

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
FAMILY COURT SERVICES**

Standard Language – Custody Order

LEGAL CUSTODY RIGHTS AND RESPONSIBILITIES

- A parent shall not be denied access to records and information pertaining to a minor child pursuant to Family Code § 3025: 'Notwithstanding any other provision of law, access to records and information pertaining to a minor child including, but not limited to, medical, dental, and school records, shall not be denied to a parent because that parent is not the child's custodial parent.'
- Each parent will have access to and has the right and obligation to keep him or herself advised of information concerning the well-being of the child, which shall include but not be limited to: report cards; State standardized test results; order forms for school pictures; significant communications from medical or mental health care providers; the names, addresses, and telephone numbers of all schools, health care providers, regular childcare providers, and counselors.

SAFETY AND PROTECTION (UNSUPERVISED VISITS)

- The parents may supplement or revise the terms and conditions of this custody agreement as the needs of the child change. Such changes shall be in writing, dated and signed by both parents and notarized. If controversy arises, the existing Order of the Court shall remain in full force and effect pending further Order of the Court. In the event of reconciliation and a subsequent separation, the existing Order of the Court shall remain in full force and effect from the date of the subsequent separation.
- The parents shall refrain from doing or saying anything in the presence of the child that will diminish the love and affection the child has for the other parent. The parents shall not question the child about the personal life of the other parent, nor discuss custody, visitation, or child support issues in the presence of the child, or question the child about where they want to live. The parents shall neither argue nor insult each other in the presence of the child, nor allow any third party to do so. Both parents shall encourage the child to be with the other parent, in accordance with the Court Order, and help to ensure a peaceful transition from one parent to the other.
- The parents may NOT use the child as messengers between them.
- Each parent shall be empowered to obtain emergency health care for the child without the consent of the other parent. Each parent shall notify the other parent as soon as reasonably possible of all emergencies involving the child including, but not limited to, illness or emergency requiring medical attention.
- Both parents are required to administer any prescribed medications for the child.
- Both parents shall be listed on all emergency cards for the child including but not limited to the child's school and/or childcare provider. The mother shall be listed as 'mother' and the father shall be listed as 'father'. This provision does not authorize either parent to remove the child from the school or childcare facility for visitation during regular hours, unless otherwise authorized in the Court order or agreed to between the parents in writing.
- Each parent must notify the other of the name and address of each health practitioner who examines or treats the child; such notification must be made within 24 hours prior to commencement of the first such treatment or examination.
- The parents are restrained from interfering with the transporting of the child's clothing and personal possessions between the parents' homes. Each parent shall ensure that the child's clothing and personal

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possessions are returned to their home of origin in a timely manner, unless otherwise agreed upon between the parents.

- In the event the receiving parent is unable to exercise visitation on a given occasion, he or she must provide the other parent with at least 24-hours advance notice of the cancelation of the visit with the child.
- The parent responsible to arrange transportation to and from the exchanges may utilize a third party to transport the child, if needed. If a third party is utilized, he/she shall be known to the parents and the child.
- The child must be driven only by a licensed and insured driver and the vehicle must have legal child restraint devices.
- Neither parent will schedule activities for the child during the other parent's scheduled parenting time without the other parent's prior agreement.
- Neither parent will change the last name of the child or have a different name used on the child's medical, school, or other records without written consent of the other parent.
- The child must not be left alone without age-appropriate supervision.

SAFETY AND PROTECTION (SUPERVISED VISITS)

- The child must be driven only by a licensed and insured driver and the vehicle must have legal child restraint devices.
- The parent responsible to arrange transportation to and from the supervised visit may utilize a third party to transport the child, if needed. If a third party is utilized, he/she shall be known to the parents and the child.
- In the event the father/mother is unable to participate in the supervised visitation on a given occasion, he/she must provide the supervising agency/third party with at least 72 hours advance notice of the cancelation of the supervised visit.
- If the father/mother fails to arrive at the appointed time and fails to notify the other parent that he/she will be late, then the father/mother need wait for only 15 minutes before considering the visitation cancelled.
- The parents shall refrain from doing or saying anything in the presence of the child that will diminish the love and affection the child has for the other parent. The parents shall not question the child about the personal life of the other parent, nor discuss custody, visitation, or custody child support issues in the presence of the child, or question the child about where they want to live. The parents shall neither argue nor insult each other in the presence of the child, nor allow any third party to do so. Both parents shall encourage the child to be with the other parent, in accordance with the Court Order, and help to ensure a peaceful transition from one parent to the other.
- The parents may NOT use the child as messengers between them.
- The parents may supplement or revise the terms and conditions of this custody arrangement as the needs of the child change. Such changes shall be in writing, dated and signed by both parents and notarized. If controversy arises, the existing Order of the Court shall remain in full force and effect pending further Order of the Court. In the event of reconciliation and a subsequent separation, the existing Order of the Court shall remain in full force and effect from the date of the subsequent separation.

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SUBSTANCE ABUSE PROVISIONS

- The parents shall abstain from all psychoactive drugs not medically prescribed. The parents shall abstain from the use of marijuana, even if prescribed, 24 hours prior to and during any physical contact with the children. The parents shall abstain from the abuse of alcohol 24 hours prior to and during any physical contact with the children. [Abuse of alcohol shall be defined as drinking enough alcoholic beverages that would result in a 0.08% Blood Alcohol Concentration]. If either parent appears to be in violation of this paragraph of the Order, then the other party may call law enforcement to make a determination as to such violation. A violation of this paragraph of the Order may be considered a change in circumstance, and may be taken into consideration by the Court in future custody and visitation matters in this case.
- When the child is in the care of either parent, that parent shall not associate with anyone who is abusing alcohol or using illicit drugs. It is the responsibility of each parent to provide the child with a drug free and sober environment. A violation of this provision may be considered a change of circumstance.
- Neither parent shall expose the child to secondhand smoke. All smoking shall occur outdoors when the child is present. It is the responsibility of each parent to provide the child with a smoke-free environment. A violation of this provision may be considered a change of circumstance.