

INSTRUCTIONS FOR CUSTODY CLIENTS

1. Buy a 3-ring binder, like used in High School or College. On the cover or on the first page print, "For My Attorney Only". This creates a work product exception to avoid discovery.
2. Purchase a diary and/or calendar, and two high lighters, i.e. pink/blue. Highlight the days each parent has the child/children. For Grandparents, use another color.
3. In your binder, list every reason you should get custody.
4. Then list every reason your spouse or ex-spouse, should not get custody.
5. To avoid any surprises, list every reason your spouse or ex-spouse will say that they should have custody. This will include your faults and their positive attributes.
6. In your diary or calendar begin recording an accurate chronological record of events in your child's daily life. Emphasis should be placed on your role in your child's life, but not to the obvious exclusion of your spouse.
7. Begin a photographic album that depicts you with the children. The earlier you begin, the better. Have photos showing the children growing with you, evidenced by the change of the seasons, different clothes, styles and thickness, etc. (A camera that date stamps is best.) Pictures of doing things with your children; eye contact and hugs are best.
8. Become involved in your child's educational life. Sign the report cards. Visit with and know the teachers. Make school supplies purchases and retain the receipts.
9. Know everything about your children; shoe size, shirt size, favorite color, favorite foods, special medical needs, allergies, etc.
10. Prepare a daily schedule that you would propose to the Court if you were awarded custody. The schedule would begin with wake up hours, breakfast, baths, clothes, school or day care, pick up from school or day care, evening meals, homework and bed time.
11. Have suitable living quarters. A one bedroom apartment is not appropriate for a working mother and two teenage boys.
12. Have plans in case of emergencies. Make certain you know where your children are at all times, and that your children, or their supervisors, know how to contact you at all times. Know the names, addresses and phone numbers of the local ambulance, closest hospital, family doctor, dentist and all persons responsible for your child, including baby sitters or day cares.
13. Know your baby sitter or day care. Are they licenses and insured? Do they pass state inspection? How far is it from the day care to your work? To your home?
14. Prepare a list of local friends and family who could help you with the children in an emergency.
15. Prepare a list of character witnesses. These are people who know you, your spouse, and/or the children, and who would be willing to testify that you are a competent parent who should be awarded custody. This should not be abused. Day care workers are excellent.
16. Maintain a positive relationship with your child. Do not attempt to bribe or buy a child's emotions.
17. Document the child's ties to the neighborhood. This includes young friends, church or synagogue, activities, etc.
18. Never violate a Court Order regarding the children.
19. **SOCIAL NETWORKING SITES** such as **Face Book and My Space**, should never contain information and/or photographs that you would not want a Judge to see. I have been astounded by the number of clients who are surprised and indignant that the contents of these sites are introduced into evidence in Court. There should be no expectation of privacy and be very wary about what is posted, as what you exhibit, say, or do, can come back to haunt you, and potentially damage your case.

Compile all of the above in a organized notebook, and submit to me.

If a child is twelve years of age or older, he or she can sign an affidavit stating whom they would prefer to live with. This is not binding on the Court. It is a piece of evidence, just like all the other evidence. However, the Court realizes the problem in ordering a sixteen year old son to stay with a parent he does not want to reside with. If a child is younger than 12, he or she might have the opportunity to speak with the judge. There is however, no guarantee of this.

Texas only recognizes limited rights of grandparents and can award them custody or visitation rights in extreme cases only.