

**IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

PLAINTIFF: _____ : **CIVIL ACTION - LAW**

VS. : **NO.** _____

DEFENDANT: _____ : **IN CUSTODY**

CUSTODY ORDER

AND NOW, this _____ day of _____, 20____, after a conciliation conference held on _____, 20____, with Custody Conciliator, _____, it is hereby **ORDERED** and **DECREED** as follows:

1. _____ shall have **Shared/Sole Legal Custody of the minor child(ren):**

NAME:	_____	DOB:	_____
NAME:	_____	DOB:	_____
NAME:	_____	DOB:	_____
NAME:	_____	DOB:	_____
NAME:	_____	DOB:	_____
NAME:	_____	DOB:	_____

2. _____ shall have **Primary/Shared/Sole Physical custody.**

(a) The Shared Custody schedule is as follows:

3. _____ shall have **Partial Physical Custody.**

(a) _____ Every _____ Every other weekend from _____ at _____ to _____ at _____, beginning the weekend of _____.

(b) Weekdays on _____ from _____ to _____ to occur _____ weekly _____ bi-weekly beginning on _____.

(c) Other: _____

4. **Supervised Physical Custody** between the child(ren) and _____ shall occur on _____ under the supervision of _____. Any costs incurred for the supervision shall be paid by _____.

5. **Holidays** as follows:

	ODD YEARS	EVEN YEARS
NEW YEARS DAY	_____	12/31 at _____ to 1/1 at _____
EASTER	_____	Sat. at _____ to Sun. at _____
MEMORIAL DAY	_____	Fri at _____ to Mon. at _____
FOURTH OF JULY	_____	4 th at _____ to 5 th at _____
LABOR DAY	_____	Fri at _____ to Mon at _____

(a) The times for custody on the above holidays shall occur from _____ through _____ unless otherwise specified.

(b) THANKSGIVING:

(c) CHRISTMAS
December 24, 2011, at _____ through December 25, 2011, at _____ with _____ Mother _____ Father
December 25, 2011, at _____ through December 26, 2011, at _____ with _____ Mother _____ Father
The Christmas schedule shall _____ occur yearly _____ alternate yearly
Other Christmas schedule:

(d) Mother's Day with Mother from _____ to _____.

(e) Father's Day with Father from _____ to _____.

(f) Spring Break/Winter Break:

(g) Other Holiday Schedule:

(h) Other Religious Holiday Schedule:

	<u>Odd Years</u>	<u>Even Years</u>	<u>From:</u>	<u>To:</u>
First night Passover				
Second night Passover				
Rosh Hashanah Eve (First night)				
Rosh Hashanah (Second night)				
Yom Kippur Eve				
Yom Kippur Break fast				
Hanukkah First Night				
Hanukkah Last Night				

6. **Vacations:** _____ Each Party _____ Mother _____ Father is/are entitled to _____ consecutive and / or non-consecutive weeks vacation with the child(ren) upon _____ days written/verbal notice to the other party. If applicable, each party shall give the other itinerary to include travel information, address and phone number of the vacation location **updated as close to the time of departure as possible.**

7. **Transportation:** _____

8. **SPECIAL TERMS:** _____

9. The child(ren) shall have reasonable uninterrupted telephone contact with the non-custodial parent.

10. Holidays take precedence over vacation periods, which take precedence over the regular schedule.

11. The Appendix to Order is attached hereto and incorporated herein.

12. The Chester County Court of Common Pleas shall retain jurisdiction over this matter.

13. This Order shall remain in effect until further Order of the Court.

14. The parties/attorneys acknowledge receipt of this Order which was:
_____ recommended by the conciliator/ _____ agreed to by the parties.

Mother

Father

Attorney for Mother

Attorney for Father

Custody Conciliator

Date

NOTICE: UNLESS A CERTIFICATION OF TRIAL READINESS HAS BEEN FILED, THIS ORDER SHALL BECOME A FINAL ORDER OF THE COURT WITHIN 180 DAYS OF THE FILING OF THE COMPLAINT OR PETITION FOR MODIFICATION or 90 DAYS OF THE MOST RECENT CONCILIATION CONFERENCE, WHICHEVER IS EARLIER

BY THE COURT:

J.

NOTICE: NEITHER PARTY SHALL RELOCATE THE CHILDREN WITHOUT PROPER CONSENT AND/OR COURT APPROVAL AS REQUIRED BY 23 Pa.C.S. §5337. STRICT COMPLIANCE WITH 23 Pa.C.S. §5337 (related to relocation) IS REQUIRED.

APPENDIX TO ORDER

Certain rules of conduct generally applicable to custody matters are set forth below and are binding on both parties, the breach of which could become the subject of contempt proceedings before this Court, or could constitute grounds for amendment of our Order. If these general rules conflict with the specific requirements of our Order, the Order shall prevail.

1. Neither party will undertake nor permit in his or her presence the poisoning of the minor child(ren)'s minds against the other party by conversation which explicitly or inferentially derides, ridicules, condemns, or in any manner derogates the other party.
2. The parties shall not conduct arguments or heated conversations when they are together in the presence of their child(ren).
3. Neither party will question the child(ren) as to the personal lives of the other parent except insofar as necessary to insure the personal safety of the child(ren). By this we mean that the child(ren) will not be used as spies on the other party. It is harmful to a child to be put in the role of a "spy."
4. Neither party will make extravagant promises to the minor child(ren) for the purposes of ingratiating himself or herself to the minor child(ren) at the expense of the other party; further, any reasonable promise to the child(ren) should be made with the full expectation of carrying it out.
5. The parties should at all times consider the child or children's best interests to understand that he or she is trying desperately to cope with the fact of his parent's separation, and needs help in loving both parents, rather than interference or censure.
6. The parties should remember that they can not teach their child(ren) proper moral conduct by indulging in improper conduct themselves. Children are quick to recognize hypocrisy, and the parent who maintains a double standard will lose the respect of his or her child.
7. Vacation periods, holidays and weekend and evening periods of partial physical custody shall be subject to the following rules:
 - A. Arrangements will be worked out beforehand between the parties without forcing the child(ren) to act as messengers and/or to make choices and run the risk of parental displeasure. However, the children shall be consulted as to their schedules.
 - B. Rights to partial custody should be exercised at reasonable hours and under circumstances reasonably acceptable to the other party and to the needs and desires of the minor child(ren).
 - C. If a party finds themselves unable to keep an appointment, he or she should give immediate notice to the other party, so as to avoid subjecting the child(ren) to unnecessary apprehension and failure of expectations.
 - D. The party having custody of the child(ren) should prepare them both physically and mentally for the period of custody with the other party and have them available at the time and place mutually agreed upon.
 - E. If either party or a child has plans which conflict with a scheduled period of custody and wish to adjust such visitation, the parties should make arrangements for an adjustment acceptable to the schedules of everyone involved. Predetermined schedules are not written in stone, and both parties should be flexible for the sake of the child(ren). This flexibility does not permit one parent to routinely infringe upon or otherwise obligate the children during the other parent's custodial time. The child(ren's) thoughts/desires should always be considered and discussed.
 - F. If a party shows up for their period of custody under the influence of alcohol or drugs, that visit may be considered forfeited on those grounds alone.
8. During the time that the child is living with a party, that party has the responsibility of imposing and enforcing the rules for day-to-day living. However, unless otherwise ordered, both parents should consult with one another on the major decisions affecting the children's lives, such as education, religious training, medical treatment, and so forth.
9. The issues that arise in the context of custody are generally adult issues and therefore, should not be discussed with the children absent exigent circumstances or safety concerns.