

Child Custody Agreement Template

THIS CUSTODY AGREEMENT (also referred to herein as this “Agreement”) is made and entered into by and between [FATHER’S NAME] (“the father”) and [MOTHER’S NAME] (“the mother”), on [DATE] in [CITY], [STATE].

IN CONSIDERATION of the circumstances and mutual covenants set forth in this Custody Agreement, and such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

WHEREAS the parties are the parents of the following minor children:

1. [CHILD’S NAME], born on [DOB], and
2. [CHILD’S NAME], born on [DOB] (both children collectively referred to herein as “the children”), and

WHEREAS the parties wish to enter into this Custody Agreement in order to settle the care and custody of the children.

1. **LEGAL CUSTODY & DECISION MAKING.**

The mother shall have sole and exclusive custody of the children and all final decision-making authority related to significant matters impacting the welfare of the children, including but not limited to, matters of education, religion and health care. Notwithstanding the foregoing, the father shall, in every case (except in the event of an emergency), be provided the opportunity to participate in the decision-making process as to any such significant matters.

2. **RESIDENTIAL CUSTODY & ACCESS RIGHTS.**

The mother shall have residential custody of the children. As such, the children will reside at the mother’s residential address, and the mother shall be entitled to child support, which will be paid by the father. In the event of the mother’s death or in the event the mother is otherwise incapable or unable to perform her responsibilities as custodial parent for the children, the father will assume all such responsibilities as custodial parent.

Notwithstanding anything contained in or implied by the foregoing, and subject to the below provisions pertaining to the mother’s access to the children, the father shall have access to the children in accordance with the schedule and terms set forth below (or as otherwise agreed between the parties on a per event basis).

The father will not have access to the children on any weekday, and shall only have access to the children on every other weekend (including 3 days weekends per school schedules). The only exception to the foregoing is as follows:

- 1.

- i. Father's Day. The father shall have access to the children on every Father's Day from [TIME] to [TIME].
- ii. Children's Birthdays. If the father would not otherwise have access to a child on his or her birthday, the father shall nevertheless have access to such child for up to [NUMBER] hours.
- iii. Father's Birthday. If the father would not otherwise have access to the children on his birthday, the father shall nevertheless have access to the children for up to [NUMBER] hours.
- iv. Holidays ("Odd" years). The father shall have access to the children on the following holidays in year one (1) of this Agreement and all other odd number years of this Agreement.
- v. Holidays ("Even" years). The father shall have access to the children on the following holidays in year two (2) of this Agreement and all other even number years of this Agreement.
- vi. Vacations. The father shall have up to two (2) weeks of unrestricted access to the children, during the summer months, for vacation, provided the father works in good faith with the mother and uses best reasonable efforts to schedule such vacation on dates convenient for the mother.

The mother will have access to the children at all times where the father does not have access. In addition, notwithstanding anything contained or implied in the foregoing:

1. Mother's Day. The mother shall have access to the children on every Mother's Day from [TIME] to [TIME].
2. Children's Birthdays. If the mother would not otherwise have access to a child on his or her birthday, the mother shall nevertheless have access to such child for up to [NUMBER] hours.
3. Mother's Birthday. If the mother would not otherwise have access to the children on his birthday, the mother shall nevertheless have access to the children for up to [NUMBER] hours.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and duly delivered and effective as of the date of the last party to sign this Agreement below.

[MOTHER]

DATE

[FATHER]

DATE