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# A GUIDE TO THE STANDARD POSSESSION SCHEDULE

IN YOUR TEXAS CHILD CUSTODY CASE





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Child custody cases can get ugly. Trust us, we've seen a thing or two. But, Texas provides a baseline in the event that two sides of a custody dispute can't come to an agreement and the court needs to simply move on. This is where a Standard Possession Schedule (or Order) comes in.

These orders provide a standard assumption for child visitation and possession based on the distance the noncustodial parent lives from the child's primary residence. These orders are roughly 50/50 and assumed by the state to be in the best interest of a child over three years old barring other relevant circumstances.

### Universal Terms for Birthdays, Father's Day & Mother's Day

Regardless of distance, some terms apply to all standard possession schedules in Texas. Those terms include:



- On the child's birthday, the noncustodial parent can pick them up for two hours starting at 6 p.m.;



- On Father's Day, noncustodial fathers can pick up their children at 6 p.m. on the Friday before Father's Day and drop them off at 6 p.m. on Father's Day or at 8 a.m. the Monday after;



- On Mother's Day, the noncustodial mother can pick up their children at 6 p.m. on the Friday before Mother's Day and drop them off at 6 p.m. on Mother's Day or at 8 a.m. the Monday after.

## 50 Miles or Fewer

Texas Family Code provides that when the noncustodial parent lives 50 miles or fewer from the child's primary residents, the noncustodial parent has an expanded standard which includes picking up their child from school:

- On the first, third, and fifth Fridays each month and dropping them off at school when classes resume the following week (or from Friday at 6 p.m. to Sunday at 6 p.m. those same weekends when school is out);
- Every Thursday from school and dropping them off when school resumes the next day;
- On the first day of Thanksgiving break in odd-numbered years and dropping them off at 6 p.m. the following Sunday;
- On the first day of Christmas break in even-numbered years and drop off at noon on December 28th;
- At noon on December 28th in odd-numbered years and dropping them off at 6 p.m. the day before school resumes;
- On the first day of Spring Break in even-numbered years and drop off at 6 p.m. the day before school resumes.

There are alternative election options that impact pick-up and drop-off times during these periods that a noncustodial parent can opt into. Those alternatives are:



The noncustodial parent also receives 30 days of extended parenting time from 6 p.m. on July 1st to 6 p.m. on July 31st. However, the noncustodial parent can choose any 30-day period (or two separate periods that total 30 days) over the summer as long as notice is provided to the custodial parent [by April 1st of each year](#).

### **51 to 100 Miles**

The terms over 50 miles but under 100 miles are the same as the 50 miles or fewer guidelines except, in this case, the alternative election options in the graphic above are the assumed default option unless otherwise agreed to.

### **Over 100 Miles**

When the noncustodial parent is 100 miles away, the court assumes circumstances will be more challenging to get the child to and from both parents. This creates additional limits to visitation. The terms include:

- One weekend a month with pick up at 6 p.m. and drop off Sunday at 6 p.m.;
- For Thanksgiving break in odd-numbered years, pick up is at 6 p.m. the day school is dismissed, and drop off is at 6 p.m. on the following Sunday;
- For Christmas break in even-numbered years, pick up is at 6 p.m. the day school is dismissed, and drop off is at noon on December 28th;
- For Christmas break in odd-numbered years, pick up is at noon on December 28th, and drop off is at 6 p.m. the day before class is back in session;
- For Spring break every year, pick up at 6 p.m. when school is dismissed and drop off at 6 p.m. the day before school is back in session.

The one weekend a month can be extended to 6 p.m. Monday when the school is closed on that Monday or from 6 p.m. Thursday when school is closed on that Friday.

The noncustodial parent will have 42 days of visitation during summer vacation with pick up at 6 p.m. on June 15th and drop off at 6 p.m. on July 27th. The 42-day period can be changed or split into two as long as the noncustodial parent provides notice to the other parent by April 1st.

At Dawn King Law Group, we understand how difficult it can be to split time with your children. The standard possession schedule provides a nearly 50/50 time split when possible for both parents. If you believe you deserve more time with your child or need to make a change to your custody agreement, [contact our team](#).



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