

set forth in the Obligations of Shared Legal Custody and General Parental Obligations set forth in this Order.

3. **Physical Custody.** The parties shall share physical custody of the child(ren) as follows:

A. During the School Year.

B. During the Non-School Year.

4. **Holidays:**

A. Easter: During the even-numbered years, Father shall have custody from 6:00 p.m. on Saturday before Easter until 2:00 p.m. on Easter Sunday. Mother shall have custody from 2:00 p.m. on Easter Sunday until 7:00 a.m. on the Monday following Easter. During the odd-numbered years, this schedule shall reverse.

B. Mother's Day and Father's Day: Each year, Mother shall have custody on Mother's Day and Father shall have custody on Father's Day. The hours shall be from 6:00 p.m. on Saturday until 5:00 p.m. on Sunday.

C. Memorial Day and Labor Day: In odd-numbered years, Mother shall have custody on Memorial Day and Father shall have custody on Labor Day. In even-numbered years, Mother shall have Labor Day and Father shall have Memorial Day. The times shall be from 7:00 a.m. until 5:00 p.m. If a parent who is scheduled to have the holiday has custody of the child on the Sunday immediately prior to the holiday, that parent shall retain custody of the child overnight until the holiday.

D. Fourth of July: During the odd-numbered years, Father shall have custody from 5:30 p.m. on July 3rd until 3:00 p.m. on July 4th. Mother shall have custody from 3:00 p.m. on July 4th until 7:00 a.m. on July 5th. During the even-numbered years, this schedule shall reverse.

E. Thanksgiving: During the odd-numbered years, Mother shall have custody from 6:00 p.m. on the Wednesday before Thanksgiving until 2:30 p.m. on Thanksgiving Day and Father shall have custody from 2:30 p.m. on Thanksgiving Day until 6:00 p.m. on the Friday after Thanksgiving. During the even-numbered years, this schedule shall reverse.

F. Christmas: During the odd-numbered years, Mother shall have custody from 6:00 p.m. on December 24th until 2:00 p.m. on Christmas Day and Father shall have custody from 2:00 p.m. on Christmas Day until 5:30 p.m. on December 26th. During the even-numbered years, this schedule shall be reversed.

G. Halloween: In odd-numbered years, Father shall have the child from 5:30 p.m. on the evening of Trick-or-Treating in his neighborhood until 7:00 a.m. the following morning. Mother shall have this schedule in even-numbered years.

H. New Year's: During the odd-numbered years, Mother shall have custody from 6:00 p.m. on December 31st until 6:00 p.m. on January 1st. During the even-numbered years, Father shall have custody during that time.

5. **Vacation.** Each year, the parties agree that each shall have physical custody of the minor child for two non-consecutive weeks of vacation. Each party shall give the other party at least 30 days' advanced notice of his or her choice of weeks. Absent an agreement otherwise, vacation shall not be exercised over the other party's holiday or regular custody weekend. In the event that both parties choose the same or over-lapping periods of time for vacation, during the even-numbered years, Mother's preference shall take priority and during the odd-numbered years, Father's preference shall take priority.

6. **Transportation.** The party about to begin a period of custody shall be responsible for transportation unless otherwise stated in this order or agreed to by the parties.

To facilitate custody exchanges, a party may use any licensed adult driver to provide transportation on his or her behalf, so long as that individual is known to the other party and the child(ren). Each party shall ensure the child(ren) is using appropriate seat belts or child safety seats when being transported in vehicles by the party or an individual providing transportation on that party's behalf.

7. **Extensions of Times of Physical Custody.** In the event that any period of a party's physical custody is scheduled to end at a specific time which would be followed by the same party beginning another period of physical custody within 18 hours, the ending time of the physical custody shall be extended so not to interrupt that party's period of time of physical custody. This provision shall not be

applied if doing so would deprive the other party of custody during a time of holiday or other time of special custody, specifically ordered to that party.

8. **Obligations of Shared Legal Custody.** The parties shall consult with each other and participate jointly in making major decisions affecting the child(ren). Neither party shall make a unilateral decision that significantly affects the child(ren) without the consent of the other party. Such decisions shall include, but are not limited to, decisions on medical and dental treatment, education, religious upbringing, choice of day care provider, choice of pre-school, choice of school, psychotherapy or like treatment, and extracurricular activities. All such decisions must be made jointly by the parties after discussion and consultation with each other and with a view towards obtaining and following a harmonious policy in the best interest of the child(ren). Neither party may change the school or method of schooling of the child(ren) without the written consent of the other party.

With regard to any emergency decisions which must be made, the party exercising custody of the child(ren) at the time shall be permitted to make the decision necessitated by the emergency without consulting the other party in advance; however, that party shall inform the other of the emergency and consult with the other party as soon as possible. Day-to-day decisions of a routine nature will be the responsibility of the party having physical custody at the time.

Both parties must agree that a child(ren) can participate in an extra-curricular activity before either party signs the child(ren) up for an activity. Once

both parties agree on an activity, both parties shall permit the child(ren) to attend practices and events concerning that activity. The party having physical custody of the child(ren) at the time has the responsibility of providing transportation to and from that activity. In the event such transportation cannot be provided, the custodial party shall immediately notify the other party and provide him or her with the opportunity to transport the child(ren) to the activity.

Each party has a duty to promptly provide to the other party, without request, full and complete information concerning the child(ren)'s health, education, and welfare including information from any doctor, dentist, teacher, coach, school, church, childcare provider, and any other individual or entity with authority over the child(ren). This includes providing copies of all reports and documents including but not limited to birth records, social security cards, health insurance cards, medical and dental reports, school records and information such as report cards, progress reports, disciplinary reports, schedules of activities and extra-curricular activities, and any other information concerning any out of school activities or functions of the child(ren). If any of the above information concerns dates, times, and places of coming events, it shall be provided immediately to the other party so that party will have the opportunity to attend or participate in the activity.

Each party is entitled to complete and full information directly from any hospital, doctor, dentist, coach, daycare provider, psychiatrist or medical care provider, education or religious institution, teacher or other person, entity or

authority over the child(ren) and to have copies of any reports given to either party as a parent pursuant to 23 Pa.C.S. 5309. Each party is entitled to examine any documents concerning the child(ren) and to receive copies of files or reports concerning the child(ren) directly from any person, entity or authority over the child(ren). Such documents include, but are not limited to, medical records, psychiatric records, academic records, school report cards, birth certificates or other governmental records. The child(ren)'s school is authorized to communicate with each party regarding the child(ren)'s progress and schedule of activities. Such authorities are authorized to communicate with each party regarding any matters concerning the child(ren). Consent of the other party is not necessary.

Both parties may and are encouraged to attend school conferences and other activities of the child(ren). Both parties shall be listed with the school as the parties to be contacted in the event of an emergency and to be notified regarding school events. The party receiving the notice of a parent-teacher conference shall immediately notify the other party of the time and date. Both parties shall be listed as emergency contacts whenever such information is requested.

9. **General Parental Obligations.** Each party shall refrain from making derogatory comments about the other party in the presence of the child(ren) and shall not permit the child(ren) to be in the presence of third parties making such comments. Each party shall refer to all the child(ren)'s family

members by the appropriate role name, i.e. "Mom," "Dad," "Grandmother," etc. Neither party shall encourage the child(ren) to provide verbal "reports" about the other party. Communication shall take place directly between the parties, without using the child(ren) as an intermediary.

Both parties shall use their best efforts in presenting a united front to the child(ren) and shielding the child(ren) from an awareness of the parties' discussions and differences as to decision-making. Both parties shall use their best efforts to ensure that their spouses, extended families, and household members cooperate in carrying out the intent and spirit of the custody order. The parties shall avoid permitting spouses or paramours to interfere with their communication with one another, and shall communicate directly with one another to the maximum extent possible, rather than through a spouse or paramour.

It is the obligation of each party to make the child(ren) available, without delay, to the other party in accordance with the physical custody schedule. It is the obligation of the party exercising custody at the time to ensure the child(ren) complies with the order.

In implementing the custody order, both parties shall be flexible and act in the child(ren)'s best interest.

Each party must notify the other within twenty-four hours of any change of residential or work address or telephone number. During periods when the

child(ren) will be out of the county overnight, the traveling party shall notify the other party and provide a destination telephone number and address.

Each party shall be entitled to reasonable telephone contact with the child(ren) when he or she is in the other party's custody. Such contact shall not be monitored or interrupted by the custodial party, nor shall the conversation be placed on speaker phone. When the non-custodial party leaves a message, it is the responsibility of the custodial party to make sure the phone call is returned. Neither party shall abuse the right to reasonable telephone contact by making numerous calls to the child(ren) that disrupt the custodial party's time.

During custody exchanges, both parties shall conduct themselves in a civilized manner, and avoid making any inappropriate comments or gestures toward the other party or any other individuals present. Both parties shall treat the other party with respect during the exchanges, and refrain from doing or saying anything that might cause an argument in front of the child(ren).

10. **Relocation of the Child(ren).** You may not relocate with the minor child(ren) without the other party's consent or an order of court. If you wish to relocate with the minor child, you must provide notice to every other individual who has custody rights to the child according to the following guidelines. Notice must be sent by certified mail, return receipt requested, and shall be given no later than 60 days before the date of the proposed move or the tenth day after the date that you have notice of the relocation, if you did not know and could not reasonably have known of the relocation in sufficient time to

comply with the 60 day notice. The notice provided to every other individual who has custody rights to the child must conform to 23 Pa.C.S.A. §5337 and contain the following:

1. The address of the intended new residence.
2. The mailing address for the new residence.
3. Names and ages of all of the individuals who intend to live in the new residence.
4. The home telephone number of the intended new residence, if available.
5. The name of the new school district and school.
6. The date of the proposed relocation.
7. The reasons for the proposed relocation.
8. A proposal for a revised custody schedule.
9. Any other relevant information.

You must send with the notice, a blank counter-affidavit conforming to 23 Pa.C.S.A. §5337(d)(1) which can be used to object to the proposed relocation and the modification of a custody order.

The notice must warn the non-relocating party that if the non-relocating party does not fill out and file with the Court the counter-affidavit to object to the proposed relocation within 30 days after receipt of the notice, that party shall be foreclosed from objecting to the proposed relocation and forever lose their right to stop the relocation.

By The Court,

Joy Reynolds McCoy, Judge

JRM/jrr

c. Family Court