STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE

COUNTY OF DISTRICT COURT DIVISION

 FILE NO. CVD

, )

 )

Plaintiff )

 )

V. )

 ) **ORDER**

, )

 )

Defendant )

 THIS MATTER, coming to be heard, and being heard before the undersigned Judge presiding over the x session of Domestic Court; this hearing being held to make the initial custody determination of the parties’ minor children. Plaintiff was present in Court, appearing *pro se.* The Defendant was present in Court, appearing *pro se.* Based on the pleadings, evidence, and arguments of the parties, the Court makes the following:

**FINDINGS OF FACT**

1. The Plaintiff is a citizen and resident of x County, North Carolina.
2. The Defendant is a citizen and resident of x County, North Carolina.
3. Plaintiff and Defendant are the biological parents of 2 (two) minor children: x DOB: x and x DOB: .
4. The minor children have been residents of x County, North Carolina for more than six (6) months.
5. X County, North Carolina is the home state for the purposes of entry of any child custody Orders.
6. Plaintiff initiated this action by the filing of a Complaint on x.
7. The parties participated in custody mediation but were unable to reach an agreement.
8. The parties have the ability to provide support for their children.
9. The Plaintiff and Defendant are fit and proper persons to be awarded joint custody of the minor children, with the primary placement of the children with the Plaintiff and visitation with the Defendant as defined below.
10. It is in the best interest of the minor children that the parties have joint custody.

**CONCLUSIONS OF LAW**

1. The Court has jurisdiction over the parties and subject matter of this action.

2. North Carolina is the home state of the minor children.

3. The parties are fit and proper persons to be awarded joint custody.

3. It is in the best interest of the minor children for this Court to award the Plaintiff and Defendant joint custody of the minor children, with the primary placement of the children with the Plaintiff and visitation with the Defendant as defined below.

4. The parties have the ability to provide support for their children.

5. The North Carolina Child Support Guidelines shall apply in this matter.

 **IT IS NOW, THEREFORE, ORDERED, ADJUDGED AND DECREED** as follows:

1. Plaintiff and Defendant are awarded joint custody of the minor children.
2. The children shall be with the Defendant during the following times:

 a) Every other weekend from after school on Fridays until Sunday at 6:00 pm.

 b) Every Wednesday from after school until 7:00 pm. Defendant shall pick the children up from school. During the summer, the weekday visits shall continue, however Defendant shall pick the children up from any summer program or child care they are participating in.

 c) Two separate weeks during the summer. Defendant shall let Plaintiff know by May 1 of the weeks he intends to exercise his visits.

 d) Mother’s day shall always be with Plaintiff from 10:00 am.

 e) Father’s day shall always be with Defendant from 10:00 am until 6:00 pm.

 f) Christmas – from 2:00 pm on Christmas day until 6:00 pm the day before school resumes.

 g) Thanksgiving Day – from 4:00 pm until 8:00 pm.

 h) The parties shall exchange the children at x unless otherwise agreed upon.

 3. Plaintiff shall schedule counseling for the parties’ children. The parties shall participate in any counseling, family or individual, recommended.

 4. Defendant shall pay child support in the amount of $ \_\_\_\_\_\_\_\_\_\_\_ per month beginning on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Payments shall be made to the Plaintiff by the first of each and every month thereafter.

 5. Plaintiff and Defendant shall endeavor in good faith to enhance and nourish the relationship between the minor children and the other party and will not permit personal differences to impair that relationship.

 6. Neither party shall do anything to estrange the children from the other party or to injure the children’s opinion of the other party in any manner which may hamper the free and natural development of the children’s love and respect for the other party. Neither party shall speak in a derogatory manner about the other party in the presence of the child or allow anyone else to do so.

 7. The dates of the visitation, exchange, or any other matters may be changed at the discretion and agreement of both parties. If the parties can not otherwise agree, this Order shall govern.

 8. The parties shall keep each other updated with regards to their current addresses and phone numbers and shall inform the other of any change within twenty-four (24) hours.

 9. The parties shall confer on a regular basis regarding all medical, dental, and mental health appointments and medication. Each party shall ensure that any medication is exchanged to and from visits to ensure continuity of care.

 10. Each party shall have access to all school records and may attend any school related or extracurricular activities of the children.

 11. The parties shall not expose the children to domestic violence or excessive arguments.

 12. This Order resolves all pending issues.

This the \_\_\_\_\_\_\_\_\_\_ day of x, 20x.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 District Court Judge Presiding