

## **Appendix B: Sample Custody and Visitation Order**

COMMONWEALTH OF PENNSYLVANIA

Division : Docket No.
Plaintiff v. Defendant

ORDER

AND NOW, this \_\_\_ day of \_\_\_\_, 200\_, after hearing [OR pursuant to the agreement of the parties] the following order is entered with respect to the child(ren):

Full Name Date of Birth
\_\_\_\_\_

1. Legal Custody/Parental Decision-Making. Choose one of the following options:

[ ] \_\_\_\_\_ shall have sole legal custody of the child(ren) and shall be responsible for all major decisions relating to them.

OR

[ ] The parties shall have shared legal custody and shall jointly make all major decisions relating to the child(ren).

2. Physical Custody/Parenting (choose only one for each party):

- \_\_\_\_\_ shall have: [ ] No contact with the child(ren). [ ] Sole physical custody. [ ] Supervised visitation as set forth in section 2.1, subject to compliance with every condition selected in sections 3.1, 3.2, and 3.3. [ ] Primary physical custody. [ ] Visitation as set forth in section 2.2 and subject to compliance with every condition selected in sections 3.1, 3.2, and 3.3. [ ] Shared physical custody as set forth in section 2.4 below. [ ] Partial custody as set forth in section 2.3 subject to compliance with every condition selected in sections 3.1, 3.2, and 3.3. [ ] Shared physical custody as set forth in section section 2.4 below.

\_\_\_\_\_ shall have:

**2.1. Supervised Visitation.** All visitation shall be supervised as follows (**select one**):

Visitation shall take place at the Family Court Nursery at 1801 Vine Street.

**OR**

Visitation shall be supervised by \_\_\_\_\_ and shall take place at the following location: \_\_\_\_\_

Supervised visitation shall begin on \_\_\_\_\_ (**specify date.**)

Supervised visitation shall occur on \_\_\_\_\_ (**specify days of week**) beginning at \_\_\_\_\_ and ending at \_\_\_\_\_ (**specify times**), except as otherwise provided in Section 4. with regard to Holidays, Birthdays, School Vacations, and Summers.

**2.2. Visitation.** All visitation shall occur in the presence of \_\_\_\_\_ in accordance with the following schedule:

Visitation shall begin on \_\_\_\_\_ (**specify date.**)

Visitation shall take place at the following location: \_\_\_\_\_

Visitation shall occur on \_\_\_\_\_ (**specify days of week**) beginning at \_\_\_\_\_ and ending at \_\_\_\_\_ (**specify times**), except as otherwise provided in Section 4. with regard to Holidays, Birthdays, School Vacations, Summers.

**2.3. Partial Custody as follows (choose one):**

Overnights permitted.

**OR**

Overnights NOT permitted.

This partial custody schedule shall begin on \_\_\_\_\_ (**specify date.**)

Partial custody shall occur according to the following schedule (**be specific as to days of the week and times of day**): \_\_\_\_\_

\_\_\_\_\_

except as otherwise provided in Section 4 with regard to Holidays, Birthdays, School Vacations, and Summers.

**2.4. Shared Physical Custody.**

The child(ren) shall spend substantial time with each party as described below:

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**3. Conditions**

**3.1 Child Safety.** The following safety rules apply (**check all that apply**):

- There shall be no firearms in the home or car or in the child(ren)'s presence during partial custody or visitation.
- The child(ren) shall at all times be secured in an age-appropriate safety restraint in the rear of any vehicle in which they ride.
- The following person(s) are a danger to the child(ren) and shall not be present during partial custody or visitation: \_\_\_\_\_

- Attendance at (and payment of associated costs of) parenting classes offered by \_\_\_\_\_

(name of program)

Written verification of registration for parenting classes shall be submitted to the court within 14 days of this order. Written verification of successful completion of these classes shall be submitted to the court within 30 days of such completion, which shall in no case be later than 90 days from the date of this order.

- Participation at (and payment of associated costs of) batterer intervention treatment offered by \_\_\_\_\_

(name of program)

Written verification of registration for treatment with the program shall be submitted to the court within 14 days of this order. Treatment with the program shall continue through completion, which shall in no case be later than 90 days from the date of this order (unless ongoing treatment is recommended by the treatment facility). Written verification of the successful completion of batterer intervention treatment must be submitted to the court within 30 days.

- Other: \_\_\_\_\_
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**3.2. Transportation.** The person(s) indicated below is responsible for transporting the child(ren) to and from partial custody or visitation:

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The child(ren) shall at all times be secured in an age-appropriate safety restraint in the rear of any vehicle in which they are transported.

**3.3. Exchanging the Child(ren).** All partial custody or visitation shall take place on time. No parent need wait more than 15 minutes after the set exchange time for the other parent to arrive, unless the parties agree otherwise. The parties are not to make any negative comments to or about each other or discuss court matters during the exchange. The following requirements apply (**check all that apply**):

There is to be no contact between the parents during the exchange of the child(ren). \_\_\_\_\_, a third party, shall be responsible for the exchange. The third party will transfer the child(ren) between parents at the visitation location and in the case of supervised visitation, will remain throughout the non-residential parent's visitation. The following procedure shall be followed:

- The party with primary physical custody shall deliver the child(ren) to this third party at least fifteen minutes prior to the designated time for commencement of the visitation and immediately leave the exchange site.
- The party with partial custody shall pick the child(ren) up no sooner than 15 minutes after the designated time for commencement of visitation.
- The reverse procedure shall take place upon the child(ren)'s return. The party with partial custody shall return the child(ren) 15 minutes prior to the designated time for the conclusion of the visitation and immediately leave the exchange site. The party with primary physical custody shall pick the child(ren) up no sooner than fifteen minutes after the designated time for the conclusion of visitation.

A neutral public location as set forth below. Examples include a police station or a public library or restaurant during its hours of operation. **Specify location:**

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Other (**specify locations for beginning and end of partial custody time**):

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**3.4. Communication with the Child(ren).** Communication with the child(ren) is permitted as follows (**check all that apply**):

- No telephoning, writing, or emailing the child(ren) unless the contact is agreed to in advance by the parent with primary physical custody.
- Unrestricted writing or e-mailing the child(ren). Each parent shall provide a contact address (and e-mail address if appropriate) to the other parent.
- Calling the child(ren) on the telephone \_\_\_\_ times per week. Each call shall take place between \_\_\_\_ .m. and \_\_\_\_ .m. Long distance telephone calls made by the child(ren) shall be paid for by the parent receiving the call. Each parent shall provide a telephone number to the other parent.
- Each party shall refrain from making derogatory or disparaging remarks about the other party in front of the children at any time.

**3.5. Access to Activities and Events.** The party with partial custody or visitation (**choose only one**):

- Shall not attend the child(ren)'s school activities and athletic events.
- OR**
- May attend the child(ren)'s school activities and athletic events.

**4. Holidays, Birthdays, School Vacations, and Summers**

**4.1 Holidays.** All holiday custody arrangements are to supersede the regular custody routine set forth above. For example, if Father has Memorial Day as his holiday a particular year, and his regular custodial weekend falls the weekend before and the weekend after Memorial Day, he will in fact be entitled to spend three weekends in a row with the children. This policy holds true for both parents. **All restrictions set forth in Sections 2 and 3 of this order shall apply. Select one method:**

- The parties shall have custody of the children on alternating holidays, alternating years. The holiday schedule begins with the first holiday after the date this order is signed. \_\_\_\_\_ (**specify party**) will have the first holiday. Holidays are to include (**check all that apply**):

- |   |   |
|---|---|
| <input type="checkbox"/> Christmas Eve          | <input type="checkbox"/> Christmas Day  |
| <input type="checkbox"/> New Year's Eve         | <input type="checkbox"/> New Year's Day |
| <input type="checkbox"/> Martin Luther King Day | <input type="checkbox"/> Easter         |
| <input type="checkbox"/> Passover               | <input type="checkbox"/> Memorial Day   |
| <input type="checkbox"/> Fourth of July         | <input type="checkbox"/> Labor Day      |
| <input type="checkbox"/> Rosh Hashanah          | <input type="checkbox"/> Yom Kippur     |
| <input type="checkbox"/> Columbus Day           | <input type="checkbox"/> Thanksgiving   |
| <input type="checkbox"/> _____                  | <input type="checkbox"/> _____          |
| <input type="checkbox"/> _____                  | <input type="checkbox"/> _____          |

**OR**

- The parties shall observe the following holiday schedule (**be specific as to exchange times, start date, and other relevant details**):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4.2. Birthdays.** All birthday custody arrangements are to supersede the regular custody routine set forth above. **All restrictions set forth in Sections 2 and 3 of this order shall apply. Check all that apply:**

- Each party shall have custody of the child(ren) on that party's birthday.
- The party with primary physical custody shall have custody on his or her birthday.
- The parties shall spend time with the child(ren) on the children's birthdays as set forth below:

\_\_\_\_\_  
\_\_\_\_\_

**4.3. School Vacations other than Summer.** All vacation custody arrangements are to supersede the regular custody routine set forth above. **All restrictions set forth in Sections 2 and 3 of this order shall apply.** Vacations other than summer shall be handled according to the following schedule (**specify details**): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**4.4 Summers. (select all that apply)**

- Each party shall be entitled to spend \_\_\_\_\_ uninterrupted weeks with the child(ren) during summer vacation from school, provided that 30 days' written notice is provided to the other party and that the time selected does not conflict with similar time for which the other party has already given proper notice.
- The party with primary physical custody shall be entitled to spend \_\_\_\_\_ uninterrupted weeks with the children during summer vacation from school, provided that 30 days' written notice is provided to the other party.
- No other provision in this Order shall change during the child(ren)'s summer vacation.

**Date** \_\_\_\_\_

\_\_\_\_\_  
**J.**