5. Duration of Order

These Temporary Orders shall continue in full force until further order of this Court.

Signed on: _____ ▶ _____
Associate Judge's signature

Signed on: _____ ▶ _____
District Judge's signature

This Order may be signed by an Associate Judge or District Judge. Only one signature is needed.

REQUIRED NOTICE: If this Order is signed by an Associate Judge, all parties are hereby notified of the right to appeal to a District Court (for a trial de novo) pursuant to Texas Family Code, Chapter 201.

Approved as to Form and Substance:

By signing below, the Petitioner agrees to the form and substance of this order

_____ _____
Petitioner's name (Print) *Phone Number*

▶ /s/ _____ _____
Petitioner's signature *Date*

Address _____

_____

By signing below, the Respondent agrees to the form and substance of this order

_____ _____
Respondent's name (Print) *Phone Number*

▶ /s/ _____ _____
Respondent's signature *Date*

Address _____

_____

Standard Possession Order

The Court ORDERS that this Standard Possession Order is fully incorporated into the Decree or Order to which it is attached.

The Court ORDERS each conservator to obey this Standard Possession Order. The Court ORDERS that this Standard Possession Order starts immediately and applies to all periods of possession occurring on and after the date the Court signs the Order to which the Standard Possession Order is attached.

1. Designation of Conservators

The Court ORDERS that in this Standard Possession Order the conservators are designated as Parent A and Parent B.

"Parent A" is: _____.
Print the name of the parent with the right to designate the child(ren)'s primary residence.

"Parent B" is: _____.
Print the name of the other parent.

2. Mutual Agreement

The Court ORDERS that Parent A and Parent B shall have possession of the child(ren) at any and all times mutually agreed to in advance by Parent A and Parent B.

In the absence of mutual agreement, the Court ORDERS that Parent A and Parent B shall have possession of the child(ren) according to the schedules set out in this Standard Possession Order.

3. Definitions

"**School**" means the elementary or secondary school in which the child is enrolled. If the child is not enrolled in an elementary or secondary school, "school" means the public school district in which the child primarily resides.

"**Child**" or "**Child(ren)**" includes each child, whether one or more, who is a subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

4. Undesignated Times

The Court ORDERS that Parent A shall have the right to possession of the child(ren) at all times not specifically designated in this Standard Possession Order for Parent B.

Notice to Peace Officer

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS $10,000.

5. Which Possession Schedules Apply in this Case?

The Standard Possession Order includes 3 possible possession schedules: Expanded, Standard, and Long-Distance. The Court ORDERS which schedules apply in this case and when below.

(a) Does the **Expanded Possession Schedule** apply in this case? **(Check one box.)**

☐ **Yes.** The Court ORDERS that the Expanded Possession Schedule applies when Parent B resides **50 miles or less** from the primary residence of the child(ren).

☐ **No.** The Court ORDERS that the Expanded Possession Schedule does not apply in this case because: **(Check one box.)**

☐ Parent B declines the Expanded Possession Schedule.

☐ The Court finds that the Expanded Possession Schedule is not in the best interest of the child(ren) because: **(Check one box.)**

☐ the distance between the residences makes the Expanded Possession Schedule unworkable or inappropriate considering the circumstances of the parties or the area in which the parties reside.

☐ Parent B has not frequently and continuously exercised the rights and duties of a parent with respect to the child(ren).

☐ other: _____.

(b) Does the **Standard Possession Schedule** apply in this case?

(Check one box. If the Expanded Schedule applies in this case, check the first box. If not, check the second box.)

☐ **Yes.** The Court ORDERS that the Standard Possession Schedule applies when Parent B resides **51 -100 miles** from the primary residence of the child(ren)**.**

☐ **Yes.** The Court ORDERS that the Standard Possession Schedule applies when Parent B resides **100 miles or less** from the primary residence of the child(ren)**.**

(c) Does the **Long-Distance Possession Schedule** apply in this case?

☐ **Yes.** The Court ORDERS that the Long-Distance Possession Schedule applies in all cases when Parent B resides **over 100 miles** from the primary residence of the child(ren)**.**

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6. Expanded Possession Schedule (50 miles or less)

If the **Expanded Possession Schedule** applies, **Parent B** shall have the right to possession of the child(ren) as follows - unless otherwise expressly provided in this order.

(a) **Weekends**

Parent B shall have the right to possession of the child(ren) on the 1st, 3rd, and 5th weekends of each month.

If the weekend occurs during the regular school term, it shall:
- *begin* on the 1st, 3rd, and 5th Friday of each month at the time the child's school is regularly dismissed and
- *end* when the child's school resumes after the weekend.

If the weekend occurs during the summer break, it shall:
- *begin* on the 1st, 3rd, and 5th Friday of each month at 6 p.m. and
- *end* the following Sunday at 6 p.m.

(b) **Weekends Extended by a Holiday**

If Parent B's weekend begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, that weekend period of possession shall *begin* on the Thursday before the holiday or in-service day at the time the child's school is regularly dismissed.

If Parent B's weekend ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, that weekend period of possession shall *end* at 8 a.m. the following Tuesday.

If Parent B's weekend begins on a federal, state, or local holiday that falls on a Friday during the summer break, that weekend period of possession shall *begin* on the Thursday before the holiday at 6 p.m.

If Parent B's weekend ends on a federal, state, or local holiday that falls on a Monday during the summer break, that weekend period of possession shall *end* at 6 p.m. on that Monday.

(c) **Thursdays**

Parent B shall have the right to possession of the child(ren) each Thursday during the regular school term *beginning* at the time the child's school is regularly dismissed on Thursday and *ending* at the time the child's school resumes on Friday.

If the **Expanded Possession Schedule** applies, **Parent A** and **Parent B** shall have the right to possession of the child(ren) during certain holidays and vacations as set out below. This holiday/vacation schedule supersedes Parent B's weekend and Thursday periods of possession ordered above.

(a) **Spring Vacation**

In odd-numbered years Parent A shall have the right to possession of the child(ren) during Spring Vacation *beginning* at the time the child's school is regularly dismissed for Spring Vacation and *ending* at 6 p.m. the day before school resumes after that Spring Vacation.

In even-numbered years Parent B shall have the right to possession of the child(ren) during Spring Vacation *beginning* at the time the child's school is dismissed for Spring Vacation and ending at the time the child's school resumes after Spring Vacation.

(b) **Thanksgiving Vacation**

In odd-numbered years **Parent B** shall have the right to possession of the child for the Thanksgiving Holiday *beginning* when the child's school is dismissed for the holiday and *ending* at 6 p.m. the Sunday following Thanksgiving.

In even-numbered years **Parent A** shall have the right to possession of the child for the Thanksgiving Holiday *beginning* when the child's school is dismissed for the holiday and *ending* at 6 p.m. the Sunday following Thanksgiving.

(c) **Christmas Vacation**

In odd-numbered years, **Parent A** shall have the right to possession of the child(ren) *beginning* when the child's school is dismissed for the Christmas school vacation and *ending* at noon on December 28.

In odd-numbered years, Parent B shall have the right to possession of the child(ren) beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after the Christmas school vacation.

In even-numbered years, **Parent B** shall have the right to possession of the child(ren) *beginning* when the child's school is dismissed for Christmas school vacation and *ending* at noon on December 28.

In even-numbered years, **Parent A** shall have the right to possession of the child(ren) beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after the Christmas school vacation.

(d) **Parent B's Extended Summer Possession WITH Written Notice by April 1 -** If Parent B gives Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child(ren) for 30 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year. The extended summer possession must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer possession must not interfere with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

(e) **Parent B's Extended Summer Possession WITHOUT Written Notice by April 1 -** If Parent B does not give Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child for 30 consecutive days in that year beginning at 6 p.m. on July 1 and ending at 6 p.m. on July 31.

(f) **Parent A's One Weekend During Parent B's Extended Summer Possession -** If Parent A gives Parent B written notice by April 15 of a year, Parent A shall have possession of the child(ren) on any 1 weekend *beginning* at 6 p.m. on Friday and *ending* at 6 p.m. on the following Sunday during any one period of the extended summer possession by Parent B. This weekend must not interfere with Father's Day possession. Parent A must pick up the child(ren) from Parent B and return the child(ren) to that same place. Parent B must give Parent A written notice of the location at which Parent A is to pick up and return the child(ren) no later than the 15th day before the Friday that begins the designated weekend.

(g) **Parent A's Extended Summer Possession** - If Parent A gives Parent B written notice by April 15 of a year or gives Parent B 14 days' written notice on or after April 16 of a year, Parent A may designate one weekend during which an otherwise scheduled weekend period of possession by Parent B shall not take place in that year. The weekend chosen must begin no earlier than the day after the child's school is dismissed for the summer vacation and end no later than 7 days before school resumes at the end of the summer vacation. The weekend chosen must not interfere with Parent B's periods of extended summer possession or with Father's Day possession.

(h) **Child's Birthday** - If a parent is not otherwise entitled under this Standard Possession Order to possession of a child on the child's birthday, that parent shall have possession of the child beginning at 6 p.m. and ending at 8 p.m. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

(i) **Father's Day** - Father shall have the right to possession of the child each year, beginning at 6 p.m. on the Friday before Father's Day and ending at 8 a.m. on the Monday after Father's Day. If Father is not already entitled to present possession of the child, he must pick up the child from Mother's residence and return the child to that same place.

(j) **Mother's Day** - Mother shall have the right to possession of the child each year *beginning* on the Friday before Mother's Day at the time the child's school is dismissed and ending at 8 a.m. on the Monday after Mother's Day. If Mother is not already entitled to present possession of the child, she must pick up the child from Father's residence and return the child to that same place.

7. Standard Possession Schedule (100 miles or less)

If the **Standard Possession Schedule** applies, **Parent B** shall have the right to possession of the child(ren) as follows - unless otherwise expressly provided in this order.

(a) **Weekends**

Parent B shall have the right to possession of the child(ren) on the 1st, 3rd, and 5th weekends of each month. If the weekend occurs during the school year, it shall:

begin on the 1st, 3rd, and 5th Friday of each month at:

- ☐ 6 p.m.
- ☐ the time school is regularly dismissed

and *end* at:

- ☐ 6 p.m. the following Sunday.
- ☐ the time school resumes after the weekend.

If the weekend occurs during the summer break, it shall *begin* on the 1st, 3rd, and 5th Friday of each month at 6 p.m. and *end* at 6 p.m. the following Sunday.

(b) **Weekends Extended by a Holiday**

If Parent B's weekend begins on a student holiday or a teacher in-service day that falls on a Friday during the school year, that weekend period of possession shall *begin* on the Thursday before the holiday or in-service day at: **(Check one box.)**

- ☐ 6 p.m.
- ☐ the time school is regularly dismissed on Thursday.

If Parent B's weekend ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, that weekend period of possession shall *end* at: **(Check one box.)**

- ☐ 6 p.m. on that Monday.
- ☐ 8 a.m. on Tuesday.

If Parent B's weekend *begins* on a federal, state, or local holiday that falls on a Friday during the summer break, that weekend period of possession shall *begin* on the Thursday before the holiday at 6 p.m. If Parent B's weekend *ends* on a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall *end* at 6 p.m. on that Monday.

(c) **Thursdays**

Parent B shall have the right to possession of the child(ren) each Thursday during the school year

beginning at: **(Check one box.)**

- ☐ 6 p.m.
- ☐ the time school is regularly dismissed.

and *ending* at: **(Check one box.)**

- ☐ 8 p.m.
- ☐ the time school resumes on Friday.

If the **Standard Possession Schedule** applies, **Parent A** and **Parent B** shall have the right to possession of the child(ren) during certain holidays and vacations as set out below. This holiday/vacation schedule supersedes Parent B's weekend and Thursday periods of possession ordered above.

(a) **Spring Vacation**

Parent B shall have the right to possession of the child(ren) during Spring Vacation **i**n even-numbered years:

beginning on the day the child is dismissed from school for Spring Vacation at: **(Check one box.)**

- ☐ 6 p.m.
- ☐ the time school is regularly dismissed.

and *ending* at 6 p.m. the day before school resumes after that vacation.

Parent A shall have the right to possession of the child(ren) during Spring vacation **i**n odd-numbered years:

beginning on the day the child is dismissed from school for Spring vacation at: **(Check one box.)**

- ☐ 6 p.m.
- ☐ the time school is regularly dismissed.

and *ending* at 6 p.m. the day before school resumes after that vacation.

(b) **Thanksgiving Vacation**

Parent B shall have the right to possession of the child for the Thanksgiving Holiday in odd-numbered years:

beginning the day, the child is dismissed from school for the Thanksgiving holiday at: *(Check one box.)* ☐ 6 p.m. ☐ the time the child's school is dismissed.	and *ending* at 6 p.m. the Sunday following Thanksgiving.

Parent A shall have the right to possession of the child for the Thanksgiving Holiday in even-numbered years:

beginning the day the child is dismissed from school for the Thanksgiving holiday at: *(Check one box.)* ☐ 6 p.m. ☐ the time the child's school is dismissed.	and *ending* at 6 p.m. the Sunday following Thanksgiving.

(c) **Christmas Vacation**

In even-numbered years, Parent B shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: *(Check one box.)* ☐ 6 p.m. ☐ the time the child's school is dismissed.	and *ending* at 12 noon on December 28.

In even-numbered years, Parent A shall have the right to possession of the child beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

In odd-numbered years, Parent A shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: *(Check one box.)* ☐ 6 p.m. ☐ the time the child's school is dismissed.	and *ending* at 12 noon on December 28.

In odd-numbered years, Parent B shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 p.m. on the day before school resumes after that Christmas school vacation.

(d) **Parent B's Extended Summer Possession WITH Written Notice by April 1 -** If Parent B gives Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child(ren) for 30 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year. The extended summer possession must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer possession must not interfere with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

(e) **Parent B's Extended Summer Possession WITHOUT Written Notice by April 1 -** If Parent B does not give Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child for 30 consecutive days in that year beginning at 6 p.m. on July 1 and ending at 6 p.m. on July 31.

(f) **Parent A's One Weekend During Parent B's Extended Summer Possession -** If Parent A gives Parent B written notice by April 15 of a year, Parent A shall have possession of the child(ren) on any 1 weekend *beginning* at 6 p.m. on Friday and *ending* at 6 p.m. on the following Sunday during any one period of the extended summer possession by Parent B. This weekend must not interfere with Father's Day possession. Parent A must pick up the child(ren) from Parent B and return the child(ren) to that same place. Parent B must give Parent A written notice of the location at which Parent A is to pick up

and return the child(ren) no later than the 15th day before the Friday that begins the designated weekend.

(g) **Parent A's Extended Summer Possession** - If Parent A gives Parent B written notice by April 15 of a year or gives Parent B 14 days' written notice on or after April 16 of a year, Parent A may designate one weekend during which an otherwise scheduled weekend period of possession by Parent B shall not take place in that year. The weekend chosen must begin no earlier than the day after the child's school is dismissed for the summer vacation and end no later than 7 days before school resumes at the end of the summer vacation. The weekend chosen must not interfere with Parent B's periods of extended summer possession or with Father's Day possession.

(h) **Child's Birthday** - If a parent is not otherwise entitled under this Standard Possession Order to possession of a child on the child's birthday, that parent shall have possession of the child beginning at 6 p.m. and ending at 8 p.m. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

(i) **Father's Day -** Father shall have the right to possession of the child each year, beginning at 6 p.m. on the Friday before Father's Day and ending at: **(Check one box.)**

☐ 6 p.m. on Father's Day
☐ 8 a.m. on the Monday after Father's Day

If Father is not already entitled to present possession of the child, he must pick up the child from Mother's residence and return the child to that same place.

(j) **Mother's Day** - Mother shall have the right to possession of the child each year:

beginning on the Friday before Mother's Day at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at: **(Check one box.)**

☐ 6 p.m. on Mother's Day
☐ 8 a.m. on the Monday after Mother's Day

If Mother is not already entitled to present possession of the child, she must pick up the child from Father's residence and return the child to that same place.

8. Long-Distance Possession Schedule (Over 100 Miles)

If the **Long-Distance Possession Schedule** applies, **Parent B** shall have the right to possession of the child(ren) as follows - unless otherwise expressly provided in this order.

(a) **Weekends**

Unless Parent B elects the "Alternative Weekend Possession" on the following page, Parent B shall have the right to possession of the child(ren) on the 1st, 3rd, and 5th weekends of each month.

If the weekend occurs during the regular school term, it shall:

begin on the 1st, 3rd, and 5th Friday of each month at: **(Check one box.)**

☐ 6 p.m.
☐ the time school is regularly dismissed

and *end* at: **(Check one box.)**

☐ 6 p.m. the following Sunday.
☐ the time school resumes after the weekend.

If the weekend does not occur during the regular school term, it shall begin on the 1st, 3rd, and 5th Friday of each month at 6 p.m. and end at 6 p.m. the following Sunday.

(Check box below if Parent B is choosing the Alternative Weekend Possession now.)

☐ **Alternative Weekend Possession –** Instead of the weekend possession described in the previous paragraph, Parent B shall have the right to possession of the child(ren) one weekend per month of Parent B's choice. The weekend shall begin at 6 p.m. on the day school recesses for the weekend and end at 6 p.m. on the day before school resumes after the weekend. Parent B shall give Parent A 14 days' notice in writing or by telephone before the chosen weekend. The weekend chosen shall not conflict with the provisions regarding Christmas, Thanksgiving, the child's birthday, and Father's or Mother's Day possession below.

Parent B must choose this option now or by giving written notice to Parent A within 90 days after the parents begin to reside more than 100 miles apart.

(b) **Weekends Extended by a Holiday**

If Parent B's weekend begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term or begins on a federal, state, or local holiday that falls on a Friday during the summer break, that weekend period of possession shall *begin* on the Thursday before the holiday or in-service day at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is regularly dismissed.

If Parent B's weekend ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term or ends on a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall *end* at 6 pm on that Monday.

If the **Long-Distance Possession Schedule** applies, **Parent A** and **Parent B** shall have the right to possession of the child(ren) during certain holidays and vacations as set out below. This holiday/vacation schedule supersedes Parent B's weekend periods of possession ordered above.

(a) **Spring Vacation**

Parent B shall have the right to possession of the child(ren) during Spring vacation every year beginning at 6 p.m. on the day the child is dismissed from school for Spring Vacation and ending at 6 p.m. on the day before school resumes after that vacation.

(b) **Thanksgiving Vacation**

Parent B shall have the right to possession of the child for the Thanksgiving Holiday in odd-numbered years:

beginning the day the child is dismissed from school for the Thanksgiving holiday at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at 6 p.m. the Sunday following Thanksgiving.

Parent A shall have the right to possession of the child for the Thanksgiving Holiday in even-numbered years:

beginning the day the child is dismissed from school for the Thanksgiving holiday at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at 6 p.m. the Sunday following Thanksgiving.

(c) **Christmas Vacation**

In even-numbered years, Parent B shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at 12 noon on December 28.

In even-numbered years, Parent A shall have the right to possession of the child beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

In odd-numbered years, Parent A shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at 12 noon on December 28.

In odd-numbered years, Parent B shall have the right to possession of the child(ren) beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

(d) **Parent B's Long-Distance Extended Summer Possession WITH Written Notice by April 1 -** If Parent B gives Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child(ren) for 42 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year. The extended summer possession must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer possession must not interfere with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

(e) **Parent B's Long-Distance Extended Summer Possession WITHOUT Written Notice by April 1 -** If Parent B does not give Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child(ren) for 42 consecutive days in that year beginning at 6 p.m. on June 15 and ending at 6 p.m. on July 27.

(f) **Parent A's One Weekend During Parent B's Extended Summer Possession -** If Parent A gives Parent B written notice by April 15 of a year, Parent A shall have possession of the child(ren) on any 1 weekend beginning at 6 p.m. on Friday and ending at 6 p.m. on the following Sunday during any 1 period of the extended summer possession by Parent B. Unless a period of possession by Parent B in that year is more than 30 days, then Parent A may have possession of the child under the terms of this provision on any 2 nonconsecutive weekends during that period. Parent A must pick up the child from Parent B and return the child to that same place. The weekend or weekends must not interfere with Father's Day possession.

(g) **Parent A's Extended Summer Possession -** If Parent A gives Parent B written notice by April 15 of a year, Parent A may designate 21 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than 7 days before school resumes at the end of the summer vacation in that year during which Parent B shall not have possession of the child. This extended summer possession must be exercised in no more than 2 separate periods of at least 7 consecutive days each. The period or periods chosen must not interfere with Parent B's periods of extended summer possession or with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

(h) **Child's Birthday**

If a parent is not otherwise entitled under this Standard Possession Order to possession of a child on the child's birthday, that parent shall have possession of the child beginning at 6 p.m. and ending at 8 p.m. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

(i) **Father's Day**

Father shall have the right to possession of the child each year, beginning at 6 p.m. on the Friday before Father's Day and ending at: **(Check one box.)**

☐ 6 p.m. on Father's Day
☐ 8 a.m. on the Monday after Father's Day

If Father is not already entitled to present possession of the child, he must pick up the child from Mother's residence and return the child to that same place.

(j) **Mother's Day**

Mother shall have the right to possession of the child each year:

beginning on the Friday before Mother's day at: **(Check one box.)**

☐ 6 p.m.
☐ the time the child's school is dismissed.

and *ending* at: **(Check one box.)**

☐ 6 p.m. on Mother's Day
☐ 8 a.m. on the Monday after Mother's Day

If Mother is not already entitled to present possession of the child, she must pick up the child from Father's residence and return the child to that same place.

9. General Terms and Conditions

Except as otherwise expressly provided in this Standard Possession Order, the following terms and conditions apply regardless of the distance between the residence of a parent and the child:

(a) **Exchange of Children at *Start* of Parent B's Possession**

If a period of Parent B's possession begins at the time the child's school is regularly dismissed, then Parent A is ORDERED to surrender the child to Parent B at the school in which the child is enrolled, and Parent B is ORDERED to pick the child up at the school in which the child is enrolled or the after-school program in which the child is enrolled by 6 p.m. If the child is not in school, Parent B is ORDERED to pick up the child at the location designated below at 6 p.m., and Parent A is ORDERED to surrender the child to Parent B at the location designated below at 6 p.m.

If a period of Parent B's possession begins at another time, the Court ORDERS Parent A to surrender the child(ren) to Parent B at the beginning of each such period of Parent B's possession at: **(Check one.)**

☐ Parent A's residence.
☐ the following location: _____

(b) **Exchange of Children at *End* of Parent B's Possession**

If a period of Parent B's possession ends at the time the child's school resumes, then Parent B is ORDERED to surrender the child to Parent A at the school in which the child is enrolled or, if the child is not in school, at the location designated below at 8:00 a.m.

If a period of Parent B's possession ends at another time, the Court ORDERS Parent B to surrender the child(ren) to Parent A at the end of each such period Parent B's possession at: **(Check one.)**

☐ Parent B's residence.
☐ Parent A's residence.
☐ The following location: _____

However, if Parent A and Parent B live in the same county when the order is signed and Parent B remains in the county, but the Parent A moves out of the county, then beginning on the date Parent A moves, Parent B shall surrender the child to Parent A at: **(Check one.)**

☐ Parent B's residence.
☐ the location designated above.

(c) **Personal Effects** - Each parent is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of possession.

(d) **Designation of Competent Adult** - Each parent may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a parent or a designated competent adult be present when the child is picked up or returned.

(e) **Inability to Exercise Possession** - Each parent is ORDERED to give notice to the person in possession of the child on each occasion the parent will be unable to exercise that parent's right of possession for any specified period.

(f) **Written Notice** - Written notice, including notice by email or fax, is timely made if it is received or, if applicable, postmarked before or at the time that notice is due. Each parent is ORDERED to notify the other parent of any change to their email address or fax number within 24 hours after the change.

(g) **Notice to School and Parent A** - If Parent B's time of possession of the child ends at the time school resumes and for any reason the child is not or will not be returned to school, Parent B shall immediately notify the school and Parent A that the child will not be or has not been returned to school.

This concludes the Standard Possession Order.