

October 31, 2005

TO: Clerks of Superior Court - South Georgia Circuit
Members of the Bar

FROM: A. Wallace Cato, Chief Judge
J. Richard Porter, III, Judge

RE: Revised form for "Usual or Standard Visitation"

On May 26, 1992, the court established circuit wide standard language for domestic relations cases involving visitation with minor child/children. Same was revised in August, 1999. As a result of changes to school attendance dates, the court has again revised the Usual or Standard Visitation language.

We are filing the attached revised language with each clerk of court in the circuit for posting and distribution to the members of the bar. **As before, this does not mean that the language can be incorporated into any order or decree by reference!**

[available as an e-mail attachment upon request to Judge Cato's office]

COURT ORDERED "USUAL OR STANDARD" VISITATION RIGHTS CLAUSE

SOUTH GEORGIA JUDICIAL CIRCUIT

[Temporary/Permanent] custody of the minor child(ren) of the parties, [Here insert full name(s) and birth date(s) of child(ren)] is hereby awarded to the [Plaintiff/Defendant, (insert name of custodial parent)]. [Plaintiff/Defendant (insert name of non-custodial parent)] shall have reasonable rights of visitation with said child(ren). In the event that the parties cannot agree as to what constitutes "reasonable rights of visitation", then the Court hereby awards the [Plaintiff/Defendant (non-custodial parent)] the right to have said child(ren) visit with her/him during the following periods:

(a) For weekend visitation commencing on the first and third Friday of each month at 6:00 o'clock P.M. and ending at 6:00 o'clock P.M. on the following Sunday;

(b) During odd numbered calendar years, commencing at 6:00 o'clock P.M. on the Wednesday preceding Thanksgiving Day and ending at 6:00 o'clock P.M. on the following Sunday;

(c) During odd numbered calendar years, commencing at 3:00 o'clock P.M. on December 25th and ending at 3:00 o'clock P.M. on the following January 1st;

(d) During even numbered calendar years, commencing at 6:00 o'clock P.M. on the day school recesses for the Christmas holidays and ending at 3 o'clock P.M. on December 25th;

(e) For the summer visitation: for a four week period of time commencing at 9:00 o'clock A.M. on June 17th and ending at 6:00 o'clock P.M. on July 14th;

(f) During the summer months of June and July of each year, the weekend visitation described in paragraph (a) above shall be suspended;

(g) The [Plaintiff/Defendant (non-custodial parent)] shall have the right to have said child(ren) during the school spring break from 6 o'clock P.M., on the day school recesses for said spring break, until 6 o'clock P.M. on the day preceding the return to school from said break, irrespective of the weekend visitation schedule; Should the [Plaintiff's/Defendant's (non-custodial parent)] paragraph (a) weekend visitation fall contiguous to or within the school fall break, said weekend visitation shall be forfeited;

(h) Mother's Day and Father's Day shall be assigned to the respective parent accordingly, and shall commence at 9 o'clock A.M. and end at 6 o'clock P.M., irrespective of the weekend visitation schedule;

(i) Labor Day shall be assigned to the parent having custody of said child(ren) during the weekend preceding Labor Day, with said holiday period to end at 6 o'clock P.M.

The [Plaintiff/Defendant (non-custodial parent)] shall give the [Plaintiff/Defendant (custodial parent)] at least 24 hours notice of her/his intention to exercise each weekend visitation and shall pick up said child(ren) within one hour of the time designated for the commencement of such visitation. All other stated visitation periods shall require one (1) week notice. Failure to give the required notice of intention to exercise any visitation or failure to pick up said child(ren) within one hour of the time designated for such period of visitation shall constitute a waiver of that period of visitation. It shall be the responsibility of [Plaintiff/Defendant (non-custodial parent)] to pick up and return said child(ren) to [Plaintiff/Defendant (custodial parent)].