

IMPORTANT NOTE: The following is only a sample and should not be used in an actual court order without first making the appropriate revisions based on the circumstances.

Standard Possession Order

IT IS ORDERED that each conservator 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 date the Court signs this Standard Possession Order. IT IS, THEREFORE, ORDERED:

(a) Definitions

1. In this Standard Possession 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 Standard Possession Order, “child” 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.

(b) Mutual Agreement or Specified Terms for Possession

IT IS ORDERED that the conservators shall have possession of the child at times mutually agreed to in advance by the parties, and, in the absence of mutual agreement, it is ORDERED that the conservators shall have possession of the child under the specified terms set out in this Standard Possession Order.

(c) When Parents Reside 100 Miles or Less Apart

Except as otherwise expressly provided in this Standard Possession Order, when Possessory Conservator resides 100 miles or less from the primary residence of the child, Possessory Conservator shall have the right to possession of the child as follows:

1. Weekends—

On weekends that occur during the regular school term, beginning at [6:00 P.M./the time the child’s school is regularly dismissed] on the first, third, and fifth Friday of each month and ending at [6:00 P.M. on the following Sunday/the time the child’s school resumes after the weekend].

On weekends that do not occur during the regular school term, beginning at 6:00 P.M. on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

2. Weekend Possession Extended by a Holiday—

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by Possessory Conservator begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Friday during the

summer months when school is not in session, that weekend period of possession shall begin at [6:00 P.M. on the immediately preceding Thursday/the time the child's school is regularly dismissed on the Thursday immediately preceding the student holiday or teacher in-service day and 6:00 P.M. on the Thursday immediately preceding the federal, state, or local holiday during the summer months].

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by Possessory Conservator 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, as determined by the school in which the child is enrolled, or 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 6:00 P.M. on that Monday.

3. Thursdays—On Thursday of each week during the regular school term, beginning at [6:00 P.M./the time the child's school is regularly dismissed] and ending at [8:00 P.M./the time the child's school resumes on Friday].

4. Spring Vacation in Even-Numbered Years—In even-numbered years, beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child's school is dismissed] for the school's spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.

5. Extended Summer Possession by Possessory Conservator—

With Written Notice by April 1—If Possessory Conservator gives Sole Managing Conservator written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Possessory Conservator 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 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, as specified in the written notice [**include if applicable:** , provided that the period or periods of extended summer possession do not interfere with Father's Day possession]. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

Without Written Notice by April 1—If Possessory Conservator does not give Sole Managing Conservator written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Possessory Conservator shall have possession of the child for thirty consecutive days in that year beginning at 6:00 P.M. on July 1 and ending at 6:00 P.M. on July 31.

Notwithstanding the Thursday periods of possession during the regular school term and the weekend periods of possession ORDERED for Possessory Conservator, it is expressly ORDERED that Sole Managing Conservator shall have a superior right of possession of the child as follows:

1. Spring Vacation in Odd-Numbered Years—In odd-numbered years, beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child’s school is dismissed] for the school’s spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.

2. Summer Weekend Possession by Sole Managing Conservator—If Sole Managing Conservator gives Possessory Conservator written notice by April 15 of a year, Sole Managing Conservator 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 the extended summer possession by Possessory Conservator in that year, provided that Sole Managing Conservator picks up the child from Possessory Conservator and returns the child to that same place [**include if applicable:** and that the weekend so designated does not interfere with Father’s Day possession].

3. Extended Summer Possession by Sole Managing Conservator—If Sole Managing Conservator gives Possessory Conservator written notice by April 15 of a year or gives Possessory Conservator fourteen days’ written notice on or after April 16 of a year, Sole Managing Conservator 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 before school resumes at the end of the summer vacation, during which an otherwise scheduled weekend period of possession by Possessory Conservator shall not take place in that year, provided that the weekend so designated does not interfere with Possessory Conservator’s period or periods of extended summer possession [**include if applicable:** or with Father’s Day possession].

(d) When Parents Reside More Than 100 Miles Apart

Except as otherwise expressly provided in this Standard Possession Order, when Possessory Conservator resides more than 100 miles from the residence of the child, Possessory Conservator shall have the right to possession of the child as follows:

1. Weekends—Unless Possessory Conservator elects the alternative period of weekend possession described in the next paragraph, Possessory Conservator shall have the right to possession of the child on weekends that occur during the regular school term, beginning at [6:00 P.M./the time the child’s school is regularly dismissed] on the first, third, and fifth Friday of each month and ending at [6:00 P.M. on the following Sunday/the time the child’s school resumes after the weekend], and on weekends that do not occur during the regular school term, beginning at 6:00 P.M. on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

Alternate Weekend Possession—In lieu of the weekend possession described in the foregoing paragraph, Possessory Conservator shall have the right to possession of the child not more than one weekend per month of Possessory Conservator’s choice beginning at 6:00 P.M. on the day school recesses for the weekend and ending at 6:00 P.M. on the day before school resumes after the weekend. Possessory Conservator may elect an option for this alternative period of weekend possession by giving written notice to Sole Managing Conservator within

ninety days after the parties begin to reside more than 100 miles apart. If Possessory Conservator makes this election, Possessory Conservator shall give Sole Managing Conservator 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 [Father's/Mother's] Day possession below.

1. Weekends—On weekends that occur during the regular school term, beginning at [6:00 P.M./the time the child's school is regularly dismissed] on the first, third, and fifth Friday of each month and ending at [6:00 P.M. on the following Sunday/the time the child's school resumes after the weekend], and on weekends that do not occur during the regular school term, beginning at 6:00 P.M. on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

Or

1. Weekend—One weekend per month, of Possessory Conservator's choice, beginning at 6:00 P.M. on the day school recesses for the weekend and ending at 6:00 P.M. on the day before school resumes after the weekend, provided that Possessory Conservator gives Sole Managing Conservator 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 [Father's/Mother's] Day possession below.

2. Weekend Possession Extended by a Holiday—

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by Possessory Conservator begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Friday during the summer months when school is not in session, that weekend period of possession shall begin at [6:00 P.M. on the immediately preceding Thursday/the time the child's school is regularly dismissed on the Thursday immediately preceding the student holiday or teacher in-service day during the regular school term and at 6:00 P.M. on the Thursday immediately preceding the federal, state, or local holiday when school is not in session].

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by Possessory Conservator 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, as determined by the school in which the child is enrolled, or 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 6:00 P.M. on that Monday.

3. Spring Vacation in All Years—Every year, beginning at 6:00 P.M. on the day the child is dismissed from school for the school's spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.

4. Extended Summer Possession by Possessory Conservator—

With Written Notice by April 1—If Possessory Conservator gives Sole Managing Conservator written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Possessory Conservator shall have possession of the child for forty-two 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, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice [**include if applicable:** , provided that the period or periods of extended summer possession do not interfere with Father’s Day possession]. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

Without Written Notice by April 1—If Possessory Conservator does not give Sole Managing Conservator written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Possessory Conservator 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 of that year.

Notwithstanding the weekend periods of possession ORDERED for Possessory Conservator, it is expressly ORDERED that Sole Managing Conservator shall have a superior right of possession of the child as follows:

1. Summer Weekend Possession by Sole Managing Conservator—If Sole Managing Conservator gives Possessory Conservator written notice by April 15 of a year, Sole Managing Conservator 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 Possessory Conservator during Possessory Conservator’s extended summer possession in that year, provided that if a period of possession by Possessory Conservator in that year exceeds thirty days, Sole Managing Conservator may have possession of the child under the terms of this provision on any two nonconsecutive weekends during that period and provided that Sole Managing Conservator picks up the child from Possessory Conservator and returns the child to that same place [**include if applicable:** and that no weekend so designated interferes with Father’s Day possession].

2. Extended Summer Possession by Sole Managing Conservator—If Sole Managing Conservator gives Possessory Conservator written notice by April 15 of a year, Sole Managing Conservator may designate twenty-one 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, to be exercised in no more than two separate periods of at least seven consecutive days each, during which Possessory Conservator shall not have possession of the child, provided that the period or periods so designated do not interfere with Possessory Conservator’s period or periods of extended summer possession [**include if applicable:** or with Father’s Day possession]. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

(e) Holidays Unaffected by Distance

Notwithstanding the weekend and Thursday periods of possession of Possessory

Conservator, Sole Managing Conservator and Possessory Conservator shall have the right to possession of the child as follows:

1. Christmas Holidays in Even-Numbered Years—In even-numbered years, Possessory Conservator shall have the right to possession of the child beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child's school is dismissed] for the Christmas school vacation and ending at noon on December 28, and Sole Managing Conservator 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.

2. Christmas Holidays in Odd-Numbered Years—In odd-numbered years, Sole Managing Conservator shall have the right to possession of the child beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child's school is dismissed] for the Christmas school vacation and ending at noon on December 28, and Possessory Conservator 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.

3. Thanksgiving in Odd-Numbered Years—In odd-numbered years, Possessory Conservator shall have the right to possession of the child beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child's school is dismissed] for the Thanksgiving holiday and ending at 6:00 P.M. on the Sunday following Thanksgiving.

4. Thanksgiving in Even-Numbered Years—In even-numbered years, Sole Managing Conservator shall have the right to possession of the child beginning at [6:00 P.M. on the day the child is dismissed from school/the time the child's school is dismissed] for the Thanksgiving holiday and ending at 6:00 P.M. on the Sunday following Thanksgiving.

5. Child's Birthday—If a conservator is not otherwise entitled under this Standard Possession Order to present possession of [the/a] child on the child's birthday, that conservator shall have possession of the child [**include if desired:** and the child's minor siblings] [**possession of siblings on a child's birthday is not part of the standard possession order**] beginning at 6:00 P.M. and ending at 8:00 P.M. on that day, provided that that conservator picks up the child[ren] from the other conservator's residence and returns the child[ren] to that same place.

6. Father's Day—Father shall have the right to possession of the child each year, beginning at 6:00 P.M. on the Friday preceding Father's Day and ending at [6:00 P.M. on/8:00 A.M. on the Monday after] Father's Day, provided that if Father is not otherwise entitled under this Standard Possession Order to present possession of the child, he shall pick up the child from the other conservator's residence and return the child to that same place.

7. Mother's Day—Mother shall have the right to possession of the child each year, beginning at [6:00 P.M./the time the child's school is regularly dismissed] on the Friday preceding Mother's Day and ending at [6:00 P.M. on/the time the child's school resumes after] Mother's Day, provided that if Mother is not otherwise entitled under this Standard Possession Order to present possession of the child, she shall pick up the child from the other conservator's residence and return the child to that same place.

(f) Undesignated Periods of Possession

Sole Managing Conservator shall have the right of possession of the child at all other times not specifically designated in this Standard Possession Order for Possessory Conservator.

(g) General Terms and Conditions

Except as otherwise expressly 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 by Sole Managing Conservator—Sole Managing Conservator is ORDERED to surrender the child to Possessory Conservator at the beginning of each period of Possessory Conservator's possession at the residence of Sole Managing Conservator.

If a period of possession by Possessory Conservator begins at the time the child's school is regularly dismissed, Sole Managing Conservator is ORDERED to surrender the child to Possessory Conservator at the beginning of each such period of possession at the school in which the child is enrolled. If the child is not in school, Possessory Conservator shall pick up the child at the residence of Sole Managing Conservator at [time], and Sole Managing Conservator is ORDERED to surrender the child to Possessory Conservator at the residence of Sole Managing Conservator at [time] under these circumstances.

2. Surrender of Child by Possessory Conservator—Possessory Conservator is ORDERED to surrender the child to Sole Managing Conservator at the residence of Possessory Conservator at the end of each period of possession.

Or

2. Return of Child by Possessory Conservator—Possessory Conservator is ORDERED to return the child to the residence of Sole Managing Conservator at the end of each period of possession. However, it is ORDERED that, if Sole Managing Conservator and Possessory Conservator live in the same county at the time of rendition of this order, Possessory Conservator's county of residence remains the same after rendition of this order, and Sole Managing Conservator's county of residence changes, effective on the date of the change of residence by Sole Managing Conservator, Possessory Conservator shall surrender the child to Sole Managing Conservator at the residence of Possessory Conservator at the end of each period of possession.

If a period of possession by Possessory Conservator ends at the time the child's school resumes, Possessory Conservator is ORDERED to surrender the child to Sole Managing Conservator at the end of each such period of possession at the school in which the child is enrolled or, if the child is not in school, at the residence of Sole Managing Conservator at [time].

3. Surrender of Child by Possessory Conservator—Possessory Conservator is ORDERED to surrender the child to Sole Managing Conservator, if the child is in Possessory

Conservator's possession or subject to Possessory Conservator's control, at the beginning of each period of Sole Managing Conservator's exclusive periods of possession, at the place designated in this Standard Possession Order.

4. Return of Child by Sole Managing Conservator—Sole Managing Conservator is ORDERED to return the child to Possessory Conservator, if Possessory Conservator is entitled to possession of the child, at the end of each of Sole Managing Conservator's exclusive periods of possession, at the place designated in this Standard Possession Order.

5. 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.

6. 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.

7. Inability to Exercise Possession—Each conservator is ORDERED to give notice to the person 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.

8. Written Notice—Written notice, including notice provided by electronic mail or facsimile, shall be deemed to have been timely made if received or, if applicable, postmarked before or at the time that notice is due. Each conservator is ORDERED to notify the other conservator of any change in the conservator's electronic mail address or facsimile number within twenty-four hours after the change.

9. Notice to School and Sole Managing Conservator—If Possessory 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, Possessory Conservator shall immediately notify the school and Sole Managing Conservator that the child will not be or has not been returned to school.

This concludes the Standard Possession Order.