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| **STATE OF NORTH CAROLINA**  **COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | **IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION**  **FILE NO.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,**  **Plaintiff,**  **Vs.**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,**  **Defendant.** | **) ) ) ) ) ) ) ) )** | **CHILD CUSTODY**  **CONSENT ORDER** |

**THIS CAUSE** came on for hearing before the undersigned Honorable Judge Presiding over this Domestic Session of District Court of \_\_\_\_\_\_\_\_\_\_\_\_\_ County, North Carolina, and it appearing to the Court that this is an action instituted by the Plaintiff; and it further appearing to the Court from the consents herein that the parties have resolved their differences as it pertains to child custody and wish for the Court to confirm their settlement in the form of this Child Custody Consent Order.

**NOW, THEREFORE**, by and with the consent of the parties, as evidenced by their signatures and the signatures of respective counsel contained herein, this Child Custody Consent Order resolves the pending issues. The parties stipulate and agree to the Findings of Fact, Conclusions of Law, and Order as follows:

**FINDINGS OF FACT**

1. The Plaintiff is a citizen and resident of \_\_\_\_\_\_\_\_\_\_\_\_\_ County, North Carolina; and the Defendant is a citizen and resident of \_\_\_\_\_\_\_\_\_\_\_\_\_ County, North Carolina.
2. The parties are the parents of two minor children born to the parties, \_\_\_\_\_\_\_\_\_\_\_\_\_, born \_\_\_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_\_\_, born \_\_\_\_\_\_\_\_\_\_\_\_\_, (collectively referred to as “minor children”).
3. That the Plaintiff is a fit and proper person to exercise the primary physical and legal custody of the minor children with the Defendant exercising visitation as set forth hereinafter and the same is in the best interest of the minor children.
4. That the parties waive any additional Findings of Fact and Conclusions of Law.

**BASED UPON** the foregoing Findings of Fact, and with the written consent of the parties, the Court makes and enters the following:

**CONCLUSIONS OF LAW**

1. The Court has jurisdiction over the parties and subject matter of this action and is authorized to enter this Order.
2. The Plaintiff shall exercise the primary physical and legal custody of the minor children with the Defendant exercising visitation as set forth hereinafter, and the same is in the best interest of the minor children.
3. The parties waive any additional findings of fact and conclusions of law to give full force and effect to this Order.
4. Both parties are capable of complying with the terms of this Order.

**ORDER**

**NOW, THEREFORE,** with the written consent of the parties and counsel, it is hereby **ORDERED, ADJUDGED,** and **DECREED** as follows:

1. That the Plaintiff, shall exercise the primary physical and legal custody of the minor children, with the Defendant Father, exercising visitation with the minor children on alternating weekends beginning on Friday, \_\_\_\_\_\_\_\_\_\_\_\_\_ at 6:00 p.m. until Sunday, \_\_\_\_\_\_\_\_\_\_\_\_\_ at 1:00 p.m. and alternating weekends thereafter.
2. That the parties shall exercise the following holiday schedule as set forth hereinafter and this schedule shall supersede the normal rotation as set out hereinabove:
3. Mother’s Day/Father’s Day – The honored parent shall have physical custody of the minor children from 9 am until 4 pm. Following this, the parties shall return to the regularly scheduled custody arrangement.
4. Christmas Holidays – On odd-numbered years, the parties shall share the Christmas Holiday with the Plaintiff exercising physical custody for the from 10 am on Christmas Eve until 10 am on Christmas Day. The Father shall exercise physical custody of the minor children from 10 am Christmas Day until 10 am on December 26. Such a schedule shall be reversed on even-numbered years.
5. Thanksgiving Holiday – The Defendant shall give advance notice to the Plaintiff of the date when Defendant’s family intends to gather for the Thanksgiving holiday. Plaintiff shall make reasonable efforts to accommodate Defendant and allow him to exercise custody on that date from 10:00 a.m. until 8:00 p.m. Unless otherwise agreed in writing, the Plaintiff shall exercise custody on the calendared Thanksgiving holiday.
6. Easter – On even-numbered years, the Plaintiff shall have physical custody of the minor children the day prior to Easter Sunday from Saturday at 7:00 p.m. until Easter Sunday at 3:00 p.m. and the Defendant shall have physical custody from 3:00 p.m. until 9:00 p.m. On odd-numbered years, the Defendant shall have physical custody of the minor children the day prior to Easter Sunday from Saturday at 7:00 p.m. until Easter Sunday at 3:00 p.m. and the Plaintiff shall have physical custody from 3:00 p.m. until 9:00 p.m.
7. Summer – The Defendant shall be entitled to two non-consecutive weeks in the summer with the minor child. The first party to notify the other party in writing of their designated week shall prevail in the event of a conflict.
8. Modified Schedule – The parties may modify the schedule by communication and mutual agreement in writing.
9. That both parties shall ensure to provide the minor children their prescribed medications in the prescribed dosages and at the scheduled times while the minor children are in each parties respective care.
10. That in the event either party is involved in a domestic violence dispute or arrested, the party shall immediately inform the other party, but no later than one (1) hour of any incident or arrest occurring.
11. That in the event the Defendant is unavailable and unable to maintain the minor children in his care during his custodial periods, the Defendant shall provide the Plaintiff the first right of refusal to keep the minor children instead of placing said children with a third party during his custodial periods.
12. That neither party, nor third parties, shall make any derogatory, harassing, hateful, or threatening comments about the other party and/or family members of either party at any time around the minor child, during exchanges, on social media, or by text message.
13. That each of the parties shall keep the other informed of a current address and telephone number at all times where they are residing, so that the other party may contact the minor children. They further shall provide the other party an address and/or telephone number where they will be located in the event they are out of town overnight with the minor children.
14. That Plaintiff and Defendant shall share all relevant information concerning the general health, welfare, education, progress and development of the minor children. Each party shall immediately advise the other as to serious illness, or injury, or other major developments with respect to their children, as soon as it is safe to do so. Each parent shall be entitled to access from the other, or from a third party, records and information pertaining to the minor children including, but not limited to, health, welfare, educational progress, discipline records, dietary habits, and study habits of the minor children. If medication is prescribed for the minor children, the party to purchase a medication shall provide the medicine and any instructions to the other party when there is an exchange of that children; and the medication shall be transferred at each subsequent exchange of the children. Each party shall sign or endorse any documents necessary for the other parent to obtain access to medical, psychiatric, psychological, scholastic, or other official records concerning their children. Both parties shall discuss important decisions concerning the future of the minor children with regards to health, welfare and education, and they shall further share information and confer in the making of these decisions.
15. Both parties shall allow telephone communication with the non-custodial party at reasonable times and for reasonable durations.
16. In the event the Defendant is unable to maintain his scheduled visitation periods as set forth hereinabove, the Defendant shall notify the Plaintiff forty-eight (48) hours in advance prior to Defendant’s visitation period scheduled to begin.
17. That any firearms in both parties home shall be stored in a locked firearm safe, a safe made specifically for guns, after the guns have been cleared of ammunition, and the ammunition is stored separate from the weapons.

Entered this the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

District Court Judge Presiding

**WE CONSENT:**

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

**Plaintiff Name, *Plaintiff* Defendant Name, *Defendant***

**COUNTY, NORTH CAROLINA**

I certify that **Plaintiff Name** personally appeared before me this day, acknowledging to me that he or she signed the foregoing document:

Date:

Notary Public

(Official Seal)

My commission expires:

**COUNTY, NORTH CAROLINA**

I certify that **Defendant Name** personally appeared before me this day, acknowledging to me that he or she signed the foregoing document:

Date:

Notary Public

(Official Seal)

My commission expires: