

BowTieLawyer

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Want a Happy Birthday?! Don't Forget this "F

Happy Birthday! is something we all look forward to sharing with our children. But, is this day sa Divorce Agreement?



Happy Birthday / BowTiePublishing

I have previously blogged on the "forgotten holidays" ([Halloween](#), [labor day](#)) and [visitation sched](#) are also often overlooked at times of divorce. A Court's standard visitation does not include, specifi birthdays so it is up to you, as an attorney or client, to remember the dates that matter.

In most of my Agreements the child's birthday is specifically considered. The following is an exam

The Father shall have custody of the minor child, at least, as the following times... "On the child' odd-numbered years, from 8:00 a.m. until 2:00 p.m., and from 2:00 p.m. until 8:00 p.m. in ev years, or all other times as mutually agreed upon by the parties. The child shall be with the Mo birthday, including overnight, and with the Father on his birthday, including overnight.

Some alternative language is as follows;

The parents shall cooperate on each child's birthday and shall plan to attend and pay for the chil party on an equal and reasonable basis. However, if the parents are unable to agree, then notwi which parent has physical custody on the child's birthday, the parent not having physical custo her birthday shall have the opportunity to celebrate the birthday with that child from 4:00 p.m. on her birthday.

None of the above language is perfect for every circumstance and the fact that it must be included indicator that mom and dad are not working together in the child's best interest. Also, parties can to "cooperate" and what is "reasonable." However, if you are dealing with a battle-axe it's much b specific language and not need, than to need it and no have it.

Matthew Thompson is a Family Law attorney and wishes Claire a happy, happy, happy birthday!



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