

JENNIFER LEHMAN
PLAINTIFF

IN THE COURT OF COMMON PLEAS
DAUPHIN COUNTY, PENNSYLVANIA

vs.

NO. 2020-CV-TEST-CU

SANFORD KREVSKY
DEFENDANT

CIVIL ACTION
CUSTODY

ORDER

AND NOW, this day of January, 2020, Jennifer Lehman (Mother) and Sanford Krevsky (Father) having appeared for a custody conference on February 27, 2020 before Sanford A. Krevsky, Esquire and having reached an agreement with regards to the best interest and welfare of the minor child, CHILD 1 (DOB 01/01/2020) herein after referred to as “child” it is hereby ORDERED and DECREED as follows:

THIS ORDER REPLACES ALL PRIOR ORDERS.

LEGAL CUSTODY

1. It is the intention of the parties and the parties agree that they will have shared legal custody of the minor child.
 - The parties agree that major decisions concerning the child, including, but not limited to, the child’s health, welfare, education, religious training and upbringing shall be made by them jointly, after discussion and consultation with each other, with a view toward obtaining and following a harmonious policy in the child’s best interest.
 - Each party agrees not to impair the other party’s rights to shared legal custody of the child.

- Each party agrees not to attempt to alienate the affections of the child from the other party.
- Each party shall notify the other of any activity or circumstance concerning the child that could reasonably be expected to be of concern to the other.
- The parties shall communicate with each other to coordinate appropriate disciplinary techniques for the child.
- Day to day decisions shall be the responsibility of the party then having physical custody.
- With regard to any emergency decisions that must be made, the party having physical custody of the child at the time of the emergency shall be permitted to make any immediate decisions necessitated thereby. However, that party shall inform the other of the emergency and consult with him or her as soon as possible.
- The parties agree to immediately inform the other of any medical emergency or medical treatment that the child receives.
- Each party shall be entitled to complete and full information from any doctor, dentist, teacher, professional or authority and to have copies of any reports given to either party as a parent.
- Each party shall cause school, doctor and other records to include the other party as an emergency contact person.

PHYSICAL CUSTODY

2. Parties shall have partial physical custody of the minor child in accordance with the following schedule:

(a) SCHOOL YEAR: Until end of December 2015:

Father shall have primary custody with Mother exercising custody the first, third, fourth and when available, fifth weekend of each month Fridays at 6:00pm until Sundays at 6:00pm.

After December 2015: Mother shall have primary custody with Father exercising custody the first, third, fourth and when available, fifth weekend of each month Fridays at 6:00pm until Sundays at 6:00pm.

(b) SUMMERS: Parties shall share custody on a week on/week off schedule with exchanges on Mondays at 6:00pm.

3. Should either party have the child spend overnight at a place other than their primary residence, the other party will be given the address and telephone number where the child is spending the night.

TRANSPORTATION

4. The party beginning their custodial period will provide transportation.

5. The non-custodial party shall inform the custodial party in the event of any unforeseen or emergency circumstances that may prevent them from exercising any period of custody.

6. Any person who drives while the child is in the car shall be properly licensed and insured and shall ensure the vehicle is equipped with the proper age appropriate safety devices for the child.

HOLIDAYS

7. Father shall always exercise custody on Memorial Day Labor Day, and all Monday In-Service school breaks. Should the holiday occur on a Monday, it shall include the weekend (Friday-Sunday) preceding the holiday (unless it is the regularly scheduled weekend for that party).

8. Father shall always exercise custody for the Easter school break.

9. The parties shall alternate Thanksgiving (Wednesday at 6:00pm until Thursday at 6:00pm) with Mother exercising custody on even years and Father on odd years.

10. For the Christmas school break, Father shall always exercise custody from December 25th to December 31st.

11. Father shall have custody on Father's Day and Mother shall have custody on Mother's Day.

12. The parties shall share or alternate the child's birthday(s) as follows: Mother shall exercise custody on even years and Father exercising custody on odd years. .

VACATION

13. All parties shall provide the other party(ies) with the address and telephone number where the child will be during the vacation. Once they have

arrived at their destination, the custodial parent will provide reasonable notification that the child arrived safely at the vacation destination and thereafter, notify that they have returned safely.

14. The holiday and vacation schedule shall take precedence over the regular custody schedule.

ALCOHOL, TOBACCO AND CONTROLLED SUBSTANCES

15. During any period of custody, the parties to this order shall not possess, use or be under the influence of controlled substances or consume alcoholic beverages to the point of intoxication. The parties shall likewise assure, to the extent possible, that other household members, caretakers, and/or houseguests comply with this prohibition. Additionally, neither party will smoke cigarettes or tobacco products nor allow others to smoke in the presence of the child.

PARTY'S INCAPACITY

16. Should any party's medical and/or mental health condition(s) become acute to the point that it does or could jeopardize the child's safety, he/she shall notify the other party(ies) immediately. Further, should a party be hospitalized, institutionalized, incarcerated, or otherwise be incapacitated/unavailable in excess of 24 hours, the non-custodial party shall be immediately notified and provided first opportunity to assume partial custody of the child. Once the party is discharged or released, the parties shall follow the schedule as outlined in this order.

TELEPHONE/EMAIL CONTACT

17. Each party shall be entitled to reasonable telephone, email or skype contact with the child when the child is/are in the custody of the other party, provided that the phone calls are not excessively frequent, nor too long in duration that they disrupt the child's schedule. The parties shall provide to one another an emergency contact telephone number, e-mail address or contact person.

EXTRACURRICULAR ACTIVITIES

18. The parties shall organize ways for the child to maintain their friendships, extracurricular activities and other special interests, regardless of in which household they may be. It is anticipated that the parties shall provide the appropriate items for care of the child, including, but not limited to, car seats, clothing, bedding, toys, prescription medicine, etc. It is also suggested that toys, clothing, etc. not become matters of contention. Neither party shall sign a child up for an extra-curricular activity unless both parties agree that it is in the best interest of the child.

RELOCATION

19. Once a party changes his/her address, the moving party shall immediately provide all other parties in writing with the new address and telephone number(s). This provision will not apply if there is a valid Protection From Abuse Order allowing a party's address to remain confidential.

20. No party shall relocate the child if such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights

unless (a) every person who has custodial rights to the child consents to the proposed relocation or (b) the Court approves the proposed relocation. The party seeking relocation must follow the procedures required by 23 Pa.C.S. §5337 as set forth in Exhibit A attached to this Order.

APPROPRIATE BEHAVIOR

21. All parties shall refrain from making derogatory comments about the other party in the presence of the child and shall prevent third parties from making such comments in the presence of the child (whether the child is sleeping or awake) or otherwise harass or interfere with the parties' periods of partial custody. The parties shall refrain from making derogatory comments and disparaging remarks on any electronic public social media (e.g. to include, but not be limited to, Facebook and Twitter).

22. The parties shall agree to refrain from encouraging the child to provide reports about the other party. Communication should always take place directly between the parties, without using the child or others as an intermediary.

23. No party shall engage in a course of conduct designed to alienate the child from another party or another party's extended family. To the extent possible, the parties will prevent third parties from engaging in such conduct.

24. The parties shall ensure that the designations of "Father" and "Mother" or their equivalent are used by the child only to refer to the biological parents and not to other persons. No party shall allow any third parties to use

such designations when referring to the relationship between the child and any third party.

25. The parties agree that they shall not persuade the minor child to use the designations of “Father” and “Mother” or their equivalent to refer to any third party other than the biological parents against their will.

PROTECTION OF CHILDREN

26. It is the intention of the parties that the child be protected from individuals with poor character (including, but not limited to, individuals involved with illegal activity, immoral or intemperate behavior, or violent propensities). The parties shall, to the extent possible, avoid contact with such individuals of poor character. Violation of the provisions set forth in this paragraph may be considered as contempt.

27. It is the intention of the parties and the parties agree that the child shall not participate in dangerous activities which may subject the child to major injuries.

FAMILY AND SPECIAL EVENTS

28. Parties shall permit and support child’s access to family relationships and events (funerals, graduations, reunions, etc.). Events will be accommodated by both parties with routine periods of custody resuming immediately thereafter. Each party shall have the option of proposing time or date variations to the other party when special recreational options or other unexpected opportunities arise.

MODIFICATION

29. It is understood and stipulated by the parties that upon mutual agreement, an expanded or altered schedule may be agreed upon between the parties and that such mutual agreement would be in the best interests of the child.

30. Should there be a substantial change in circumstances, either party may request an increase/decrease or change in the current custodial status by filing for a Petition for Modification with the Dauphin County Prothonotary's Office.

BY THE COURT:

Judge

DISTRIBUTION:

Sanford Krevsky, Esquire, Custody Conference Officer

Jennifer Lehman, ADDRESS, (Pro Se Litigant)

Sanford Krevsky, ADDRESS, (Pro Se Litigant)

SANFORD A KREVSKY
PLAINTIFF

IN THE COURT OF COMMON PLEAS
DAUPHIN COUNTY, PENNSYLVANIA

vs.

NO. 2020 – TEST

JENNIFER L LEHMAN
DEFENDANT

CIVIL ACTION
CUSTODY

ORDER OF COURT – PARENTING PLAN

AND NOW, this day of February, 2020, Sanford A Krevsky (Father) and Jennifer L Lehman (Mother) having appeared for a custody conference on February 21, 2020 before Jennifer L. Lehman, Esquire and having reached an agreement regarding the above-captioned parents' physical and legal custodial responsibilities of Deb Freeman (DOB DD/YYYY) hereinafter referred to as "child" it is hereby ORDERED and DECREED in the child's best interests that the "Parenting Plan" shall be as follows:

THIS ORDER REPLACES ALL PRIOR ORDERS.

LEGAL CUSTODY RIGHTS AND RESPONSIBILITIES

Legal custody is the right and responsibility to make major decisions concerning the child's health, medical, dental and orthodontic treatment, mental and emotional health treatment, education and religious training. 23 Pa.C.S.A. §5322.

1. The parents agree that they will share legal rights and responsibilities for the child. Legal custody decisions shall be made jointly by the parents after discussion and consultation with each other, with a view toward obtaining and following a harmonious parenting plan that is in the child's best interests.
2. Any parent granted shared legal custody has the right to access the child's medical, dental, religious and school records and any other related information in accordance with 23 Pa. C.S.A. §5336.
3. Each parent shall be entitled to complete and full information from any provider (e.g. doctor, dentist, school, counselor) and to have copies of any documents that have been given to the other parent.
4. Neither parent shall impair the other parent's rights and responsibilities regarding their shared legal custody of the child.
5. If emergency decisions must be made, the parent having physical custody of the child at the time of the emergency shall be permitted to make any immediate necessary decisions. However, that parent shall inform the other of the emergency and consult with him or her as soon as possible and inform the other as to any medical treatment that the child received.
6. Each parent shall provide the other parent with their current address, telephone number, and email address and provide the other parent complete updated information as soon as a change is made unless otherwise prohibited by Court Order.

PHYSICAL CUSTODIAL RESPONSIBILITIES AND SCHEDULE

BASIC CUSTODIAL SCHEDULE/SCHOOL YEAR SCHEDULE:

1. Primary physical custodial responsibilities of the child shall be with Father.
2. Mother shall have partial physical custodial responsibilities of the child in accordance with the following schedule:
 - (a) Alternating weekends

SCHOOL SUMMER RECESS:

3. During the school summer recess, the physical custody schedule will be as follows: Mother will have primary custody and Father will have alternating weekends.

VACATION:

4. Each parent is entitled to two non-consecutive weeks of uninterrupted vacation custody. It is understood that a week is defined as seven (7) days, which must include the parents'/parties regularly scheduled custodial weekend. Each parent shall provide the other with thirty (30) days' notice of his/her intention to exercise the extended custody period. In the event of a conflict, the parent first giving written notice shall prevail.
5. Each parent shall provide the other parent with the address and telephone number where the child will be during the vacation. Once they have arrived at their destination, the custodial parent will provide reasonable notification that the child arrived safely at the vacation destination and thereafter, notify that they have returned safely.

HOLIDAYS:

6. The holiday schedule shall take priority over the regular custody schedule. Unless otherwise agreed, the parents shall have physical custody of the child during holidays as follows:

HOLIDAY	TIMES	EVEN	ODD
Christmas A	Noon on December 24 th through Noon on December 25 th	Mother	Father
Christmas B	Noon on December 25 th through Noon on December 26 th	Father	Mother
Easter Sunday	8:00am to 9:00pm	Mother	Mother
Memorial Day	8:00am to 9:00pm	Mother	Father
July 4 th	8:00am to 9:00pm	Father	Mother
Labor Day	8:00am to 9:00pm	Mother	Father
Trick or Treat	6:00pm to 9:00pm	Father	Mother
Thanksgiving	8:00am to 9:00pm	Father	Mother
Mother's Day	8:00am to 9:00pm	Mother	Mother
Father's Day	8:00am to 9:00pm	Father	Father

PHYSICAL CUSTODIAL EXCHANGES

7. If the child is taking medication or receiving nutritional supplements, an adequate supply and/or a prescription for that medication shall be given to the other parent at or before the custodial exchange. An adequate supply of the child's recommended nutritional supplements and non-prescription medication and supplies, if any, shall be maintained by each and given to the child.
8. If a parent finds that they are unable to keep an appointed exchange time or other appointment for the child, they should immediately give notice to the other parent so as to avoid subjecting the child to unnecessary apprehension.
9. Toys, clothes, sports equipment, cellphones, tablets or other portable electronic equipment, etc. shall not become matters of contention between the parents as these generally are the child's property, not the parents', entitling the personal property to be taken back and forth by the child as reasonably appropriate.
10. Should a parent have the child spend an overnight at a place other than their primary residence or that of a family member, the other parent shall be provided the address and telephone number. This provision does not apply to an overnight by a child over 10 years of age with a friend with trustworthy parental supervision.

TRANSPORTATION OF THE CHILD

11. The parent beginning their periods of physical custodial responsibilities will provide transportation to assume physical custody of the child.
12. When transporting the child, both parents shall insure that the vehicle is inspected, is in good working condition and the driver has car insurance, a valid driver's license and that the child use appropriate seat belts or federal approved child safety seats that are appropriate for the child's age, height and weight when being transported in vehicles by that parent or others.

GENERAL RULES OF CONDUCT AND APPROPRIATE BEHAVIOR

13. **When dealing with the other parent, let your child see you act in a consistently mature and respectful manner.**
14. **Do not talk negatively to your child, or in front of your child, about the other parent.** The parents shall establish a No-Conflict Zone for the child and refrain from making derogatory or uncomplimentary comments about the other parent in the presence of the child and shall not permit third parties from making such comments in the presence of the child while in their physical custody whether they are sleeping, awake or in another room.
15. Parents shall refrain from making derogatory comments and uncomplimentary remarks on any electronic public social media such as Facebook and Twitter.
16. **Do not interrogate your child about what the other parent is saying or doing. Parents** shall not encourage and shall discourage the child to report about the other.

17. **Do not use your child as a messenger between the parents.** Communication shall always take place directly between the parents without using the child as an intermediary.
18. **Do not obstruct your child's opportunity to enjoy holiday time, vacations, and other positive experiences with the other parent.** Parents shall permit and support the child's access to family relationships and events such as funerals, graduations, reunions, parties, etc. Events will be accommodated by the parents with routine periods of physical custody resuming immediately after the event. Each parent shall have the option of proposing time and date variations to the other parent when special recreational options or other unexpected opportunities arise.

ALCOHOL, TOBACCO AND CONTROLLED SUBSTANCES

19. The parents shall not possess illegal controlled substances or abuse prescription medication during periods of physical custodial responsibilities.
20. The parents shall not consume alcoholic beverages or controlled substances to the point of intoxication or mental impairment within 4 hours prior to or during periods of physical custodial responsibilities.
21. Neither parent shall smoke cigarettes, tobacco products or use illegal substances or abuse prescription medication during their custodial periods in the presence of the child or anywhere inside their residence, vehicle or wherever the child may be.
22. If a parent attempts to exercise their physical custodial responsibilities under the influence of alcohol or illegal or controlled substances or abuse prescription medication, the custodial period shall be considered as forfeited on those grounds alone.
23. The parents shall assure, to the extent possible, that other household members, caretakers, and/or houseguests comply with these prohibitions.

TELEPHONE/ELECTRONIC CONTACT

24. Each parent shall be entitled to communicate with the child through Skype, ooVoo, Face Time, telephone, text messaging, email or other electronic contact, when they are in the custody of the other [no less than once per week provided that the contact is not excessively frequent or intrusive, nor too long in duration that they disrupt the child's time with the other.
25. The child shall be permitted to contact the other parent at any time.
26. Each parent shall promptly and politely respond to the other parent's/party's telephone calls, text messages, faxes and emails regarding the child.
27. Parents shall provide one another with a telephone number and address where their child may be contacted at all times, whenever reasonably possible. This principle applies to situations such as vacations with friends and their families.

MODIFICATIONS TO OR DISPUTES ABOUT THIS PARENTING PLAN

- 28. It is understood and stipulated by the parents that upon mutual agreement, an expanded or altered schedule may be agreed upon between the parents and that such mutual agreement would be in the best interests of the child.
- 29. Should there be a substantial change in circumstances and the parents cannot agree on a new schedule, either party may file a Petition for Modification with the Prothonotary's Office.

RELOCATION

- 30. A parent proposing to change the residence of a child which significantly impairs the ability of a non-relocating parent to exercise custodial rights shall follow the procedures required by 23 Pa.C.S. §5337 and Rule of Civil Procedure 1915.17 as set forth in Exhibit A attached to this Custody Order/Parenting Plan.

CONTEMPT

- 31. Contemptuous conduct may also constitute grounds for modification of the legal and physical custody provisions contained in this Order.

BY THE COURT:

Judge

DISTRIBUTION:
Jennifer Lehman, Esquire