

Spring is in the Air and the Deadline to Designate Summer Possession is Just Around the Corner

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Spring is in the air and summer is right around the corner. Sun, baseball, vacations, and extended summer possession are just two months away. And, for parents operating under the Texas Family Code's Standard Possession Order, the **April 1st** and **April 15th** deadlines for parents to designate extended summer possession and summer trump weekends are fast approaching.

In addition to normal weekend possession during the summer, under the Standard Possession Order a parent without the right to designate the primary residence of the child shall have extended summer possession for 30 days (if that parent lives within 100 miles of the child's primary residence) or for 42 days (if that parent lives more than 100 miles away from the child's primary residence). This extended summer possession must be exercised in no more than two separate periods of no less than seven consecutive days each. Provided the parent gives the primary conservator *written* notice on or before **April 1st** each year, they can designate any time for their possession from the time school is dismissed for summer until seven days before the child's school resumes after summer vacation. If the non-primary parent fails to provide notice of their extended summer possession dates by April 1st, then they will have extended summer possession beginning at 6 pm on July 1st and ending at 6 pm on July 31st (June 15th – July 27th for parents who reside more than 100 miles from their child's primary residence).

Similarly, under the Standard Possession Order, primary parents can designate one weekend during the non-primary parent's extended summer possession during which the primary parent will have possession of the child. In order to exercise this "trump" weekend, the primary parent must pick up and return the child to the non-primary parent and must give the non-primary parent *written* notice of their weekend by **April 15th**. Likewise, primary parents have another deadline of **April 15th** (or 14 days in advance) to provide the non-primary parent with *written* notice of one weekend during the child's summer vacation during which an otherwise scheduled weekend period of possession by the non-primary parent will not take place. This second "trump" weekend cannot interfere with Father's day (if the father is the non-primary parent) or with the non-primary parent's extended summer possession.

As Texas family law attorneys, we understand the importance of summer time possession for "primary" and "non-primary" parents alike. Complying with the notice provisions of your child custody order can help summer time planning go more smoothly for everyone, including your children, and helps minimize (to the extent possible) friction and misunderstandings between you and your ex.

