

*H. Suttle*

**IN THE CIRCUIT COURT OF LAUDERDALE COUNTY, ALABAMA**

<b>IN RE: THE MARRIAGE OF</b>	^
	^
<b>TONYA BLACKSTOCK,</b>	^
<b>Petitioner,</b>	^
	^
<b>v.</b>	<b>^CASE NO.:DR-2006-086.01</b>
	^
<b>MARK DAVIS,</b>	^
<b>Respondent.</b>	^

**^ORDER^**

The held a trial in this matter at which the parties were present with their attorneys. After consideration of the evidence, the Court **FINDS and ORDERS** as follows:

1. Joint legal custody remains with both parents.
2. Primary physical custody of the child of the parties is placed with her mother being September 1, 2006 subject to the visitation rights of the father. The father is awarded the visitation rights attached hereto as Exhibit "A". Additionally, in view of the father's close relationship with his child, the Standard Visitation Guidelines are modified so that Paragraph 2 provides that with respect to "weekday visitation", the father shall have every Tuesday from when the child is discharged from school until 8:00 p.m.
3. The father is **ORDERED** to pay child support of \$469.00 per month beginning September 15, 2006 and the 15<sup>th</sup> day of each month thereafter. All child support payments are to be made to the

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Alabama Child Support Payment Center, P.O. Box 44015, Montgomery, AL 36124-4015, for disbursement to the petitioner.

4. The parties shall remain responsible for one-half (1/2) of the uninsured medical costs of the child. However, the father is due a credit of \$1,338.93. Accordingly, a deduction from this credit shall be made for one-half (1/2) of the uninsured medical costs of the child until such time as the credit has been used. The child shall have medical insurance coverage from her mother's husband through his place of employment, if it is available. The mother shall immediately notify the father in writing if such coverage is not available or is cancelled. The child's father is to be given an insurance card, claim forms, or other information necessary to obtain medical care for the child. If the signature of either parent or any assistance of either parent is needed to obtain medical insurance benefits, then the parent shall freely give the same upon request.

If the mother has been required to pay for such care at the time of its delivery, then the father shall reimburse his share to the mother by check, money order, or cash, with a receipt (subject to the credit given above). He shall do so within seven (7) days after the mother has presented him with a copy of the statement, invoice or bill and proof that it has been paid. Otherwise, the father is to pay his share directly to the healthcare provider within seven (7) days of receipt of

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the bill. The mother shall be fully responsible for any charges made for a failure to keep a scheduled appointment with a healthcare provider.

The mother shall keep the father advised of the child's health and consult with him regarding her needs for medical, dental and optometric care. Elective orthodontic care must be discussed and agreed upon by the mother and father before the father is required to pay a share of such elective care. If no agreement is reached, an order of this Court must be obtained as to the need for and the sharing of such costs.

**DONE this 31 day of August, 2006.**



**NED MICHAEL SUTTLE  
CIRCUIT COURT JUDGE**

**cc: Melinda Austin, Esq.  
Heath Trousdale, Esq.**

**LAUDERDALE COUNTY STANDARD VISITATION, EFFECTIVE MAY 1, 2003**

**EXHIBIT "A"**

**VISITATION FOR A CHILD UNDER 12 MONTHS OF AGE**

The non-custodial parent shall have the right to visit with the minor child under the age of twelve months, each Sunday from 2:00 p.m. to 5:00 p.m. at the place where the child resides, unless the parties mutually agree upon another location.

**VISITATION FOR A CHILD OVER 12 MONTHS AND UNDER 3 YEARS**

The non-custodial parent shall have scheduled visitation on the first and third Saturday each month from 9:00 a.m. to 6:00 p.m.;

On the second and fourth Sunday from noon to 5:00 p.m.;

On the birthdays of the child and the non-custodial parent from 5:00 p.m. to 8:00 p.m.;

Easter Day from 3:00 p.m. to 8:00 p.m.

4<sup>th</sup> of July from 3:00 p.m. to 8:00 p.m.

Thanksgiving Day from 3:00 p.m. to 8:00 p.m.;

Christmas Day from 3:00 p.m. to 8:00 p.m.;

Father's Day/Mother's Day from noon to 5:00 p.m.

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**VISITATION FOR CHILDREN 3 YEARS OLD OR OLDER**

1. **WEEKENDS.** Every other weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. The first weekend visitation shall begin the second full weekend after the date of the decree.
  
2. **WEEK DAY VISITATION.** Every other Tuesday from 4:00 p.m. to 8:00 p.m. beginning the first Tuesday after the date of the decree.
  
3. **SUMMER VISITATION.**
  - (a) Each June from the first Friday in June at 6:00 p.m. until the third Friday in June at 6:00 p.m. During this 14-day period, the custodial parent shall not have visitation with the child(ren), but shall have reasonable telephone contact. The non-custodial parent shall have no other visitation with the child(ren) during this 14-day period.
  
  - (b) Each July from the second Friday in July at 6:00 p.m. until the fourth Friday in July at 6:00 p.m. During this 14-day period, the custodial parent shall not have visitation with the child(ren), but shall have reasonable telephone contact. The non-custodial parent shall have no other visitation with the child(ren) during this 14-day period.
  
4. **SPRING BREAK.** Monday through Wednesday at 6:00 p.m. if the non-custodial parent has regularly scheduled weekend visitation prior to spring break; Wednesday at 6:00 p.m. through Friday if regularly scheduled weekend visitation begins on the weekend following spring break.
  
5. **FALL BREAK.** Monday through Wednesday at 6:00 p.m. if the non-custodial parent has regularly scheduled visitation prior to fall break week. Wednesday at 6:00 p.m. through Friday if regularly scheduled weekend visitation begins on the weekend following fall break week.

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6. **CHILD'S BIRTHDAY.** From 4:00 p.m. to 7:00 p.m. If there is more than one child, the non-custodial parent is entitled to visit with all children on each child's birthday.

7. **BIRTHDAY OF EITHER PARENT.** Each parent shall have visitation on his or her birthday visitation from 4:00 p.m. to 7:00 p.m.

8. **HOLIDAY VISITATION FOR NON-CUSTODIAL PARENT.**

(A) In odd numbered years:

1. Easter Sunday from 8:00 a.m. until 6:00 p.m.
2. Labor Day from 8:00 a.m. until 6:00 p.m.
3. Thanksgiving weekend, from the Wednesday before Thanksgiving Day at 6:00 p.m. until Friday at 6:00 p.m. If this is the non-custodial parent's regularly scheduled weekend visitation, then the visitation will end on Sunday at 6:00 p.m.

(B) In even numbered years:

1. Memorial Day from 8:00 a.m. until 6:00 p.m.
2. July 4<sup>th</sup> from 8:00 a.m. until July 5<sup>th</sup> at 8:00 a.m.

9. **CHRISTMAS VACATION.**

(a) In even numbered years from the day and time school is recessed for Christmas holidays until December 25 at 2:00 p.m.

(b) In odd numbered years from December 25 at 2:00 p.m. until January 2 at 6:00 p.m.

10. **FATHER'S DAY/MOTHER'S DAY.** The child(ren) shall be with the his/her/their father on Father's Day each year from 9:00 a.m. until 6:00 p.m. The child(ren) shall be with the his/her/their mother on Mother's Day each year from 9:00 a.m. until 6:00 p.m.

11. **OTHER REASONABLE TIMES AND PLACES.** At all other times and places as may be agreed upon between the parties.

12. **NOTICE.** No advance notice shall be required of the non-custodial parent concerning visitation. However, the non-custodial parent shall notify the custodial parent, as soon as practicable, if said non-custodial parent is unable to visit with the child(ren) during the scheduled time and place.

13. **TELEPHONE ACCESS.** Each parent shall have reasonable telephone access to the minor child(ren) while in the physical custody of the other parent between 7:00 a.m. and 8:00 p.m. The child(ren) shall also have reasonable telephone access to both parents at all reasonable times.

14. **SPECIAL EVENTS.** Children are entitled to have both parents present at special events, such as graduation, special school events, sporting and extra-curricular events, and any other special occasions which would be of significance to the child(ren). The custodial parent shall notify the non-custodial of such events in advance. Both parents are directed to cooperate with each other so that these events will remain special events in the lives of their child(ren).

15. **EVENTS SCHEDULED DURING VISITATION.** The custodial parent shall inform the non-custodial parent of any regularly scheduled sporting events, practices, school activities, or other functions which the child(ren) would normally attend during any scheduled visitation period. The non-custodial parent shall make reasonable efforts to allow the child(ren) to attend such functions during any period of visitation.

16. **ILLNESS.** Both parents are directed to immediately notify the other parent in the event any regularly scheduled visitation cannot occur as scheduled. Normal childhood

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illnesses will normally not be deemed a sufficient reason for canceling a scheduled visitation; however, the custodial parent shall convey full instructions to the non-custodial parent concerning medication, treatment, and physicians' orders. If the child(ren) is treated during a visitation with the non-custodial parent, then the custodial parent shall be fully informed of the treatment, medication and doctor's advice concerning the child(ren).

17. **TRANSPORTATION.** The non-custodial parent is responsible for picking the child(ren) up at the residence of the custodial parent and returning the child(ren) to the same residence as long as the most direct route from the non-custodial parent's residence to the child(ren)'s residence is 20 miles or less. If the distance is greater than 20 miles, then the non-custodial parent shall be responsible for getting the child(ren) at their residence at the beginning of the visit and the custodial parent shall be responsible for getting the child(ren) at the residence of the non-custodial parent at the end of the visit.

18. **CONDUCT.** Each parent shall encourage a smooth and orderly transition of the child(ren) at the beginning and conclusion of each visit and shall in no way attempt to influence, alienate or otherwise sway the child(ren) against the other parent. Parents shall not make derogatory or insulting remarks or comments regarding the other in the presence of the child(ren). Parents shall not involve the child(ren) in any disputes about child support and visitation.