

Handwritten signature



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

IN RE THE MARRIAGE OF:

[Redacted]

PETITIONER,

VS.

[Redacted]

RESPONDENT.

DISTRICT COURT
FILED
APR 23 2018
DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY

COURT CLERK

2018 APR 23 PM 1:39

CASE NO. [Redacted]

JOINT CUSTODY PLAN

Petitioner, [Redacted] and Respondent, [Redacted] pursuant to 43 O.S. § 109, hereby submit the following Joint Custody Plan which is hereby approved by this Court as in the best interests of the parties' minor children:

1. THE COURT FINDS that the parties shall each have joint legal custody of their minor children such that neither parent has any greater authority than the other with respect to significant decisions in the children's lives affecting their health, safety, education, etc.

2. THE COURT FURTHER FINDS that Wife shall be primary physical custodial parent of the parties' minor children. Commencing with Friday, April 20, 2018 Husband shall be entitled to physical custody of the minor children on alternating weekends from the day and at the time on which the children's classes recess for the weekend (or 12:00 noon on Thursdays when classes are not in session) until 8:00 p.m. on the evening prior to the resumption of classes, (or 8:00 p.m. on Monday when school is not in session on such Monday).

3. THE COURT FURTHER FINDS that, to the extent Husband ever plans to be in the Tulsa area on a day or days on which he is not otherwise scheduled to enjoy physical custody of the children, Husband can, upon 21 days written notice to Wife, reserve physical custody of the

children for that time with such physical custody to be exercised in the Tulsa area, the exercise of which shall be from 8:00 p.m. on the date he arrives in Tulsa until 8:00 p.m. on the date he departs from Tulsa. The exercise of this physical custody shall be in addition to, and not in lieu of, Husband's entitlement to physical custody of the children on alternating weekends. Further, Father's entitlement to additional time with the children pursuant to this paragraph shall not exceed five overnights per calendar month.

4. THE COURT FURTHER FINDS that Husband shall be entitled to holiday physical custody of the children as follows. Wife shall be entitled to the same schedule of holiday physical custody in alternating years.

- A. **Labor Day:** Father shall have physical custody in odd-numbered years from 6:00 p.m. on the Friday preceding Labor Day until 8:00 p.m. on Labor Day.
- B. **Thanksgiving:** Father shall be entitled to physical custody in odd-numbered years from 6:00 p.m. on the evening before Thanksgiving Day until 8:00 p.m. on the following Sunday.
- C. **Christmas:** Father shall be entitled to physical custody of the children in even-numbered years from the time at which the children's Christmas Break begins until seven days later at 6:00 p.m. (not counting the day on which the children's school recesses for Christmas Break)

In odd-numbered years, Father shall be entitled to physical custody of the children from 6:00 p.m. seven days following the commencement of the children's Christmas break until 6:00 p.m. the evening prior to the resumption of the children's classes.
- D. **Spring Break:** Father shall be entitled to physical custody of the minor children in odd numbered years from 6:00 p.m. on the day school recesses until 8:00 p.m. on the evening prior to the resumption of classes.
- E. **Easter:** Father shall be entitled to physical custody of the minor children in even-numbered years from 6:00 p.m. on the Friday preceding Easter until 8:00 p.m. on Easter Sunday.

- F. **Memorial Day:** Father shall be entitled physical custody of the minor children in odd-numbered years from 6:00 p.m. on the Friday preceding Memorial Day until 8:00 p.m. on Memorial Day.
- G. **Independence Day:** Father shall be entitled to physical custody of the minor children in even-numbered years from 6:00 p.m. on July 3rd until 8:00 p.m. on July 5th.
- H. **Mother's Day:** Mother shall be entitled to physical custody of the minor children each Mother's Day weekend from Thursday at 6:00 p.m. until Sunday at 8:00 p.m.
- I. **Father's Day:** Father shall be entitled to physical custody of the minor children each Father's Day weekend from Thursday at 3:00 p.m. until Sunday at 8:00 p.m.
- J. **Summer Break:** Father shall be entitled to four weeks during the children's summer recess from school, to be exercised in two non-consecutive periods of two weeks each uninterrupted by Mother's exercise of physical custody. Such exercise shall commence and conclude at 8:00 p.m.

Father shall send Mother a writing (*i.e.* email, text, letter, etc.) on or before April 1st of each year identifying the specific weeks in which Father shall exercise his summer break physical custody.

5. THE COURT FURTHER FINDS that, in the event of conflict between one parent's holiday physical custody rights and the other parent's weekend or summer break physical custody rights, the holiday physical custody schedule and rights shall control.

6. THE COURT FURTHER FINDS that Husband shall be responsible for arranging all transportation of the children incidental to the exercise of his physical custody rights. Wife shall be responsible for cooperating with all such transportation arrangements, including timely delivery of the children to a departure point designated by Husband in the city in which the child is located at the beginning of Husband's physical custody period. (*e.g.*, If Husband arranges for air transportation for the children, it will be Wife's responsibility to get them to the airport).

7. THE COURT FURTHER FINDS that both parties should allow liberal telephone visitation by the other with the children at reasonable hours during their respective periods of physical custody.

8. THE COURT FURTHER FINDS that neither party shall excessively consume alcohol or other intoxicants during the exercise of his or her respective actual physical custody rights.

9. THE COURT FURTHER FINDS that neither parent shall have or be an unrelated overnight guest of the opposite sex during the exercise of his or her respective actual physical custody rights unless the host or guest is a person with whom the parent has been involved in an exclusive romantic relationship for six consecutive months or more.

10. THE COURT FURTHER FINDS that, if either parent is unable to exercise his or her actual physical custody rights according to the schedule set forth herein, he or she should notify the other at least 24 hours in advance of same.

11. THE COURT FURTHER FINDS that all references to the commencement of physical custody rights based on the class or school schedule as set forth herein shall refer to the school in which any particular child is actually enrolled for that particular child.

12. THE COURT FURTHER FINDS that, absent other agreement of the parties, the children's passports are to be held by a mutually agreeable third party. Further, any trips out of the United States shall be agreed upon by the parties.

RELOCATION

THE PARTIES FURTHER ACKNOWLEDGE that pursuant to 43 O.S. § 112.3, in the event the parent entitled to actual physical custody of the child(ren) for more than 182 overnights per year pursuant to the schedule set forth herein desires to relocate the parties' child(ren) more than seventy-five (75) miles from the present residence of the child(ren) for a period of sixty (60)

days or more, the such parent shall provide the non-relocating parent with the following information by mail to the non-relocating parent's last-known address not later than the sixtieth day before the intended move or proposed relocation, or the tenth day after the date that the relocating parent knows the information required to be furnished pursuant to this paragraph, if the relocating parent did not know and could not reasonably have known the information in sufficient time to comply with the sixty-day notice, and it is not reasonably possible to extend the time for relocation of the children:

- a. the intended new residence, including the specific address, if known;
- b. the mailing address if not the same; the home telephone number, if known;
- c. the date of the intended move or proposed relocation;
- d. a brief statement of the specific reasons for the proposed relocation of the children, if applicable;
- e. a proposal for a revised schedule of physical custody with the children, if any;
- f. the following warning to the non-relocating parent to be provided in writing and in conjunction with the foregoing information:

“If you, as the non-relocating parent, do not file a proceeding seeking a temporary or permanent order to prevent the relocation within thirty (30) days after receipt of notice of intent to relocate the residence of the children, such relocation shall be deemed authorized by the Court.”

THE PARTIES FURTHER ACKNOWLEDGE that the relocating parent's obligation to furnish the information set forth in the immediately preceding paragraph to the non-relocating parent continues as long as the non-relocating parent, or any other person, by virtue of this Order, are entitled to physical custody of or visitation with a child covered by this Order. Further, the relocating parent's failure to obey the Order of the court to provide the non-relocating parent

with notice of information regarding the proposed relocation or change of residential address may result in further litigation to enforce the Order of this Court. In addition, the relocating parent's failure to notify of relocation may be taken into account in a modification of custody of, visitation with, possession of or access to the children. Reasonable costs and attorney fees also may be assessed against the custodial parent if the relocating parent fails to give the required notice.

AND IT IS SO ORDERED.



JUDGE OF THE DISTRICT COURT

AFFIDAVIT IN SUPPORT OF CUSTODY PLAN

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) ss.

_____ being of lawful age, and having been duly sworn and deposed, states as follows:

1. I have read the Custody Plan and understand each of its terms.
2. I agree to be bound by each of the terms and provisions contained within the foregoing Joint Custody Plan.

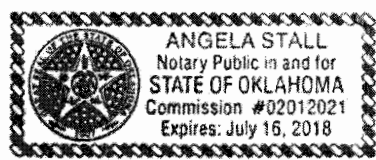
FURTHER AFFIANT SAYETH NOT.

AS

Subscribed and sworn to before me this 23rd day of April, 2018.

Angela Stall
NOTARY PUBLIC

My Commission Expires:
July 16, 2018
[SEAL]



AFFIDAVIT IN SUPPORT OF CUSTODY PLAN

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) ss.

_____ being of lawful age, and having been duly sworn and deposed,
states as follows:

1. I have read the Joint Custody Plan and understand each of its terms.
2. I agree to be bound by each of the terms and provisions contained within the foregoing Custody Plan.

FURTHER AFFIANT SAYETH NOT.



Subscribed and sworn to before me this 23rd day of April, 2018.

Annette M. Stacy

NOTARY PUBLIC

My Commission Expires:

