

Standard Parenting Time Overview

Preparing to Establish your Parenting Time Order

We want to help prepare you for establishing your parenting time order.

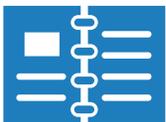
If you already have a parenting time order, this resource may not address your current order and is not intended to interpret your rights and responsibilities under your existing order. This is an information-only resource that describes the possession schedule under the standard possession order.



In Texas, the Child Support Division may assist parents in obtaining a child support order that establishes a parenting time schedule in certain situations.



Your parenting time schedule may follow a standard possession order (SPO). The guidelines for a standard possession order are found in the Chapter 153 of the Texas Family Code (TFC) and help courts determine the parenting time schedule for many families. (**TFC § 153.251(a)**)



If you already have a child support order, you may find your parenting time schedule under a heading titled "Possession and Access Order" or "Standard Possession Order" in your child support order.



Here are some of the laws that guide the courts:

It is presumed that the standard possession order provides reasonable minimum parenting times that are in the best interest of the child. (TFC § 153.252)

A court may order a different parenting time schedule if the court finds that the standard possession order is not in the best interest of the child. (TFC §§ 153.002, 153.193)

If the standard possession order is not workable or is inappropriate, the court can order a different parenting time schedule. (TFC § 153.253)

A standard possession order is designed for children ages three and older. (TFC §§ 153.251(d), 153.254)

The court may agree to a parenting time schedule you and the other parent have created and agreed upon. (TFC § 153.255)

Concerns regarding family violence can impact the court's parenting time decision. Visit Child Support and Family Violence | Office of the Attorney General (texasattorneygeneral.gov) or call 1-800-252-8014 for information about the resources, policies and procedures we have in place to help.

Parenting Time Schedule

A parenting time schedule provides parents with the guide they need to navigate co-parenting. It addresses exchange times, weekday and weekend visits, holidays, your child's birthday, spring and summer break, and many other important events in your child's life.

The standard possession order options available to parents can change based on how far you live from one another. These standard possession order options are provided to the noncustodial parent to choose from at the time the order is being completed unless the court finds a selection is not in the best interest of the child. If the noncustodial parent does not make a selection, also known as an "election", then the "default" schedule terms may be placed in your order.

The following information summarizes the "default" and "election" schedules for a standard possession order that may be available to you or the other parent at the time the order is being completed. The term "school" refers to the elementary or secondary school in which the child is enrolled. If the child is not enrolled in an elementary or secondary school, "school" refers to the public school district in which the child primarily resides. (TFC § 153.3101)



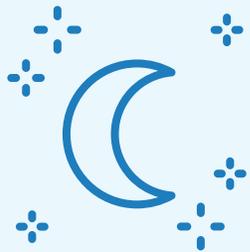
Parents Who Reside 50 Miles Apart or Less



When parents live 50 miles apart or less, the noncustodial parent is provided with options when completing a standard possession order as outlined below. The noncustodial parent has the opportunity to choose between the “default” or “election” option when the terms of your order are being settled.

If your parenting time schedule has already been established by a court, the Child Support Division is unable to modify this portion of your order. However, if the court ordered a standard possession order in your case, the parents can work towards a mutual agreement that works best for your family. (TFC § 153.311) For information about modifying your parenting time schedule, visit Texas Access (txaccess.org).

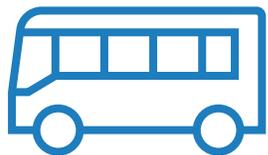
TFC §§ 153.3171, 153.317, 153.316, 153.315, 153.314, 153.312



Weekends — 1st, 3rd and 5th Fridays of each month

Default: Pickup when school dismisses for the weekend and drop-off when school resumes after the weekend.

Election: Pickup on Friday at 6 p.m. and drop-off Sunday at 6 p.m.



Drop-off schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Monday

Default: Drop-off at 8 a.m. on Tuesday.

Election: Drop-off at 6 p.m. on Monday.



Pickup schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Friday

Default: Pickup at the time school is dismissed on Thursday.

Election: Pickup at 6 p.m. on Thursday.



Thursdays — each week during the school

Default: Pickup at the time school is dismissed on Thursday and drop-off at the time school resumes on Friday.

Election: Pickup at 6 p.m. on Thursday and drop-off at 8 p.m. on Thursday.

Spring Vacation

The noncustodial parent has this parenting time schedule in even numbered years:

Default: Pickup at the time school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.

Election: Pickup at 6 p.m. the day school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.

Christmas Break (Even Numbered Years)

The noncustodial parent has this parenting time schedule in even numbered years:

Default: Pickup at the time school is dismissed for the holiday and drop-off at noon on December 28.

Election: Pickup at 6 p.m. the day school is dismissed for the holiday and drop-off at noon on December 28.

Christmas Break (Odd Numbered Years)

The noncustodial parent has this parenting time schedule in odd numbered years:

Default: Pickup at noon on December 28 and drop-off on the day before school resumes from the vacation.

Election: Pickup at noon on December 28 and drop-off on the day before school resumes from the vacation.

Thanksgiving

The noncustodial parent has this parenting time schedule in odd numbered years:

Default: Pickup at the time school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.

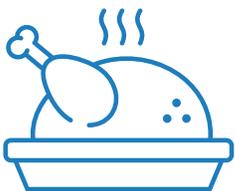
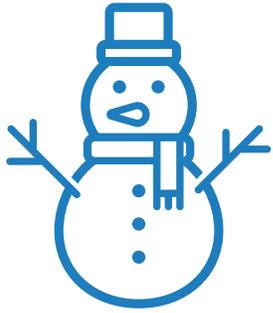
Election: Pickup at 6 p.m. on the day school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.

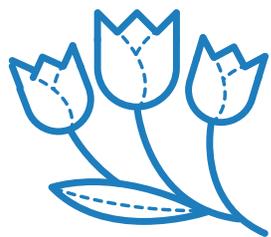
Father's Day

If the father is not otherwise entitled to possession of the child on Father's Day, he should have the following parenting time:

Default: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 8 a.m. on the Monday after Father's Day.

Election: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 6 p.m. on Father's Day.





Mother's Day

If the mother is not otherwise entitled to possession of the child on Mother's Day, she should have the following parenting time:

Default: Pickup when school dismisses on the Friday before Mother's Day and drop-off when school resumes after Mother's Day.

Election: Pickup at 6 p.m. on the Friday preceding Mother's Day and drop-off at 6 p.m. on Mother's Day.

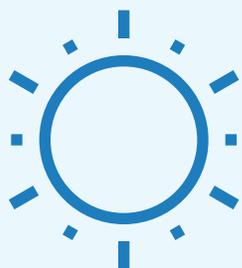
Summer Vacation

The noncustodial parent can have 30 days of extended parenting time during the summer vacation as follows:

Default: Pickup at 6 p.m. on July 1 and drop-off at 6 p.m. on July 31.

Election: The noncustodial parent can pick when this 30-day extended summer parenting time will occur but must send notice to the custodial parent by April 1st. The time period may begin no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation. The extended summer parenting time must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer parenting time must not interfere with Father's Day parenting time. These periods of possession shall begin and end at 6 p.m. on each applicable day.

Under either of the above options, the custodial parent may pick one weekend for parenting time during these 30 days but must send written notice to the noncustodial parent by April 15th with the dates. Pickup is at 6 p.m. on Friday and drop-off is at 6 p.m. on Sunday. The custodial parent is responsible for picking the child up from the noncustodial parent and returning the child. The weekend cannot interfere with Father's Day parenting time if the noncustodial parent is the father.



Child's Birthday

The parent not in possession of the child on the child's birthday can pick up the child for two hours as follows:

Default: Pickup at 6 p.m. on the child's birthday and drop-off at 8 p.m. on the child's birthday.





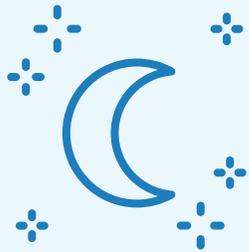
Parents Who Reside 51-100 Miles Apart



When parents live 51 to 100 miles apart, the noncustodial parent is provided with options when completing a standard possession order as outlined below. The noncustodial parent has the opportunity to choose between the “default” or “election” option when the terms of your order are being settled.

If your parenting time schedule has already been established by a court, the Child Support Division is unable to modify this portion of your order. However, if the court ordered a standard possession order in your case, the parents can work towards a mutual agreement that works best for your family. (TFC § 153.311) For information about modifying your parenting time schedule, visit Texas Access (txaccess.org).

TFC § 153.312, 153.317, 153.316, 153.315, 153.314



Weekends — 1st, 3rd and 5th Fridays of each month

Default: Pickup on Friday at 6 p.m. and drop-off Sunday at 6 p.m.

Election: Pickup when school dismisses for the weekend and drop-off when school resumes after the weekend.

Drop-off schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Monday

Default: Drop-off at 6 p.m. on Monday.

Election: Drop-off at 8 a.m. on Tuesday.

Pickup schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Friday

Default: Pickup at 6 p.m. on Thursday.

Election: Pickup at the time school is dismissed on Thursday.

Thursdays — each week during the school term

Default: Pickup at 6 p.m. on Thursday and drop-off at 8 p.m. on Thursday.

Election: Pickup at the time school is dismissed on Thursday and drop-off at the time school resumes on Friday.



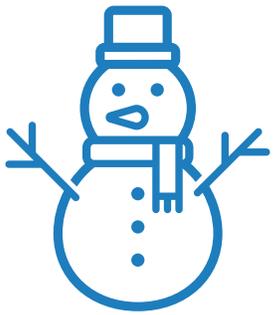


Spring Vacation

The noncustodial parent has this parenting time schedule in even numbered years:

Default: Pickup at 6 p.m. the day school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.

Election: Pickup at the time school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.



Christmas Break (Even Numbered Years)

The noncustodial parent has this parenting time schedule in even numbered years:

Default: Pickup at 6 p.m. the day school is dismissed for the holiday and drop-off at noon on December 28.

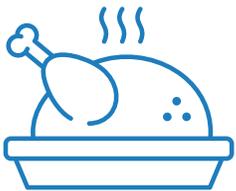
Election: Pickup at the time school is dismissed for the holiday and drop-off at noon on December 28.



Christmas Break (Odd Numbered Years)

The noncustodial parent has this parenting time schedule in odd numbered years:

Default: Pickup at noon on December 28th and drop-off at 6 p.m. on the day before school resumes from the holiday.



Thanksgiving

The noncustodial parent has this parenting time schedule in odd numbered years:

Default: Pickup at 6 p.m. on the day school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.

Election: Pickup at the time school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.



Father's Day

If the father is not otherwise entitled to possession of the child on Father's Day, he should have the following parenting time:

Default: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 6 p.m. on Father's Day.

Election: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 8 a.m. on the Monday after Father's Day.

Mother's Day

If the mother is not otherwise entitled to possession of the child on Mother's Day, she should have the following parenting time:

Default: Pickup at 6 p.m. on the Friday preceding Mother's Day and drop-off at 6 p.m. on Mother's Day.

Election: Pickup when school dismisses on the Friday before Mother's Day and drop-off when school resumes after Mother's Day.

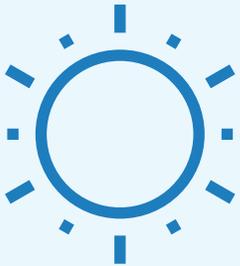


Summer Vacation

The noncustodial parent can have 30 days of extended parenting time during the summer vacation as follows:

Default: Pickup at 6 p.m. on July 1 and drop-off at 6 p.m. on July 31.

Election: The noncustodial parent can pick when this 30-day extended summer parenting time will occur but must send notice to the custodial parent by April 1st. The time period may begin no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation. The extended summer parenting time must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer parenting time must not interfere with Father's Day parenting time. These periods of possession shall begin and end at 6 p.m. on each applicable day.



Under either of the above options, the custodial parent may pick one weekend for parenting time during these 30 days but must send written notice to the noncustodial parent by April 15th of the dates. Pickup is at 6 p.m. on Friday and drop-off at is at 6 p.m. on Sunday. The custodial parent is responsible for picking the child up from the noncustodial parent and returning the child. The weekend cannot interfere with Father's Day parenting time if the noncustodial parent is the father.

Child's Birthday

The parent not in possession of the child on the child's birthday can pick up the child for two hours as follows:

Default: Pickup at 6 p.m. on the child's birthday and drop-off at 8 p.m. on the child's birthday.





Parents Who Resides Over 100 Miles Apart



When parents live over 100 miles apart, the noncustodial parent is provided with options when completing a standard possession order as outlined below. The noncustodial parent has the opportunity to choose between the “default” or “election” option when the terms of your order are being settled.

If your parenting time schedule has already been established by a court, the Child Support Division is unable to modify this portion of your order. However, if the court ordered a standard possession order in your case, the parents can work towards a mutual agreement that works best for your family. (TFC § 153.311) For information about modifying your parenting time schedule, visit Texas Access (txaccess.org).

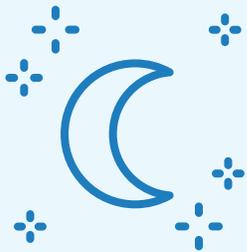
TFC §§ 153.313, 153.317, 153.316, 153.315, 153.314

Weekends

Noncustodial parents must choose either weekends beginning on the 1st, 3rd, and 5th Friday of each month or one weekend a month of the noncustodial parent’s choice.

Default: Pickup on Friday at 6 p.m. and drop-off Sunday at 6 p.m.

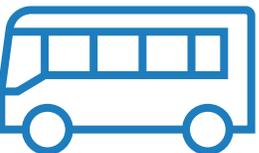
Election: Pickup at the time school is dismissed for the weekend and drop-off at the time school resumes after the weekend during the school term. When school is not in session, pickup on Friday at 6 p.m. and drop-off Sunday at 6 p.m.



Drop-off schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Monday

Default: Drop-off at 6 p.m. on Monday.

Election: Drop-off at 8 a.m. on Tuesday.



Pickup schedule on a parenting time weekend that is extended by a school holiday or teacher in-service day that falls on a Friday

Default: Pickup at 6 p.m. on Thursday.

Election: Pickup at the time school is dismissed on Thursday.



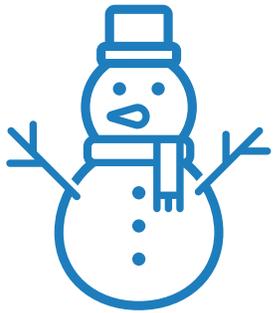


Spring Vacation

The noncustodial parent has this parenting time schedule every year during Spring vacation:

Default: Pickup at 6 p.m. the day school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.

Election: Pickup at the time school is dismissed for spring vacation and drop-off at 6 p.m. the day before school resumes.



Christmas Break (Even Numbered Years)

The noncustodial parent has this parenting time schedule in even numbered years:

Default: Pickup at 6 p.m. the day school is dismissed for the holiday and drop-off at noon on December 28.

Election: Pickup at the time school is dismissed for the holiday and drop-off at noon on December 28.



Christmas Break (Odd Numbered Years)

The noncustodial parent has this parenting time schedule in odd numbered years:

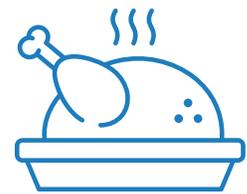
Default: Pickup at noon on December 28th and drop-off at 6 p.m. on the day before school resumes from the holiday.

Thanksgiving

The noncustodial parent has this parenting time schedule in odd numbered years:

Default: Pickup at 6 p.m. on the day school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.

Election: Pickup at the time school is dismissed for the holiday and drop-off at 6 p.m. on the following Sunday.



Father's Day

If the father is not otherwise entitled to possession of the child on Father's Day, he should have the following parenting time:

Default: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 6 p.m. on Father's Day.

Election: Pickup at 6 p.m. on the Friday before Father's Day and drop-off at 8 a.m. on the Monday after Father's Day.



Mother's Day



If the mother is not otherwise entitled to possession of the child on Mother's Day, she should have the following parenting time:

Default: Pickup at 6 p.m. on the Friday preceding Mother's Day and drop-off at 6 p.m. on Mother's Day.

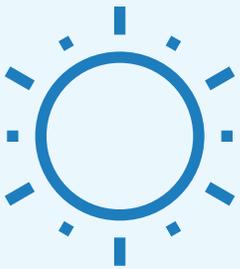
Election: Pickup when school dismisses on the Friday before Mother's Day and drop-off when school resumes after Mother's Day.

Summer Vacation

The noncustodial parent can have 42 days of extended parenting time during the summer vacation as follows:

Default: Pickup at 6 p.m. on June 15 and drop-off at 6 p.m. on July 27.

Election: The noncustodial parent can pick when this 42-day extended summer parenting time period will occur but must send written notice to the custodial parent by April 1st. The time period may begin no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation. The extended summer parenting time must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer parenting time must not interfere with Father's Day parenting time. These periods of parenting time shall begin and end at 6 p.m. on each applicable day.



Under either of the above options, the custodial parent may pick one weekend for parenting time during this extended summer vacation parenting time period but must send written notice to the noncustodial parent by April 15th with the specific dates. If the summer vacation period of possession by the noncustodial parent is more than 30 days, then the custodial parent may have possession of the child on any 2 nonconsecutive weekends during that period. Pickup at 6 p.m. on Friday and drop-off at 6 p.m. on Sunday. The custodial parent is responsible for picking the child up from the noncustodial parent and returning the child for these selected parenting time period(s). The weekend or weekends cannot interfere with Father's Day parenting time.

Child's Birthday



The parent not in possession of the child on the child's birthday can pick up the child for two hours as follows:

Default: Pickup at 6 p.m. on the child's birthday and drop-off at 8 p.m. on the child's birthday.

Pickup and Drop-off

A standard possession order may include instructions to help parents navigate pickup and drop-off times and location.

Pickup and Drop-off Location

Noncustodial parents must choose their parenting time scheduling options before or at the time the possession order is entered by the court. The selection of a schedule option along with the distance between the parties will decide the pickup and drop-off location. (TFC § 153.317(b))

The parenting time schedule in a standard possession order often provides the noncustodial parent with two options to choose from at the time the order is being completed unless the court finds a selection is not in the best interest of the child. Generally, the noncustodial parent must pick up and drop off the child at the other parent's residence unless a different location is designated in the court order or agreed upon by the parties. However, if the noncustodial parent chooses a schedule with possession of the child beginning or ending at the time school is dismissed, then pickup and drop-off occurs at the school in which the child is enrolled. (TFC § 153.316 153.3101).

What if I can't pick up or drop off my child? Here are some of the laws that help parents navigate questions about pickup and drop-off:

Parents can designate a competent adult to pick up or drop off their child. (TFC § 153.316(6))

If you are unable to pick up your child during your parenting time, you must notify the other parent. (TFC § 153.316(7))

If your child is unable to return to school, the parent who has the child must immediately notify the school and the other parent. (TFC § 153.316(9))

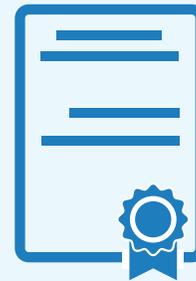
If you have a standard possession order, then you and the other parent may agree to different parenting times. (TFC § 153.311)

Helpful Resources for Parents and Kids

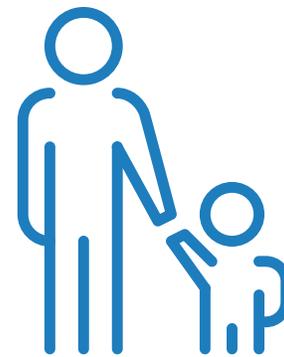
Our mission at the Child Support Division of the Office of the Attorney General is to encourage responsible parenting by promoting the involvement of both parents and ensuring that children receive the support they need and deserve. If you wish to find out more about how to receive, pay or modify your child support, or if you're interested in learning about our other Child Support programs, services and resources please see our website at: <http://www.texasattorneygeneral.gov/child-support> or contact us at: (800) 252-8014.

For additional help or for clarification about your parenting rights and responsibilities, visit www.txaccess.org or call our Hotline to speak with a live Parenting Time Specialist at (866) 292-4636, Monday through Friday, 1:00-5:00 p.m. CST.

For Legal Forms and Information:
www.texaslawhelp.org



For Child Access Information:
Texas Access and Visitation
Hotline:
(866) 292-4636. Hotline
hours are Monday through
Friday, 1:00-5:00 p.m. CST.
www.txaccess.org



For Attorney Help:
State Bar of Texas:
(800) 252-9690





KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

CHILD SUPPORT DIVISION