

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NUMBER \_\_\_\_\_ CVD \_\_\_\_\_

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Plaintiff

V

**Order for Custody and Visitation**

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Defendant

This cause coming on for hearing before the undersigned District Court Judge presiding over the Civil Domestic session on \_\_\_\_\_, 20\_\_ upon a request for custody and/or visitation.

The Plaintiff was/ was not present and was not represented by counsel, and the Defendant was/was not present and was not represented by counsel.

The Court, after reviewing the court file, affidavits and evidence offered by the parties and hearing the arguments of the parties, makes the following findings:

**FINDINGS OF FACT**

1. The Plaintiff is a citizen and resident of \_\_\_\_\_ County, \_\_\_\_\_ . And the Defendant is a citizen and resident of \_\_\_\_\_ County, \_\_\_\_\_ .
  2. The parties are the parents of the following listed child(ren):  
(include date of birth)
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3. The affidavit as to the status of the minor child(ren), attached to the complaint, is incorporated into this judgment. The minor child(ren) have lived in the state of

North Carolina for more than six months prior to the filing of this action and North Carolina is the home state of the minor child(ren)

4. The Plaintiff is / is not employed at \_\_\_\_\_ and his/her work hours are from \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_. During work hours, the minor child is in daycare at \_\_\_\_\_ or stays with \_\_\_\_\_.

The Plaintiff is/ is not currently married to \_\_\_\_\_ and has the following other children \_\_\_\_\_ who do/do not reside in the home.

5. The Defendant is / is not employed at \_\_\_\_\_ and his/ her work hours are from \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_. During work hours, the minor child is in daycare at \_\_\_\_\_ or stays with \_\_\_\_\_.

The Plaintiff is / is not currently married to \_\_\_\_\_ and has the following other children \_\_\_\_\_ who do/ do not reside in the home.

6. The Plaintiff's relationship with the minor child(ren) is as follows:

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7. The Defendant's relationship with the minor child(ren) is as follows:

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8. \_\_\_Plaintiff has the ability to properly promote the physical, emotional and psychological welfare of the children.
  9. \_\_\_Defendant has the ability to properly promote the physical, emotional and psychological welfare of the children.
  10. Other \_\_\_\_\_
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### CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Court concludes as a matter of law that:

1. North Carolina is the home state of the minor child(ren) and the Court has jurisdiction over the parties and subject matter of this action.
2. \_\_\_The Plaintiff is a fit and proper person to have custody of the minor child(ren) and it is in the best interests of the minor child(ren) that custody be awarded to the Plaintiff.
3. \_\_\_The Defendant is a fit and proper person to have custody of the minor child(ren) and it is in the best interests of the minor children that custody be awarded to the Defendant.
4. The \_\_\_ Plaintiff \_\_\_ Defendant is a fit and proper person to exercise visitation with the minor child(ren).

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. The \_\_\_Plaintiff \_\_\_ Defendant shall have custody of the minor child(ren) with the \_\_\_ Plaintiff \_\_\_ Defendant having visitation.

2. Visitation shall include the following:

Weekend visitation from \_\_\_\_\_ pm on \_\_\_\_\_ until \_\_\_\_\_ pm on \_\_\_\_\_ every \_\_\_\_\_ every other weekend beginning \_\_\_\_\_.

Christmas holiday \_\_\_\_\_  
\_\_\_\_\_

Thanksgiving holiday \_\_\_\_\_  
\_\_\_\_\_

Spring Break holiday \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summer holiday \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Exchange of the minor child(ren) shall occur at \_\_\_\_\_  
\_\_\_\_\_.

4. The Plaintiff and Defendant shall each provide to the other party a current address and phone number and notice of any change of the address and/or phone number.

5. The \_\_\_Plaintiff and \_\_\_Defendant may maintain regular phone contact with the minor child(ren) while the child is in the other party's care but no phone call shall be made to the child(ren) between the hours of 9:00pm and 7:00am.

6. The \_\_\_\_ Plaintiff and \_\_\_\_ Defendant shall have full and complete access to the school and medical records of the minor child(ren) and shall have the right to converse with the medical providers, counselors, teachers, and other school personnel of the minor child(ren).
7. The \_\_\_\_ Plaintiff and \_\_\_\_ Defendant shall have the right to authorize medical treatment for the minor child(ren) while in their care. Each party shall keep the other informed of the general health and well-being of the minor child(ren). Each shall notify the other as soon as possible of any hospitalizations.
8. The \_\_\_\_ Plaintiff and \_\_\_\_ Defendant shall have the right to attend parent-teacher conferences and other events at the school or extra-curricular activities of the minor child(ren) and the parties shall keep each other notified and informed of these events and activities.
9. The primary custodial parent shall provide to the secondary custodial parent the web address of the child(ren)'s school so that the secondary custodial parent may access the school schedule and activities. The primary custodial parent shall provide the secondary custodial parent a copy of the child(ren)'s report card(s) within five days of receiving them and information about school pictures in a timely manner.
10. Any plans, arrangements, or disagreements that may arise between the parties, in regard to the minor child(ren), will be discussed between the parties and not in the presence of the minor child(ren). Both parents shall refrain from making any disparaging remarks about the other parent to or in the presence of the minor child(ren). Both parents shall discourage others from making disparaging remarks about the other parent to or in the presence of the minor child(ren).
11. The Cumberland County Sheriff, his deputies, and other appropriate law enforcement officials, are ordered and directed to assist the parties, in any way, to peacefully enforce the provisions of this order.
12. This Court retains jurisdiction to enter any further orders necessary to enforce or modify this order.

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

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District Court Judge