

STANDARD POSSESSION ORDER

The Court finds that the following provisions of this Standard Possession Order are intended to and do comply with the requirements of chapter 153 of the Texas Family Code. IT IS ORDERED that the Joint Managing Conservators shall comply with all terms and conditions of this Standard Possession Order. IT IS ORDERED that this Standard Possession Order is effective immediately and applies to all periods of possession occurring on and after the signing of this decree. IT IS, THEREFORE, ORDERED AND DECREED AS FOLLOWS:

A. Definitions

1. In this Order “school” means 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.
2. In this Order “child” includes each child who is a subject of this suit, whether one or more.
3. In this Order the “1st, 2nd, 3rd, 4th, and 5th weekends” of every month are those that begin on the 1st, 2nd, 3rd, 4th, and 5th Friday of the month.

B. Mutual Agreement or Specified Terms for Possession

IT IS ORDERED AND DECREED that (PARENT A) shall have the superior right of possession of the child at all times not expressly set aside to (PARENT B) in this order. IT IS FURTHER ORDERED AND DECREED that (PARENT B) shall have possession of the child at any and all times mutually agreed to in advance by the parties, and, in the absence of mutual agreement, it is ORDERED AND DECREED that (PARENT B) shall have possession of the child under the specified terms set out in this Standard Possession Order.

C. Parents Who Reside 100 Miles or Less Apart

Except as otherwise explicitly provided in this Standard Possession Order, when (PARENT B) resides 100 miles or less from the primary residence of the child, **he/she** shall have the right to possession of the child as follows:

1. Weekends. On the 1st, 3rd, and 5th weekend of each month, beginning on Friday at **(designate: the time school recesses or at 6:00 p.m.), and ending (designate: on the following Sunday at 6:00 p.m. or on the following Monday morning at the time school resumes).**
2. Weekend Possession Extended by a Friday Holiday. Except as otherwise explicitly provided in this Possession Order, if a weekend period of possession by (PARENT B) begins on a Friday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, that weekend period of possession shall begin at 6 p.m. **[or at the time**

school recesses] on the Thursday immediately preceding the Friday holiday or school holiday.

Weekend Possession Extended by a Monday Holiday. Except as otherwise explicitly provided in this Possession Order, if a weekend period of possession by (PARENT B) ends on or is immediately followed by a Monday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, that weekend period of possession shall end 6:00 p.m. **[or at the time school resumes after that weekend].**

3. Thursdays. On Thursdays of each week during the regular school term, beginning at **(designate: the time school recesses or at 6:00 p.m.) and ending at (designate: 8:00 p.m. or at the time the child's school resumes on the following Friday)**
4. Vacations and Holidays. The following provisions govern possession of the child for vacations and for certain specific holidays and supersede any conflicting weekly periods of possession provided by Subsections 1-3 above. The Joint Managing Conservators shall have rights of possession of the child as follows:

Christmas Holidays in Even-Numbered Years. (PARENT B) shall have possession of the children in even-numbered years, beginning at 6 p.m. **(or beginning at the time the child's school is regularly dismissed)** on the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 28. (PARENT A) shall have possession of the children in even-numbered years, beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

Christmas Holidays in Odd-Numbered Years. (PARENT B) shall have possession of the children in odd-numbered years beginning at noon on December 28 and ending at 6 p.m. on the day before the children's school resumes after that Christmas school vacation. (PARENT A) shall have possession of the children in odd-numbered years beginning at the time the children's school is regularly dismissed on the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 28.

Thanksgiving. (PARENT B) 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 **(or at the time school recesses for Thanksgiving)** and ending at 6:00 p.m. on the day before school resumes after that vacation **(or at the time school resumes after that vacation)**, and (PARENT A) shall have possession for the same period in even-numbered years.

Spring Break. (PARENT B) 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 spring vacation **(or at the time school recesses for the school's spring vacation)** and ending at 6:00 p.m. on the day before school resumes after that

vacation **(or at the time school resumes after that vacation)**, and (PARENT A) shall have possession for the same period in odd-numbered years.

Extended Summer Possession/PARENT B. 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 for 30 days beginning no earlier than the day after child's school is dismissed for the summer vacation and ending no later than 7 days prior to school's resuming at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least 7 consecutive days each, as specified in the written notice. These periods of possession shall begin and end at 6:00 p.m.

In the alternative, if (PARENT B) does not give (PARENT A) written notice by April 1 of each year specifying an extended period of summer possession, (PARENT B) shall have possession of the child for 30 consecutive days in that year beginning at 6:00 p.m. on July 1 and ending at 6:00 p.m. on July 31.

Extended Summer Possession/PARENT A If (PARENT A) gives (PARENT B) written notice by April 15 of a year, (PARENT A) shall have possession of the child on any one weekend beginning at 6:00 p.m. on Friday and ending at 6:00 p.m. on the following Sunday during any one period of possession by (PARENT B) during his extended summer possession in that year, provided that (PARENT A) picks up the child from (PARENT B) and returns the child to that same place.

In addition, 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 beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than 7 days prior to school's resuming at the end of the summer vacation in that year, during which an otherwise scheduled weekend period of possession by the (PARENT B) will not take place, provided that the weekend designated does not interfere with (PARENT B)'s period or periods of extended summer possession or with PARENT B's Day Weekend.

Child's Birthday. The parent not otherwise entitled under this Standard Possession Order to present possession of the 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 the parent picks up the child from the residence of the conservator entitled to possession and returns the child to that same place.

PARENT B's Day Weekend. The PARENT B shall have possession of the child each year, beginning at 6:00 p.m. on the Friday preceding PARENT B's Day and ending at 6:00 p.m. on PARENT B's Day, provided that if **he/she** is not otherwise entitled under this Standard Possession Order to present possession of the child, **he/she** picks up the child from the conservator entitled to possession and returns the child to that same place.

PARENT A's Day Weekend. The PARENT A shall have possession of the child each year, beginning at 6:00 p.m. on the Friday preceding PARENT A's Day and ending at 6:00 p.m. on PARENT A's Day, provided that if she is not otherwise entitled under this Standard Possession Order to present possession of the child, she picks up the child from the conservator entitled to possession and returns the child to that same place.

Alternate weekend possession. In lieu of the weekend possession described in the foregoing paragraph, (PARENT B) shall have the right to possession of the children not more than one weekend per month of his choice beginning at 6 p.m. on the day school recesses for the weekend and ending at 6 p.m. on the day before school resumes after the weekend. Except as otherwise explicitly provided in this Possession Order, if such a weekend period of possession by (PARENT B) begins on a Friday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, or if the period ends on or is immediately followed by a Monday that is such a holiday, that weekend period of possession shall begin at 6 p.m. on the Thursday immediately preceding the Friday holiday or school holiday or end 6 p.m. on the Monday holiday, as applicable. (PARENT B) may elect an option for this alternative period of weekend possession by giving written notice to (PARENT A) within ninety days after the parties begin to reside more than 100 miles apart. If (PARENT B) makes this election, he/she shall give (PARENT A) fourteen days' written or telephonic notice preceding a designated weekend. The weekends chosen shall not conflict with the provisions regarding Christmas, Thanksgiving, the child's birthday, and PARENT B's/PARENT A's Day Weekend below.

2. Holidays. The following provisions govern each Joint Managing Conservator's possession of the children for vacations and certain specific holidays and supersede conflicting weekend periods of possession set out above:

Christmas Holidays in Even-Numbered Years. (PARENT B) shall have possession of the children in even-numbered years, beginning at 6 p.m. [or beginning at the time the child's school is regularly dismissed] on the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 26. (PARENT A) shall have possession of the children in even-numbered years, beginning at noon on December 26 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

Christmas Holidays in Odd-Numbered Years. (PARENT B) shall have possession of the children in odd-numbered years beginning at noon on December 26 and ending at 6 p.m. on the day before the children's school resumes after that Christmas school vacation. (PARENT A) shall have possession of the children in odd-numbered years beginning at the time the children's school is regularly dismissed on

the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 26.

Thanksgiving. (PARENT B) shall have possession of the children in odd-numbered years beginning at 6 p.m. [or beginning at the time the children's school is regularly dismissed] on the day the children are dismissed from school for the Thanksgiving holiday and ending at 6 p.m. on the Sunday following Thanksgiving [or ending at the time school resumes after that holiday]. (PARENT A) shall have the same period of possession in even-numbered years.

Spring Break. (PARENT B) shall have possession of the children each year for their school spring vacation, beginning at 6 p.m. [or beginning at the time the children's school is regularly dismissed] on the day the children are dismissed from school for the school's spring vacation and ending at 6 p.m. on the day before school resumes after that vacation.

Extended Summer Possession by (PARENT B). 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 children for 42 days beginning no earlier than the day after the children'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, to be exercised in no more than two separate periods of at least seven consecutive days each. These periods of possession shall begin and end at 6 p.m.

IN THE ALTERNATIVE, 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 children for 42 consecutive days in that year beginning at 6 p.m. on June 15 and ending at 6 p.m. on July 27.

Summer Weekend Possession by (PARENT A). If (PARENT A) gives (PARENT B) written notice by April 15 of a year, (PARENT A) shall have possession of the children on any one 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) in that year, provided that if a period of summer possession by (PARENT B) exceeds 30 days, (PARENT A) may have possession of the children on two (2) non-consecutive weekends during that time period, and further provided that (PARENT A) picks up the children from (PARENT B) and returns them to that same place.

Extended Summer Possession by (PARENT A). Additionally, if (PARENT A) gives (PARENT B) written notice by April 15 of a year, (PARENT A) may also designate 21 days beginning no earlier than the day after the children'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, during which an otherwise

scheduled weekend period of possession by (PARENT B) shall not take place in that year, provided that the weekend so designated does not interfere with (PARENT B)'s period or periods of extended summer possession or with PARENT B's Day Weekend.

Child's Birthday. The parent not otherwise entitled under this Possession Order to present possession of the child, shall have possession of the child (optional: and the child's siblings) beginning at 6 p.m. and ending at 8 p.m. on that day, provided that he/she picks up the children from the residence of the parent entitled to possession and returns the children to that same place.

PARENT B's Day Weekend. The PARENT B shall have possession of the children each year, beginning at 6 p.m. on the Friday preceding PARENT B's Day and ending at 6 p.m. on PARENT B's Day, provided that if he/she is not otherwise entitled under this Possession Order to present possession of the child, he/she shall pick up the children from PARENT A's residence and return the children to that same place.

PARENT A's Day Weekend. The PARENT A shall have possession of the children each year, beginning at 6 p.m. on the Friday preceding PARENT A's Day and ending at 6 p.m. on PARENT A's Day, provided that if she is not otherwise entitled under this Possession Order to present possession of the children, she shall pick up the children from PARENT B's residence and return the children to that same place.

D. When Parents Reside More than 100 Miles Apart

Except as otherwise explicitly provided in this Possession Order, when (PARENT B) resides more than 100 miles from the residence of the children, he/she shall have the right to possession of the children as follows:

1. Weekends. Unless (PARENT B) elects the alternative period of weekend possession described in the next paragraph, (PARENT B) shall have the right to possession of the children on weekends, beginning at 6 p.m. on the first, third, and fifth Friday of each month and ending at 6 p.m. on the following Sunday. Except as otherwise explicitly provided in this Possession Order, if such a weekend period of possession by begins on a Friday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, or if the period ends on or is immediately followed by a Monday that is such a holiday, that weekend period of possession shall begin at 6 p.m. on the Thursday immediately preceding the Friday holiday or school holiday or end at 6 p.m. on the Monday holiday, as applicable.

Alternate weekend possession. In lieu of the weekend possession described in the foregoing paragraph, (PARENT B) shall have the right to possession of the children not more than one weekend per month of his choice beginning at 6 p.m. on the day school recesses for the weekend and ending at 6 p.m. on the day before

school resumes after the weekend. Except as otherwise explicitly provided in this Possession Order, if such a weekend period of possession by(PARENT B) begins on a Friday that is a school holiday during the regular school term or a federal, state, or local holiday during the summer months when school is not in session, or if the period ends on or is immediately followed by a Monday that is such a holiday, that weekend period of possession shall begin at 6 p.m. on the Thursday immediately preceding the Friday holiday or school holiday or end 6 p.m. on the Monday holiday, as applicable. (PARENT B) may elect an option for this alternative period of weekend possession by giving written notice to (PARENT A) within ninety days after the parties begin to reside more than 100 miles apart. If (PARENT B) makes this election, **he/she** shall give (PARENT A) fourteen (14) days' written or telephonic notice preceding a designated weekend. The weekends chosen shall not conflict with the provisions regarding Christmas, Thanksgiving, the child's birthday, and PARENT B's/PARENT A's Day Weekend below.

2. Holidays. The following provisions govern each Joint Managing Conservator's possession of the children for vacations and certain specific holidays and supersede conflicting weekend periods of possession set out above:

Christmas Holidays in Even-Numbered Years. (PARENT B) shall have possession of the children in even-numbered years, beginning at 6 p.m. **[or beginning at the time the child's school is regularly dismissed]** on the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 26. (PARENT A) shall have possession of the children in even-numbered years, beginning at noon on December 26 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

Christmas Holidays in Odd-Numbered Years. (PARENT B) shall have possession of the children in odd-numbered years beginning at noon on December 26 and ending at 6 p.m. on the day before the children's school resumes after that Christmas school vacation. (PARENT A) shall have possession of the children in odd-numbered years beginning at the time the children's school is regularly dismissed on the day the children are dismissed from school for the Christmas school vacation and ending at noon on December 26.

Thanksgiving. (PARENT B) shall have possession of the children in odd-numbered years beginning at 6 p.m. **[or beginning at the time the children's school is regularly dismissed]** on the day the children are dismissed from school for the Thanksgiving holiday and ending at 6 p.m. on the Sunday following Thanksgiving **[or ending at the time school resumes after that holiday]**. (PARENT A) shall have the same period of possession in even-numbered years.

Spring Break. (PARENT B) shall have possession of the children each year for their school spring vacation, beginning at 6 p.m. **[or beginning at the time the children's school is regularly dismissed]** on the day the children are dismissed from

school for the school's spring vacation and ending at 6 p.m. on the day before school resumes after that vacation.

Extended Summer Possession by (PARENT B). 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 children for 42 days beginning no earlier than the day after the children'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, to be exercised in no more than two separate periods of at least seven consecutive days each. These periods of possession shall begin and end at 6 p.m.

IN THE ALTERNATIVE, 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 children for 42 consecutive days in that year beginning at 6 p.m. on June 15 and ending at 6 p.m. on July 27.

Summer Weekend Possession by (PARENT A). If (PARENT A) gives (PARENT B) written notice by April 15 of a year, (PARENT A) shall have possession of the children on any one 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) in that year, provided that if a period of summer possession by (PARENT B) exceeds 30 days, (PARENT A) may have possession of the children on two (2) non-consecutive weekends during that time period, and further provided that (PARENT A) picks up the children from (PARENT B) and returns them to that same place.

Extended Summer Possession by (PARENT A). Additionally, if (PARENT A) gives (PARENT B) written notice by April 15 of a year, (PARENT A) may also designate 21 days beginning no earlier than the day after the children'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, during which an otherwise scheduled weekend period of possession by (PARENT B) shall not take place in that year, provided that the weekend so designated does not interfere with (PARENT B)'s period or periods of extended summer possession or with PARENT B's Day Weekend.

Child's Birthday. The parent not otherwise entitled under this Possession Order to present possession of the child, shall have possession of the child (optional: and the child's siblings) beginning at 6 p.m. and ending at 8 p.m. on that day, provided that he/she picks up the children from the residence of the parent entitled to possession and returns the children to that same place.

PARENT B's Day Weekend. The PARENT B shall have possession of the children each year, beginning at 6 p.m. on the Friday preceding PARENT B's Day and

ending at 6 p.m. on PARENT B's Day, provided that if he/she is not otherwise entitled under this Possession Order to present possession of the child, he/she shall pick up the children from PARENT A's residence and return the children to that same place.

PARENT A's Day Weekend. The PARENT A shall have possession of the children each year, beginning at 6 p.m. on the Friday preceding PARENT A's Day and ending at 6 p.m. on PARENT A's Day, provided that if she is not otherwise entitled under this Possession Order to present possession of the children, she shall pick up the children from PARENT B's residence and return the children to that same place.

E. General Terms and Conditions

Except as otherwise explicitly provided in this Standard Possession Order, the terms and conditions of possession of the child that apply regardless of the distance between the residence of a parent and the child are as follows:

1. Surrender of Child. (PARENT A) is ORDERED to surrender the child to (PARENT B) at the beginning of each period of (PARENT B)'s possession at the residence of (PARENT A). If a period of possession by (PARENT B) begins at the time the child's school is regularly dismissed, (PARENT A) is ORDERED to surrender the child to (PARENT B) at the beginning of each such period of possession at the school in which the child is enrolled.

(PARENT B) is ORDERED to return the child to the residence of (PARENT A) at the end of each period of possession. However, it is ORDERED that, if (PARENT B)'s county of domicile remains the same after rendition of this order and if (PARENT A)'s county of domicile changes, effective on the date of the change of domicile by (PARENT A), (PARENT B) shall surrender the child to (PARENT A) at the residence of (PARENT B) at the end of each period of possession.

If a period of possession by (PARENT B) ends at the time the child's school resumes, (PARENT B) is ORDERED to surrender the child to (PARENT A) at the end of each period of possession at the school in which the child is enrolled or, if the child is not in school, at the residence of (PARENT A).

2. Personal Effects. Each conservator is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of possession.
3. Designation of Competent Adult. Each conservator may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a conservator or a designated competent adult be present when the child is picked up or returned.
4. Inability To Exercise Possession. Each conservator is ORDERED to give notice to the other conservator in possession of the child on each occasion that the conservator

will be unable to exercise that conservator's right of possession for any specified period. Repeated failure of a conservator to give notice of an inability to exercise possessory rights may be considered as a factor in a modification of those possessory rights.

5. Written Notice. Written notice shall be deemed to have been timely made if received or postmarked before or at the time that notice is due.
6. Notice to School and Other Conservator. If a conservator'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, that conservator shall immediately notify the school and the other conservator that the child will not be or has not been returned to school.
7. Means of Travel. (the parties may insert language for travel arrangements and costs)

This concludes the Standard Possession Order.