

## 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 Texas Family Code sections 153.311 through 153.317. 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) Parents Who Reside 100 Miles or Less Apart

Except as otherwise explicitly provided in this Standard Possession Order, when Parent 1 resides 100 miles or less from the primary residence of the child, Parent 1 shall have the right to possession of the child as follows:

1. Weekends—

On weekends that occur during the regular school term, beginning at [**select one:** 6:00 P.M./the time the child’s school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the first, third, and fifth Friday of each month and ending at [**select one:** 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 explicitly provided in this Standard Possession Order, if a weekend period of possession by Parent 1 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 [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the Thursday immediately preceding the Friday holiday or school holiday or end [**select one:** at 6:00 P.M. on that Monday holiday or school holiday/at 6:00 P.M. on that Monday holiday or at the time school resumes after that school holiday], as applicable.

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

4. Spring Break in Even-Numbered Years—In even-numbered years, beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the day the child is dismissed from school for the school's spring vacation and ending at [**select one:** 6:00 P.M. on the day before/the time] school resumes after that vacation.

5. Extended Summer Possession by Parent 1—

With Written Notice by April 1—If Parent 1 gives Parent 2 written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent 1 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 Weekend]. These periods of possession shall begin and end at 6:00 P.M.

Without Written Notice by April 1—If Parent 1 does not give Parent 2 written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent 1 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 Parent 1, it is explicitly ORDERED that Parent 2 shall have a superior right of possession of the child as follows:

1. Spring Break in Odd-Numbered Years—In odd-numbered years, 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.

2. Summer Weekend Possession by Sole Managing Conservator—If Parent 2 gives Parent 1 written notice by April 15 of a year, Parent 2 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 Parent 1 in that year, provided that Parent 2 picks up the child from Parent 1 and returns the child to that same place [**include if applicable:** and that the weekend so designated does not interfere with Father's Day Weekend].

3. Extended Summer Possession by Parent 2—If Parent 2 gives Parent 1 written notice by April 15 of a year or gives Parent 1 fourteen days' written notice on or after April 16 of a year, Parent 2 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 Parent 1 shall not take place in that year, provided that the weekend so designated does not interfere with Parent 1's period or periods of extended summer possession [**include if applicable:** or with Father's Day Weekend].

(d) Parents Who Reside More Than 100 Miles Apart

Except as otherwise explicitly provided in this Standard Possession Order, when Parent 1 resides more than 100 miles from the residence of the child, Parent 1 shall have the right to possession of the child as follows:

1. Weekends—Unless Parent 1 elects the alternative period of weekend possession described in the next paragraph, Parent 1 shall have the right to possession of the child on weekends that occur during the regular school term, beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the first, third, and fifth Friday of each month and ending at [**select one:** 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. Except as otherwise explicitly provided in this Standard Possession Order, if such a weekend period of possession by Parent 1 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 [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the Thursday immediately preceding the Friday holiday or school holiday or end [**select one:** at 6:00 P.M. on that Monday holiday or school holiday/at 6:00 P.M. on that Monday holiday or at the time school resumes after that school holiday], as applicable.

Alternate Weekend Possession—In lieu of the weekend possession described in the foregoing paragraph, Parent 1 shall have the right to possession of the child not more than one weekend per month of Parent 1's choice beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the day school recesses for the weekend and ending at [**select one:** 6:00 P.M. on the day before school resumes/the time the child's school resumes] after the weekend. Except as otherwise explicitly provided in this Standard Possession Order, if such a weekend period of possession by Parent 1 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 [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the Thursday immediately preceding the Friday holiday or school holiday or end [**select one:** at 6:00 P.M. on that Monday holiday or school holiday/at 6:00 P.M. on that Monday holiday or at the time school resumes after that school holiday], as applicable. Parent 1 may elect an option for this alternative period of weekend possession by giving written notice to Parent 2 within ninety days after the parties begin to reside more than 100 miles apart. If Parent 1 makes this election, Parent 1 shall give Parent 2 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 Weekend below.

1. Weekends—On weekends that occur during the regular school term, beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the first, third, and fifth Friday of each month and ending at [**select one:** 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. Except as otherwise explicitly provided in this Standard Possession Order, if a weekend period of possession by Parent 1 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 [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the Thursday immediately preceding the Friday holiday or school holiday or end [**select one:** at 6:00 P.M. on that Monday holiday or school holiday/at 6:00 P.M. on that Monday holiday or at the time school resumes after that school holiday], as applicable.

1. Weekend—One weekend per month, of Parent 1's choice, beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the day school recesses for the weekend and ending at [**select one:** 6:00 P.M. on the day before school resumes/the time the child's school resumes] after the weekend, provided that Parent 1 gives Parent 2 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 Weekend below.

2. Spring Break in All Years—Every year, beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.**] on the day the child is dismissed from school for the school's spring vacation and ending at [**select one:** 6:00 P.M. on the day before/the time] school resumes after that vacation.

3. Extended Summer Possession by Parent 1—

With Written Notice by April 1—If Parent 1 gives Parent 2 written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent 1 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 Weekend]. These periods of possession shall begin and end at 6:00 P.M.

Without Written Notice by April 1—If Parent 1 does not give Parent 2 written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent 1 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 Parent 1, it is explicitly ORDERED that Parent 2 shall have a superior right of possession of the child as follows:

1. Summer Weekend Possession by Parent 2—If Parent 2 gives Parent 1 written notice by April 15 of a year, Parent 2 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 1 during Parent 1's extended summer possession in that year, provided that if a period of possession by Parent 1 in that year exceeds thirty days, Parent 2 may have possession of the child under the terms of this provision on any two nonconsecutive weekends during that period and provided that Parent 2 picks up the child from Parent 1 and returns the child to that same place [**include if applicable:** and that the weekend so designated does not interfere with Father's Day Weekend].

2. Extended Summer Possession by Parent 2—If Parent 2 gives Parent 1 written notice by April 15 of a year, Parent 2 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 Parent 1 shall not have possession of the child, provided that the period or periods so designated do not interfere with Parent 1's period or periods of extended summer possession [**include if applicable:** or with Father's Day Weekend].

(e) Holidays Unaffected by Distance

Notwithstanding the weekend and Thursday periods of possession of Parent 1, Parent 2 and Parent 1 shall have the right to possession of the child as follows:

1. Christmas Holidays in Even-Numbered Years—In even-numbered years, Parent 1 shall have the right to possession of the child beginning at [**select one:** 6:00 P.M./the time the child's school is regularly dismissed/**or specify other time elected between school dismissal**

**and 6:00 P.M.]** on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 28, and Parent 2 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, Parent 2 shall have the right to possession of the child beginning at 6:00 P.M. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 28, and Parent 1 shall have the right to possession of the child beginning at noon on December 28 and ending at [**select one:** 6:00 P.M. on the day before/the time] the child’s school resumes after that Christmas school vacation.

3. Thanksgiving in Odd-Numbered Years—In odd-numbered years, Parent 1 shall have the right to possession of the child beginning at [**select one:** 6:00 P.M./the time the child’s school is regularly dismissed/**or specify other time elected between school dismissal and 6:00 P.M.]** on the day the child is dismissed from school for the Thanksgiving holiday and ending at [**select one:** 6:00 P.M. on the Sunday following Thanksgiving/the time the child’s school resumes after that Thanksgiving holiday].

4. Thanksgiving in Even-Numbered Years—In even-numbered years, Parent 2 shall have the right to possession of the child beginning at 6:00 P.M. on the day the child is dismissed from school 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] 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 Weekend—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 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 Weekend—Mother shall have the right to possession of the child each year, 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 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

Parent 2 shall have the right of possession of the child at all other times not specifically designated in this Standard Possession Order for Parent 1.

(g) 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 by Parent 2—Parent 2 is ORDERED to surrender the child to Parent 1 at the beginning of each period of Parent 1's possession at the residence of Parent 2.

If a period of possession by Parent 1 begins at the time the child's school is regularly dismissed, Parent 2 is ORDERED to surrender the child to Parent 1 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, Parent 1 shall pick up the child at the residence of Parent 2 at [time], and Parent 2 is ORDERED to surrender the child to Parent 1 at the residence of Parent 2 at [time] under these circumstances.

2. Surrender of Child by Parent 1—Parent 1 is ORDERED to surrender the child to Parent 2 at the residence of Parent 1 at the end of each period of possession.

2. Return of Child by Parent 1—Parent 1 is ORDERED to return the child to the residence of Parent 2 at the end of each period of possession. However, it is ORDERED that, if Parent 2 and Parent 1 live in the same county at the time of rendition of this order, Parent 1's county of residence remains the same after rendition of this order, and Parent 2's county of residence changes, effective on the date of the change of residence by Parent 2, Parent 1 shall surrender the child to Parent 2 at the residence of Parent 1 at the end of each period of possession.

If a period of possession by Parent 1 ends at the time the child's school resumes, Parent 1 is ORDERED to surrender the child to Parent 2 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 Parent 2 at [time].

3. Surrender of Child by Parent 1—Parent 1 is ORDERED to surrender the child to Parent 2, if the child is in Parent 1's possession or subject to Parent 1's control, at the beginning of each period of Parent 2's exclusive periods of possession, at the place designated in this Standard Possession Order.

4. Return of Child by Parent 2—Parent 2 is ORDERED to return the child to Parent 1, if Parent 1 is entitled to possession of the child, at the end of each of Parent 2'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 shall be deemed to have been timely made if received or postmarked before or at the time that notice is due.

9. Notice to School and Parent 2—If Parent 1'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 1 shall immediately notify the school and Parent 2 that the child will not be or has not been returned to school.

This concludes the Standard Possession Order.