

**POSSESSION AND ACCESS ORDER
DEFINITIONS**

Child The term "child" refers to the child or children of the parties who are the subjects of this suit and shall include the plural form whenever appropriate to the context.

School The term "school" refers to the primary or secondary school in which the child is enrolled, or, if the child is not enrolled in a primary or secondary school, the public school district in which the child primarily resides.

The Court ORDERS that the parents may have possession of the child at any and all times mutually agreed to in advance and, in the absence of mutual agreement, the Court ORDERS that they shall have possession of the child as follows:

PARENTS WHO RESIDE 100 MILES OR LESS APART

Except as otherwise explicitly provided, if *OBLIGOR* resides 100 miles or less from the primary residence of the child, the parents shall have the rights to possession of the child as follows:

Weekends. *OBLIGOR* shall have the right to possession of the child on weekends beginning at (CHOOSE ONE)

6:00 p.m. on the first, third and fifth Friday of each month
— the time the child's school is regularly dismissed on the first, third and fifth Friday of each month and ending at (CHOOSE ONE)

6:00 p.m. on the following Sunday.
— the time school resumes on the following Monday.

Except as otherwise explicitly provided herein, if a weekend period of possession of *OBLIGOR* coincides with a school holiday during the regular school term, or with a federal, state, or local holiday during the summer months in which school is not in session, the weekend possession shall begin at the regular time Thursday, instead of Friday, for a Friday holiday and/or shall end at the regular time Monday, instead of Sunday, for a Monday holiday, as applicable.

Thursdays. *OBLIGOR* shall have the right to possession of the child on Thursdays of each week during the regular school term beginning at (CHOOSE ONE)

6:00 p.m. and ending at 8:00 p.m.
— the time the child's school is regularly dismissed and ending at 8:00 p.m.
— the time the child's school is regularly dismissed and ending at the time the child's school resumes.

Spring Vacation. *OBLIGOR* shall have possession of the child in even-numbered years beginning at (CHOOSE ONE)

6:00 p.m. on the day the child is dismissed from school for the school's spring vacation
— the time and on the day the child is dismissed from school for the school's spring vacation and ending at (CHOOSE ONE)

6:00 p.m. on the day before school resumes after that vacation.
— the time and on the day school resumes after the school's spring vacation.

OBLIGEE shall have possession for the same period in odd-numbered years.

Summer Vacation. If *OBLIGOR* gives *OBLIGEE* written notice by April 1 of each year specifying an extended period or periods of summer possession, *OBLIGOR* shall have possession of the child for thirty 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 prior to school resuming at the end of the summer vacation, to be exercised in no more than two separate periods of at least seven consecutive days each.

If *OBLIGOR* does not give *OBLIGEE* written notice by April 1 of each year specifying an extended period or periods of summer possession, *OBLIGOR* shall have possession of the child for thirty consecutive days beginning at 6:00 p.m. on July 1 and ending at 6:00 p.m. on July 31.

Furthermore, if *OBLIGEE* gives *OBLIGOR* written notice by April 15 of each year, *OBLIGEE* shall have possession of the child on any one weekend beginning at 6:00 p.m. Friday and ending at 6:00 p.m. on the following Sunday during any one extended period of summer possession by *OBLIGOR*, provided that *OBLIGEE* picks up the child from *OBLIGOR* and returns the child to that same place.

Furthermore, if *OBLIGEE* gives *OBLIGOR* written notice by April 15 of each year or gives *OBLIGOR* 14 days written notice on or after April 16 of each year, *OBLIGEE* may designate one weekend beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days prior to school resuming at the end of the summer vacation, during which an otherwise scheduled weekend period of possession by *OBLIGOR* will not take place, provided that the weekend so designated does not interfere with *OBLIGOR*'s period or periods of extended summer possession or with Father's Day if *OBLIGOR* is the father of the child.

PARENTS WHO RESIDE OVER 100 MILES APART

Except as otherwise explicitly provided, if *OBLIGOR* resides more than 100 miles from the residence of the child, the parents shall have the rights to possession of the child as follows:

Weekends *OBLIGOR* shall have the right to possession of the child (CHOOSE ONE)

- on weekends beginning at (CHOOSE ONE)
- 6:00 p.m. on the first, third and fifth Friday of each month
 - the time the child's school is regularly dismissed on the first, third and fifth Friday of each month and ending at (CHOOSE ONE)
 - 6:00 p.m. on the following Sunday.
 - the time school resumes on the following Monday.

Except as otherwise explicitly provided herein, if a weekend period of possession of *OBLIGOR* coincides with a school holiday during the regular school term, or with a federal, state, or local holiday during the summer months in which school is not in session, the weekend possession shall begin at the regular time Thursday, instead of Friday, for a Friday holiday and/or shall end at the regular time Monday, instead of Sunday, for a Monday holiday, as applicable.

not more than one weekend per month of *OBLIGOR*'s choice beginning at (CHOOSE ONE)

- 6:00 p.m. on the day school recesses for the weekend
 - the time the child's school is regularly dismissed for the weekend and ending at (CHOOSE ONE)

- 6:00 p.m. on the day before school resumes after the weekend,
 - the time school resumes on the following Monday,

provided that *OBLIGOR* gives *OBLIGEE* seven days written or telephonic notice preceding a designated weekend.

If the parties beginning residing over 100 miles apart after rendition of this order, *OBLIGOR* may elect this alternative period of possession by written notice to *OBLIGEE* within ninety days after the parties began to reside more than 100 miles apart. *OBLIGOR* may not designate weekend possession under this section that conflicts with the other provisions in this order concerning possession of the child during Christmas, Thanksgiving, the child's birthday, Father's Day weekend, or Mother's Day weekend.

Spring Vacation. *OBLIGOR* shall have possession of the child every year beginning at (CHOOSE ONE)

6:00 p.m. on the day the child is dismissed from school for the school's spring vacation
 the time and on the day the child is dismissed from school for the school's spring vacation and ending at (CHOOSE ONE)

6:00 p.m. on the day before school resumes after that vacation.
 the time and on the day school resumes after the school's spring vacation.

Summer Vacation. If *OBLIGOR* gives *OBLIGEE* written notice by April 1 of each year specifying an extended period or periods of summer possession, *OBLIGOR* shall have possession of the child for forty-two days beginning no earlier than the day the child's school is dismissed for the summer vacation and ending no later than seven days prior to school resuming at the end of the summer vacation, to be exercised in no more than two separate periods of at least seven consecutive days each.

If *OBLIGOR* does not give *OBLIGEE* written notice by April 1 of each year specifying an extended period or periods of summer possession, *OBLIGOR* shall have possession of the child for forty-two consecutive days beginning at 6:00 p.m. on June 15 and ending at 6:00 p.m. on July 27.

Further, if *OBLIGEE* gives *OBLIGOR* written notice by April 15 of each year, *OBLIGEE* shall have possession of the child on any one weekend beginning at 6:00 p.m. Friday and ending at 6:00 p.m. on the following Sunday during any one extended period of summer possession by *OBLIGOR*, provided that if a period of possession by *OBLIGOR* exceeds thirty days, *OBLIGEE* may have possession of the child under the terms of this subdivision on any two nonconsecutive weekends during that time period, and further provided that *OBLIGEE* picks up the child from *OBLIGOR* and returns the child to that same place.

If *OBLIGEE* gives *OBLIGOR* written notice by April 15 of each year or gives *OBLIGOR* thirty days written notice on or after April 16 of each year, *OBLIGEE* may designate twenty-one days beginning no earlier than the day the child's school is dismissed for the summer vacation and ending no later than seven days prior to school resuming at the end of the summer vacation, to be exercised in no more than two separate periods of at least seven consecutive days each, during which *OBLIGOR* shall not have possession of the child, provided that the period or periods so designated do not interfere with *OBLIGOR*'s period or periods of extended summer possession or with Father's Day if *OBLIGOR* is the father of the child.

ALL PARENTS IRRESPECTIVE OF THE DISTANCE BETWEEN THEIR RESIDENCES

Irrespective of the distance between the residence of *OBLIGOR* and the primary residence of the child, the parents shall have the rights to possession of the child as follows:

Christmas. *OBLIGOR* shall have possession of the child in even-numbered years beginning at 6:00 p.m. on the day the child is dismissed from school for the school's Christmas vacation and ending at noon on December 26, and *OBLIGEE* shall have possession for the same period in odd-numbered years.

OBLIGOR shall have possession of the child in odd-numbered years beginning at noon on December 26 and ending at 6:00 p.m. on the day before school resumes after the school's Christmas vacation, and *OBLIGEE* shall have possession for the same period in even-numbered years.

Thanksgiving. *OBLIGOR* shall have possession of the child in odd-numbered years beginning at 6:00 p.m. on the day the child is dismissed from school before Thanksgiving and ending at 6:00 p.m. on the following Sunday, and *OBLIGEE* shall have possession for the same period in even-numbered years.

Child's Birthday. The parent not otherwise entitled under this order to present possession of a child on the child's birthday shall have possession of the child beginning at 6:00 p.m. and ending at 8:00 p.m. on that day, provided that said parent picks up the child from the residence of the conservator entitled to possession and returns the child to that same place.

Father's Day. The father shall have possession of the child beginning at 6:00 p.m. on the Friday preceding Father's Day and ending at 6:00 p.m. on Father's Day, provided that, if he is not otherwise entitled under this order to present possession of the child, he picks up the child from the residence of the conservator entitled to possession and returns the child to that same place.

Mother's Day. The mother shall have possession of the child beginning at 6:00 p.m. on the Friday preceding Mother's Day and ending at 6:00 p.m. on Mother's Day, provided that, if she is not otherwise entitled under this order to present possession of the child, she picks up the child from the residence of the conservator entitled to possession and returns the child to the same place.

GENERAL TERMS AND CONDITIONS

Except as otherwise explicitly provided, terms and conditions of possession of the child that apply irrespective of the distance between the residence of *OBLIGOR* and the primary residence of the child are as follows:

The provisions for possession of the child during Christmas, Thanksgiving, Spring Vacation, Summer Vacation, the child's birthday, Father's day, and Mother's day supersede any conflicting weekend or Thursday periods of possession.

Written notice shall be deemed to have been timely given if received or postmarked before or at the time that notice is due.

OBLIGEE shall surrender the child to *OBLIGOR* at the beginning of each period of *OBLIGOR*'s possession at *OBLIGEE*'s residence. If *OBLIGOR* elects to begin a period of possession at the time the child's school is regularly dismissed, *OBLIGEE* shall surrender the child to *OBLIGOR* at the beginning of each such period of possession at the school in which the child is enrolled.

OBLIGOR shall (CHOOSE ONE)

- surrender the child to *OBLIGEE* at the end of each period of possession at the residence of *OBLIGOR*.
- return the child to the residence of *OBLIGEE* at the end of the period of possession, except that if *OBLIGOR*'s county of domicile remains the same after the rendition of this order and if *OBLIGEE*'s county of domicile should change, effective on the date of the change of domicile by *OBLIGEE*, *OBLIGOR* shall surrender the child to *OBLIGEE* at the end of each period of possession at the residence of *OBLIGOR*. If *OBLIGOR* elects to end a period of possession at

the time the child's school resumes, *OBLIGOR* shall surrender the child to *OBLIGEE* at the school in which the child is enrolled.

Each conservator shall return with the child the personal effects that the child brought at the beginning of the period of possession.

Either parent may designate any competent adult to pick up and return the child, as applicable. A parent or a designated competent adult shall be present when the child is picked up or returned.

A parent shall give notice to the person in possession of the child on each occasion that the parent will be unable to exercise that parent's right of possession for any specified period. Repeated failure of a parent to give notice of an inability to exercise possessory rights may be considered as a factor in a modification of those possessory rights.

If a conservator's time of possession of a child ends at the time school resumes and for any reason the child is not or will not be returned to school, the conservator in possession of the child shall immediately notify the school and the other conservator that the child will not be or has not been returned to school.