

**IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION**

)	NO.	-FC-
Plaintiff)		
vs)	CUSTODY	
)		
Defendant)		

AGREEMENT

AND NOW, this _____ day of _____ , _____ ,
the Plaintiff, _____
residing at _____ ,
and the Defendant, _____ ,
residing at _____ ,
do hereby Stipulate and Agree as follows:

WHEREAS, the parties have reached an agreement regarding the custody of the
said minor child(ren) (**initials and year of birth**):

NOW, THEREFORE, the parties, intending to be legally bound, hereby agree as follows:

1. Legal custody of the minor child(ren) shall be *(pick one)*
 - ☐ shared by Mother and Father
 - ☐ solely with Mother
 - ☐ solely with Father

If legal custody is shared by Mother and Father, the parties shall consult and cooperate with one another on the major decisions affecting the child(ren)'s life, such as education, religious training, medical treatment, and so forth. Each parent shall have the right to receive directly from the child(ren)'s school, copies of the child(ren)'s report cards, notices of parent/teacher conferences, and any other information normally released to a custodial parent. Each parent shall further have the right to receive any medical, dental, or day care records or reports normally released to a custodial parent.

2. Physical custody of the said minor child(ren) shall be as follows: *(select a, b, or c)*
- a. ☐ Primary physical custody with Mother
 - b. ☐ Primary physical custody with Father
 - c. ☐ Shared physical custody with Mother and Father (approximately equal).

Explain the custody pattern of sharing:

If a or b is selected, complete d.

- d. ☐ Partial physical custody as follows:

3. Holidays shall be shared or alternated upon agreement of the parties. If the parties cannot agree, the following schedule applies:

	<u>ODD YEARS</u>	<u>EVEN YEARS</u>
New Years Day	Mother	Father
Easter	Father	Mother
Memorial Day	Mother	Father
Independence Day	Father	Mother
Labor Day	Mother	Father
Thanksgiving	Father	Mother
Christmas	Mother -part 1	Father – part 1
	Father – part 2	Mother – part 2
Mother's Day	Mother	Mother
Father's Day	Father	Father

The holiday schedule supersedes the regular schedule. Except for Christmas, the holidays are a 24-hour period beginning at 5 p.m. the prior afternoon and concluding at 5 p.m. on the holiday itself. However, the concluding time shall not be earlier than the regular period of partial custody, if that time would otherwise apply.

For instance, if Mother has primary custody, and Father partial custody on alternate weekends from Friday at 5 p.m. until Sunday at 7 p.m., Father's Day shall be celebrated as follows: In a year when Father's Day falls on Mother's weekend, Father shall have custody from 5 p.m. on Saturday until 5 p.m. on Sunday; in a year when Father's Day falls on Father's weekend, Father shall have custody from Friday at 5 p.m. until Sunday at 7 p.m.

The Christmas holiday is divided into two parts: part one is Dec. 24th from 5 p.m. until Dec. 25th at 11 a.m.; part two is Dec. 25th from 11 a.m. until 8 p.m.

4. Each parent shall have the right to exercise _____ weeks of vacation custody each summer upon _____ weeks' notice to the other parent. Either parent away from home on vacation with the minor child(ren) shall advise the other parent in advance of the vacation address and telephone number.

5. Transportation necessary to effectuate the custodial schedule shall be as follows:

6. Each party shall keep the other advised of a current address and telephone number.

7. Each party shall advise the other promptly of any illness suffered or injury sustained by the minor child(ren). Each party shall keep the other advised in advance of any doctor appointments or medical treatment, except in cases of emergency, when each party shall notify the other as soon as possible

8. The non-custodial parent at any given time shall have reasonable ongoing telephone access to the minor child(ren), and the minor child(ren) shall not be precluded from telephoning the non-custodial parent at reasonable times. Should the child(ren) be

unavailable to receive a telephone call from a parent, the custodial parent shall be responsible for having the child(ren) return the telephone call.

9. The parties may modify the schedule set forth above as they may agree to be in the best interests of their minor child(ren), and the parties are encouraged to be flexible in accommodating reasonable requests for schedule changes.

10. The parties shall not undertake or allow by any other person the poisoning of the minor child's mind against one of the other parties by conversation which includes any critical, hostile, or condemning language, or in any way derogates the other party or extended family members.

11. The parties shall not conduct or permit arguments or heated conversations in the presence or hearing of their minor child.

12. Neither party shall attempt, or condone any attempt directly or indirectly, by any artifice or subterfuge whatsoever, to estrange the child(ren) from the other parent, or to injure or impair the mutual love and affection of the child(ren). At all times each parent shall encourage and foster in the child(ren) a sincere respect and affection for the other parent and shall not hamper the natural development of the child(ren)'s love and respect for the other parent.

13. The parties shall keep each other advised on an ongoing basis of a schedule of all curricular and extra-curricular activities and events in which the minor child(ren) is/are engaged. Both parents shall have the right to attend these activities and events and participate in them to the extent parents are normally allowed or encouraged to do so. During scheduled periods of custody, both parents shall be responsible for the child(ren)'s attendance at activities and events.

14. The parties have, or will, attend the COPE program as required by Lehigh County Rules.

15. Enrollment in public school shall be controlled by the Pennsylvania School Code, which provides a child shall attend school in the district in which the parent with whom the child resides or to whom the custody of the child has been given. 24 P.S. § 13-1302; *Mathias vs. Richland School District*, 592 A.2d 811, 812 (Pa.Cmwlth.1991).

16. Any fraudulent representations by parties to school officials and/or the Court regarding school enrollment issues may be considered as a relevant factor in the Court's determination when awarding custody.

17. The custodial party shall not change the residence of the minor child if such change will significantly impair the ability of a non-relocating party to exercise custodial rights. In the event the custodial party desires to relocate, he/she shall provide Notice as required by 23 Pa.C.S. §5337 and Pa.R.C.P.1915.17. No relocation shall occur unless every individual who has custody rights to the child consents, or the court approves the proposed relocation.

18. Other provisions:

19. The parties request that this Agreement be made an Order of Court.

Plaintiff (sign)

Defendant (sign)

Plaintiff (print)

Defendant (print)

Date

Date