

Modified Possession Order

(Day Visits / No Overnights)

The Court ORDERS that this Modified Possession Order is fully incorporated into the Decree or Order to which it is attached.

The Court ORDERS each conservator to obey this Modified Possession Order. The Court ORDERS that this Modified Possession Order starts immediately and applies to all periods of possession occurring on and after the date the Court signs the Order to which the Modified Possession Order is attached.

1. Designation of Conservators

The Court ORDERS that in this Possession Order the conservators are called Parent A and Parent B.

"Parent A" is: (name) _____
Print the full name of one parent.

"Parent B" is: (name) _____
Print the full name of the other parent.

2. Findings

The Court FINDS that this Modified Possession Order is the best interest of the child/ren,

Print the full name of each child.

and that the restrictions or limitations on Parent B's right to possession of or access to the child/ren are required to protect the best interest of the child/ren.

3. Possession Schedule

The Court ORDERS that Parent A shall have the right possession of the child/ren at all times not specifically awarded to Parent B below.

The Court ORDERS that Parent B shall have the right to possession of the child/ren on the following days and times, unless otherwise agreed by Parent A in writing: **(Only box checked applies)**

Every _____ beginning at ____:____.m. and ending at ____:____.m. that same day.
Day of the week. Start Time End Time

1st, 3rd and 5th _____ of each month beginning at ____:____.m.
Day of the week. Start Time
and ending at ____:____.m. that same day.
End Time

The Court also makes these additional ORDERS: **(Only those orders checked apply.)**

Parent B is ORDERED not to drink alcohol or use illegal drugs 24 hours prior to or during possession of the child/ren.

Parent B is ORDERED not to remove the child/ren from _____ County, Texas.

Other Orders: _____

4. General Terms and Conditions

Except as otherwise expressly provided in this Possession Order, the following terms and conditions apply regardless of the distance between the residence of a parent and the child:

a. Exchange of Children at Start of Parent B's Possession

If a period of Parent B's possession begins at the time the child's school is regularly dismissed, then Parent A is ORDERED to surrender the child to Parent B at the school in which the child is enrolled. If the child is not in school, Parent A is ORDERED to surrender the child to Parent B at the location designated below.

If a period of Parent B's possession begins at another time, the Court ORDERS Parent A to surrender the child/ren to Parent B at the beginning of each such period of Parent B's possession at: *(Check one.)*

Parent A's residence.

the following location: _____

b. Exchange of Children at End of Parent B's Possession

If a period of Parent B's possession ends at the time the child's school resumes, then Parent B is ORDERED to surrender the child to Parent A at the school in which the child is enrolled or, if the child is not in school, then Parent B is ORDERED to surrender the child to Parent A at the location designated below.

If a period of Parent B's possession ends at another time, the Court ORDERS Parent B to surrender the child to Parent A at the end of each such period Parent B's possession at: *(Check one.)*

Parent B's residence.

Parent A's residence.

The following location: _____

However, if Parent A and Parent B live in the same county when the order is signed and Parent B remains in the county, but the Parent A moves out of the county, then beginning on the date Parent A moves, Parent B shall surrender the child to Parent A at: *(Check one.)*

Parent B's residence.

the location designated above.

c. Personal Effects - Each parent is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of possession.

d. Designation of Competent Adult - Each parent may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a parent or a designated competent adult be present when the child is picked up or returned.

e. Inability to Exercise Possession - Each parent is ORDERED to give notice to the person in possession of the child on each occasion the parent will be unable to exercise that parent's right of possession for any specified period.

f. Written Notice - Written notice, including notice by email or fax is timely made if it is received or, if applicable, postmarked before or at the time that notice is due. Each parent is ORDERED to notify the other parent of any change to his or her email address or fax number within 24 hours after the change.

g. Notice to School and Parent A - If Parent B'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 B shall immediately notify the school and Parent A that the child will not be or has not been returned to school.

5. Notice to any Peace Officer of the State of Texas

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000.

This concludes the Possession Order.