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- In the UK, the welfare of the child is the paramount consideration in any decision relating to children
- This agreement does not override any existing court orders relating to the children

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CHILD CUSTODY AGREEMENT

THIS CHILD CUSTODY AGREEMENT (the "Agreement") is made and entered into on this **[DATE]** day of **[MONTH]**, **[YEAR]**,

BETWEEN:

[FULL NAME OF PARENT 1] of **[ADDRESS OF PARENT 1]** (hereinafter referred to as "Parent 1")

AND

[FULL NAME OF PARENT 2] of **[ADDRESS OF PARENT 2]** (hereinafter referred to as "Parent 2")

(collectively referred to as the "Parents" and individually as a "Parent")

IN RELATION TO:

The following child(ren):

1. **[FULL NAME OF CHILD 1]**, born on **[DATE OF BIRTH]**
2. **[FULL NAME OF CHILD 2]**, born on **[DATE OF BIRTH]**

3. **[FULL NAME OF CHILD 3]**, born on **[DATE OF BIRTH]**

(collectively referred to as the "Children" and individually as a "Child")

RECITALS

WHEREAS:

A. The Parents are **[CHOOSE ONE: married but separated / divorced / in the process of divorcing / were never married]** and are the biological/legal parents of the Children;

B. **[IF APPLICABLE: A divorce/dissolution proceeding between the Parents is currently pending in the [NAME OF COURT] under case number [CASE NUMBER]]**;

C. Both Parents have parental responsibility for the Children under the Children Act 1989;

D. The Parents wish to establish clear arrangements regarding the care of the Children that serve the Children's best interests;

E. The Parents acknowledge that the welfare of the Children is the paramount consideration in matters relating to their upbringing;

F. The Parents are committed to co-parenting effectively and to shielding the Children from parental conflict;

G. The Parents have entered into this Agreement freely and voluntarily, with full understanding of its terms and implications;

NOW THEREFORE, in consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parents agree as follows:

2. PARENTAL RESPONSIBILITY

2.1 The Parents acknowledge and agree that they both have Parental Responsibility for the Children.

2.2 The Parents shall consult with each other and make joint decisions on the following major issues affecting the Children:

2.2.1 Education, including:

- (a) Choice of school
- (b) Decision to change schools
- (c) Home schooling decisions
- (d) Special educational needs provision

2.2.2 Healthcare, including:

- (a) Non-emergency medical treatment
- (b) Elective surgical procedures
- (c) Mental health treatment
- (d) Long-term medication

3. LIVING ARRANGEMENTS

[CHOOSE ONE OF THE FOLLOWING OPTIONS:]

[OPTION 1: PRIMARY RESIDENCE WITH ONE PARENT]

3.1 The Children shall primarily reside with **[Parent 1/Parent 2]** (the "Resident Parent") at **[ADDRESS]**.

3.2 The Children shall have regular contact with **[Parent 2/Parent 1]** (the "Contact Parent") as set out in Schedule A.

3.3 The Contact Parent shall collect the Children from and return them to the Resident Parent's home, unless otherwise agreed.

3.4 The Parents shall be flexible and accommodating with regard to additional contact, where this is in the Children's best interests and practical for both Parents.

[OPTION 2: SHARED CARE ARRANGEMENT]

3.1 The Children shall live with both Parents on a shared care basis according to the schedule set out in Schedule A.

3.2 During School Terms, the Children shall alternate between the Parents' homes as follows:

(a) Week 1: With Parent 1 from **[DAY]** at **[TIME]** until **[DAY]** at **[TIME]**, and with Parent 2 from **[DAY]** at **[TIME]** until **[DAY]** at **[TIME]**.

(b) Week 2: With Parent 2 from **[DAY]** at **[TIME]** until **[DAY]** at **[TIME]**, and with Parent 1 from **[DAY]** at **[TIME]** until **[DAY]** at **[TIME]**.

(c) This pattern shall continue on an alternating basis.

4. HOLIDAY AND SPECIAL OCCASION ARRANGEMENTS

4.1 School Holidays

4.1.1 The arrangements for School Holidays are set out in Schedule B.

4.1.2 Each Parent shall notify the other of their proposed holiday dates for the upcoming year by **[DATE]** each year.

4.2 Christmas/Winter Holidays

4.2.1 The Christmas/Winter holiday period shall be defined as from the end of the school term until the beginning of the new term.

4.2.2 This period shall be divided as follows:

- (a) In even-numbered years, Parent 1 shall have the Children from the end of the school term until **[DATE/TIME]**, and Parent 2 shall have the Children from **[DATE/TIME]** until the beginning of the new term.
- (b) In odd-numbered years, the arrangement shall be reversed.

5. COMMUNICATION ARRANGEMENTS

5.1 Communication Between Parents

5.1.1 The Parents shall communicate with each other regarding the Children via **[SPECIFY METHOD, e.g., "email", "text message", "co-parenting app"]**.

5.1.2 The Parents shall inform each other promptly of any significant matters affecting the Children, including:

- (a) Health issues
- (b) Educational concerns
- (c) Behavioral issues
- (d) Significant incidents

16. SIGNATURES

IN WITNESS WHEREOF, the Parents have executed this Agreement as of the date first above written.

SIGNED by **[FULL NAME OF PARENT 1]**

in the presence of:

Signature of Parent 1

Signature of Witness

Name: _____

Address: _____

Occupation: _____

SIGNED by **[FULL NAME OF PARENT 2]**

in the presence of:

Signature of Parent 2

Signature of Witness

Name: _____

Address: _____

Occupation: _____

SCHEDULE A: DETAILED RESIDENCE/CONTACT SCHEDULE

[DETAILED WEEKLY/FORTNIGHTLY SCHEDULE]

SCHEDULE B: HOLIDAY AND SPECIAL OCCASION SCHEDULE

[DETAILED HOLIDAY AND SPECIAL OCCASION SCHEDULE]

SCHEDULE C: FINANCIAL RESPONSIBILITIES

[DETAILED BREAKDOWN OF FINANCIAL RESPONSIBILITIES]

SCHEDULE D: COMMUNICATION PROTOCOL

[DETAILED COMMUNICATION PROTOCOL]