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IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

In re the Marriage of:

[Redacted]

Petitioner,

and

[Redacted]

Respondent.

DISTRICT COURT
FILED
FEB 23 2017
DON NEWBERRY Court Clerk
STATE OF OKLA. TULSA COUNTY

CASE NO. [Redacted]

2017 FEB 23 PM 2:41
DON NEWBERRY
COURT CLERK

JOINT CHILD CUSTODY PLAN

The Petitioner, by her undersigned counsel, and the Respondent, pro-se respectfully submit this *Joint Child Custody Plan* ("Plan") with supporting affidavits for the Court's consideration and represent to the Court that the terms and provisions of this Plan appear to be in the best interest of the minor children, [Redacted], born March 2000, now 16 years of age; and K.B., born April 2009, now 7 years of age; that for purposes of child care, custody and control, both parties believe themselves to be fit and proper persons and parents, physically and psychologically, to be granted physical and legal care, custody and control of their said minor children; that this Court should adopt this Plan as the Court's final plan for the exercise of the joint care, custody and control of the minors herein.

Petitioner and Respondent therefore move this Court to order as follows:

1. Both parents shall have equal rights and responsibilities to said minor children, and neither parent's rights shall be superior except as may otherwise be provided herein.

2. Both parents shall reasonably confer with one another by the most reasonable and appropriate method; and they shall share decision-making authority as to important matters affecting the physical mental, and moral welfare and upbringing of their minor children to arrive at decisions promoting their children's best interests.
3. Both parents shall specifically jointly decide the following matters:
 - a. Medical, dental, vision and other health care the children receive it being the intent of the parents to continue to utilize the children's current health care providers for all normal, regular and routine care;
 - b. Schools, classes, courses and teachers which they shall attend, and the children shall continue to attend their current and private schools;
 - c. Summer camps and extra-curricular and enrichment activities they shall participate in;
 - d. Manner of discipline; however, the parents shall each have the right to administer non-corporal discipline while the children are in their sole care, and they shall not permit any third person to administer any manner of corporal punishment;
 - e. Extent of travel away from home, including destination, purpose, duration, mode, chaperone(s), etc;
 - f. Churches the children shall attend and formal religious instruction which they shall receive; and
 - g. Such other matters requiring decisions affecting the growth and development of the children.

4. To ensure continuing association between the minor children and each of their parents and to best promote and foster continued parent-children companionship, Mother shall have primary custody of the children subject to Father's right to visitation according to the physical custody schedule attached to this Plan.
5. Father shall notify Mother reasonably in advance, and no later than twenty-four (24) hours immediately prior to his scheduled visitation period, if he cannot exercise any or all of his visitation.
6. Mother shall have sole decision-making authority concerning the children's routine health care during periods of time the children are in Mother's care.
7. Both parents shall be required to consult with each other and make joint decisions regarding major or non-routine medical care or treatment. Neither parent shall be permitted to schedule elective surgery for the minor children without the consent of the other parent.
8. The parent having physical custody of the minor children at the time shall have the right to authorize emergency medical care or treatment; provided, however, that the person having physical custody shall notify the other parent of the emergency upon the occurrence of the emergency. If the children are in the physical care of anyone other than a parent, Mother shall have the right to authorize emergency medical care or treatment and shall notify Father of the emergency upon the occurrence of the emergency.
9. In no event shall the children be permitted to travel outside the contiguous United States of America for more than a period of fourteen (14) days on any single occasion,

nor shall they do so without the express consent of the other, nor shall they be permitted to travel to any country which is not a signatory to and current member of the Hague Convention on the Civil Aspects of International Child Abduction and has a reputation of complying with the provisions of said Convention.

10. Except as set forth elsewhere herein, each parent shall decide all normal, regular and routine matters concerning said children's welfare during their respective physical custodial periods, and each parent shall cooperate with one another in maintaining a mutually supportive arrangement regarding such normal, regular and routine matters.

11. The Respondents and Respondent's parents shall have visitation with all minor children of the parties as follows:

I. REGULAR VISITATION:

- a. The Respondent shall have visitation every first and third weekend from Friday at 6 o'clock p.m., and shall return the child(ren) to Sunday at 6 o'clock p.m.
- b. The Respondent may designate his parents to enjoy either of these visitation periods. Respondent's parents shall not take the children to any religious instruction or observe or participate in any religious service, except by prior written agreement of the parties. Respondent shall be responsible to ensure that Respondent's parents are physically present and able to devote time and attention to the care of the children(ren) and shall prohibit any relinquishment of care of the child(ren) to other family members. This provision does not

create grandparental rights to visitation independent of Respondent's visitation periods with the children.

- c. Respondent may designate any competent licensed adult driver to pick up and return the child(ren) to the Petitioner provided, however, that such driver does not pose a danger to the child(ren) or cause conflict with Respondent. Additionally, in the event the children are traveling by air or any other public transit system, the Petitioner shall be responsible for delivering the child(ren) to the airport or other transport Hub in Petitioners home town and retrieving them therefrom at the end of visitation.
- d. The Regular Visitation provided in this section shall occur during the school year and shall not occur from June 1st until the 1st day of school.
- e. The parties may send representatives to pick up the child(ren), or the child(ren) who are licensed to drive may drive themselves and their siblings.

II. HOLIDAY VISITATION:

<u>HOLIDAY</u>	<u>EVEN YEARS</u>	<u>ODD YEARS</u>
Spring Break	Petitioner	Respondent
Fall Break	Respondent	Petitioner
1 st part of Christmas Break (from the time when the children recess from school until 8:00 a.m. on December 27 th).	Respondent	Petitioner
2 nd part of Christmas Break (from 8:00 a.m. on December 27 th until 6:00 p.m. on the day before school resumes).		
Thanksgiving Break	Petitioner	Respondent
Easter Break	Petitioner	Respondent

Spring Break, Fall Break, Thanksgiving Break and Easter Break shall be determined by the school the child(ren) are attending.

- b. All Mother's Day weekends shall be spent with the Mother.

All Father's Day weekends shall be spent with the Father.

These weekends shall begin at 6:00 p.m., Friday before Mother's Day or Father's Day and conclude on the following Sunday at the return time for regular weekend visitation which is 6:00 p.m.

- c. THE HOLIDAY SCHEDULE SUPERSEDES ALL REGULARLY SCHEDULED VISITATION.

III. SUMMER VISITATION:

- a. The Respondent shall have summer visitation with the children for two (2) non-consecutive weeks during the period of June through July and must notify the Petitioner of the dates in writing by March 30 of each year.
- b. Two weeks shall mean two periods of seven (7) consecutive days, with the visitation beginning and ending at 6 p.m.
- c. The July 4th holiday (from 6 p.m., on July 3rd to 6 p.m., on July 5th) shall alternate between the parties on a yearly basis.
- d. The Respondent shall have summer visitation from 6 p.m., on August 1st until 6 p.m., on August 8th.
- e. The Respondent shall not schedule periods of summer visitation consecutively to create a period of three (3) consecutive weeks (such as the last 2 weeks of July and the first week of August).

f. The Regular Visitation schedule shall resume on the weekend immediately following the first day of school.

g. Subject to the right of the Mother to have her parents care for the children, if Mother will be absent for more than forty-eight (48) hours while the children are in her care, then the Mother shall provide notice to the Father as soon as practicable, and the Father shall have the right to care for the children during that absence.

IV. OTHER PROVISIONS:

a. Toys and clothes belonging to the child(ren) should travel freely between households and shall be returned with the child(ren) in a clean and orderly manner. Toys and clothes will be primarily housed in the Petitioner's home and the Petitioner shall be deemed the owner of the property of the minor children residing there.

b. Parents are allowed to deviate from this schedule by mutual agreement. Parents should give maximum consideration to the ability of the three siblings to spend time together.

c. Special consideration should be given to each parent to make the child(ren) available to attend family functions, including funerals, weddings, family reunions, religious holidays, important ceremonies and other significant events in the life of the child or in the life of either parent which may inadvertently conflict with this visitation schedule.

- d. This visitation schedule is for the purpose of providing assured minimum amounts of visitation between Respondent and the child(ren).
 - e. In addition, liberal telephone and electronic communications between the Respondent and the child(ren) are encouraged and should occur. Unless otherwise agreed upon by the parties "liberal telephone and electronic communications" is defined as twice a week between Monday and Friday and once during the weekend. Messages, texts, emails and calls from one parent to the other regarding the child(ren) should be promptly returned, preferable within twenty-four (24) hours. Telephone and electronic communications are also encouraged and should occur between the child(ren) and the Petitioner during the Respondent's visitation.
 - f. Subject to paragraph 11.i.b., if Father is unable to personally exercise his visitation with the children, Mother shall have the right of first refusal to have the children in her care before Father may place the children in the care of any third party, which third party shall be subject to approval by Mother.
12. Both parents shall have the following rights in the best interest of the minor children:
- a. Right to be notified in case of a child's serious illness;
 - b. Right to inspect and receive the children's medical, dental, orthodontic, optical, psychological or other records, and the right to consult with any professional treating the children.
 - c. Right to consult with school officials concerning the children's educational status and the right to inspect and receive student records.

- d. Right to receive copies of all school reports, calendars of school events, notices of parent-teacher conferences and school programs, and the right to purchase school pictures.
 - e. Right to a schedule of the children's extra-curricular activities.
 - f. Right to know the address and telephone numbers of one another, and those places where the minor children might be temporarily staying.
13. Both parents shall be mindful and considerate of the children's school activities, sports activities, peer activities and associations, and the wishes of the children, and in the event of a conflict respecting physical custody or visitation, the parents shall work together reasonably in advance to arrange for alternate periods of physical custody or visitation, if necessary; in addition, Father's periods of holiday visitation with the children shall be such that the children are together, and not separated, for the holiday.
14. In the event of the death, incapacitation, or serious illness of either parent, legal and physical custody of the children shall vest wholly and exclusively in the other parent; and further, that in the event of the death, incapacitation, or serious illness of both parents simultaneously, legal and physical custody of the minor children shall vest wholly and exclusively in the parties' oldest child, K.B. D'Alessandro, born January 9, 1998.
15. Both parents shall refrain from making derogatory remarks or comments about each other in the presence of the children and from asking the children to keep secrets from the other parent.

16. The parents agree that in the event either remarries, that parent's spouse should and shall be made aware of the terms of this *Joint Custody Plan* and shall exert every reasonable effort to ensure that his or her spouse honors and respects the terms and provision of this Plan.

17. Any disagreement or dispute, except in the case of any emergency, concerning this Plan shall be mediated by a qualified mediator, the choice of which shall be agreed upon by the parties or, absent an agreement, may be appointed by this Court; and further, if either parent refuses to promptly and reasonably cooperate with as herein provided, the Court may assess attorney fees and costs of any legal action brought by the other for contempt or enforcement of this provision.

WHEREFORE, Petitioner and Respondent move the Court for and order confirming and adoption the above and foregoing Joint Child Custody Plan and the Court's final Plan in the best interest of their minor children.

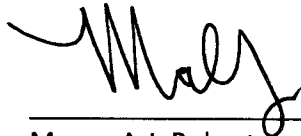
ORDER CONFIRMING JOINT CUSTODY PLAN

Now on this 23 day of Feb . , 2017, I the undersigned Judge of the District Court have reviewed the foregoing Joint Custody Plan ("Plan") and affidavits of the parties and hereby find it to be in the minor children's best interests and therefore approve it as the final Plan for the custody and care of the parties' minor children.

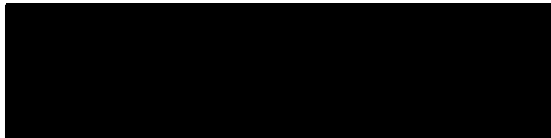
IT IS SO ORDERED.



JUDGE OF THE DISTRICT COURT



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Attorney for Petitioner



Respondent, *Pro Se*

AFFIDAVIT OF PARENT-MOTHER

STATE OF OKLAHOMA]
] ss.
COUNTY OF TULSA]

_____ of lawful age, being first duly sworn upon oath, states that:

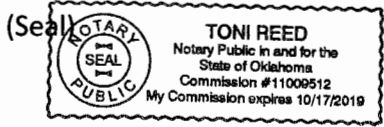
She is the Petitioner/Mother above named. She has read the within and foregoing Joint Custody Plan, knows the contents thereof, and believe it to be in the best interest of the children.

She also states that she agrees to the plan and will abide by its terms.

SUBSCRIBED AND SWORN to before me this 23 day of February, 2017.

Toni Reed
Notary Public

My commission expires: 10/17/2019



AFFIDAVIT OF PARENT-FATHER

STATE OF TEXAS]
] ss.
COUNTY OF HARRIS]

_____ of lawful age, being first duly sworn upon oath, states that:

He is the Respondent/Father above named. He has read the within and foregoing Joint Custody Plan, knows the contents thereof, and believe it to be in the best interest of the children.

He also states that he agrees to the plan and will abide by its terms.

SUBSCRIBED AND SWORN to before me this 16th day of February, 2017.

Toni Reed
Notary Public

My commission expires: 10/17/2019

