
VERSUS

DOCKET NUMBER:

PARISH, LOUISIANA

JOINT CUSTODY PLAN

NOW INTO COURT, through undersigned counsel, comes FATHER and MOTHER who stipulate to joint custody of the minor child(ren) born of the marriage, _____, born on _____, in accordance with Louisiana Civil Code Article 131, and La. R.S. 9:335., et seq, which said joint custody plan is hereinafter set forth.

A. PHYSICAL CUSTODY

FATHER and MOTHER shall enjoy joint custody of the minor child, with _____ being named the domiciliary parent of said child.

FATHER/MOTHER, shall have the physical custody and control of the minor child as follows:

During the summer school vacation with the exception of the week before school, FATHER and MOTHER shall each be entitled to the physical custody and control of the minor child as follows:

The domiciliary parent shall have the physical custody and control of the minor child at all times when the other parent does not have the physical custody and control of said child.

The parties shall alternate the physical custody and control of the minor child for the following holiday periods:

Notwithstanding the foregoing, the child shall spend every Mother's Day with her MOTHER from 9:00 A.M. until 6:00 P.M. on said day, and shall spend every Father's Day with FATHER from 9:00 A.M. until 6:00 P.M. on said day.

In the event a holiday consists of a Monday, such as Martin Luther King Day, Memorial Day, Independence Day, Labor Day, etc., the parent having custody and control of the minor child for the weekend immediately preceding the holiday, shall also have custody and control of the child through the holiday, and if the child is to be returned to the custody and control other parent, it shall be at the usual time and location.

It is specifically understood and agreed that the summer vacation, holiday and mother's day/father's day custodial periods shall supersede the regular custodial periods of the parties set forth above.

In exercising said Joint Custody, each parent is responsible for picking up the minor children at the commencement of his or her custodial period.

Either party may have physical custody and control of the minor children at such other times as are mutually agreed upon by both parties. Each parent is to maintain sufficient flexibility to allow for variations made necessary by the ebb and flow of social, educational and recreational life.

Each parent shall transfer to the other sufficient wardrobe for the children considering the season.

B. OUT OF STATE /OUT OF TOWN TRAVEL

Either party may travel out of Lafayette Parish, Louisiana, with the minor child. However, the parent traveling out of the Parish shall notify the other parent at least forty-eight (48) hours in advance if the parent and the minor child will be away from his or her residence with the minor child overnight. The party traveling with the minor child shall notify the other parent of the destination of the travel, the name and location where the parent and minor child will be lodging and a telephone number where the parent and/or minor child can be reached.

In the event either parent will be away from their regular place of residence overnight while the minor child is in the custody and control of said parent, said parent shall offer the other parent the right to baby-sit should the occasion arise. In the event the other parent not enjoying the physical custody and control of the minor child cannot baby-sit, the parent with custody and control shall arrange for an appropriate baby-sitter. In such event, the other parent shall be advised in advance of the location of the child and a telephone number where the child can be reached.

C. RIGHT OF ACCESS AND INFORMATION

When one party is exercising physical custody and control of the minor child, the other party shall have the right of access by telephone during reasonable hours and the right to visit with the child with reasonable notice and with the consent of the party exercising physical custody and control.

The parties are to communicate concerning all factors affecting the health, education and welfare of the child. Cost of long distance communication shall be borne by the party initiating the same.

The child shall have complete and full access to communication with each parent. No communication shall be intercepted, censored, or monitored. Both parties shall not restrict the right of the other party without physical custody to reasonable telephone access and communication with the child during reasonable hours.

All information regarding school, report cards, conferences, trips, functions, meetings, etc. will be furnished to the other parent as either one of them receives such information.

All medical and other information regarding the child's health and welfare will be furnished to the other parent as either parent receives the same.

The above types of information must be exchanged by the parents and discussed accordingly. The parents shall not communicate through the child, or third parties, or use the child because they refuse to communicate.

Either party shall be entitled to immediate access from third parties of records and information pertaining to the minor child, without permission from the other, including, but not limited to, medical, dental, health, and school, psychological and educational records.

Each of the parties shall keep the other party currently advised of their residence and business address and telephone numbers.

Each parent must not ignore the authority and input of the other by the failure to communicate or use the child to inform each other of decisions on important matters.

D. MEDICAL AND DENTAL TREATMENT

When the minor child is in the physical custody and control of one of the parties, said party shall have the right to seek emergency medical and dental care and treatment of the minor child without the consent of the other party. When the medical and dental care and treatment of the child is of a non-emergency nature, both parties shall mutually agree as to the medical treatment to be sought and the health care provider to be utilized in the event the minor child is seeing a medical and/or dental health care provider other than her regular doctor or dentist. In the event the parties do not agree to the medical and dental care and treatment of the child that is of a non-emergency nature, then the recommendations of the treating medical and/or dental health care provider shall control. If a party does not agree with the recommendations of the treating medical and/or dental health care provider, said party may only prevent the medical or dental care and treatment by filing a Rule to Show Cause with the Court. Each party shall have the right to obtain a second opinion for any medical and dental care and treatment of the minor child, which shall be at the sole cost of the party seeking the second opinion, unless the second opinion is sought by mutual agreement of the parties.

E. SCHOOLING AND EXTRACURRICULAR ACTIVITIES

The minor child shall attend _____ School unless another school is mutually agreed upon by both parties.

All extracurricular activities of the minor children that will impact the custodial period of the other party shall be by mutual agreement. Each of the parties shall maintain the extracurricular activities of the minor child while in his or her physical custody and control.

F. CHANGE OF RESIDENCE OF PARENT

The domicile of the minor child shall remain in Lafayette Parish, Louisiana.

Any relocation of the minor child's residence shall be in accordance with La. R.S. 9:355.1 et seq.

G. REMARRIAGE

Should either party remarry, it shall not, in and of itself, be considered a change in circumstances sufficient to seek a modification of this Joint Custody Plan.

H. TRANSPORTATION

Each parent is responsible for transportation of the child while in residence.

I. PLAN MODIFICATION

The parties are encouraged to mediate any changes desired under this Joint Custody Plan. If, however, the parties cannot agree on a mediator, or should they agree upon a mediator and be unable to resolve their differences, both parties reserve the right to seek a judicial determination as to the same.

J. TUTORSHIP

The parent shall enjoy the natural co-tutorship of the child in accordance with Articles 250 and 258 of the Louisiana Civil Code, except as limited herein.

K. PROPERTY OF THE CHILD

The parents shall have administration of the property of the child provided by Article 4262 of the Louisiana Code of Civil Procedure.

L. ACUTE ILLNESS

In the event of serious acute illness, each parent shall afford reasonable visitation to the other upon request.

M. PROHIBITIONS

Neither party shall attempt, nor condone any attempt, directly or indirectly, by any artifice or subterfuge whatsoever, to estrange the child from the other party, or to injure or impair the mutual love and affection of the child and the other parent. At all times the parties shall encourage and foster in the child a sincere respect and affection for both parents, and shall not hamper the natural development of the child's love and respect of the other parent.

Neither party shall use any type of illegal or mind altering drugs, or drink alcoholic beverages in violation of the law when the minor child is in their physical custody.

RESPECTFULLY SUBMITTED, this _____ day of _____, 20_____.