Cape Fear
FAMILY LAW

CLIENT WORKSHEET · CUSTODY

The NC Holiday Custody *Order Decoder*

How to Read Your Own Custody Order's Holiday Language in Ten Minutes

BY

Adrian Davis

BOARD-CERTIFIED FAMILY LAW SPECIALIST & PARENTING COORDINATOR

Serving families across North Carolina

START HERE

Why This Decoder Exists

Most holiday fights I get called into aren't bad faith. They're two reasonable parents reading the exact same sentence in their own order and landing on two different, equally defensible interpretations.

The order was written months or years ago, using common template language. That language sounds clear on the page and stops sounding clear the week of Thanksgiving.

> *It won't tell you what your order should say. It will help you find out, in about ten minutes, what your order actually does say, where it's clear, and where it's quietly silent.*
>
> THE SAME WALK-THROUGH USED WITH CLIENTS AND IN MEDIATION

01

STEP 1

Find Your Holiday Provision

Most North Carolina custody orders keep two schedules in one document: a regular, recurring schedule, and a separate section — usually titled something like "Holiday Schedule" or "Holidays and Special Occasions" — that overrides the regular schedule whenever the two conflict.

Start by locating that section by name. **If your order has one, that language controls for every listed holiday, full stop** — the regular schedule doesn't apply on those dates, even if it would otherwise be your ordinary weekend or week.



CAN'T FIND IT?

If you can't find a section titled this way, check the regular schedule itself for a sentence noting that holidays are addressed elsewhere or that the regular schedule "yields to" or is "superseded by" a holiday provision. If neither exists, your order may simply be silent on holidays — that's common, and it's its own category. We cover what to do about it in Step 4.

02 STEP 2

Decode the Common Phrases

These are the phrases that show up in most North Carolina holiday clauses, what they usually mean in practice, and exactly what to go check in your own order before you assume you know.

PHRASE IN YOUR ORDER	WHAT IT USUALLY MEANS	WHAT TO CHECK IN YOUR OWN ORDER
"Odd/even years"	Alternates by calendar-year parity — the parent listed for odd years has it in 2025, 2027, and so on.	Confirm which parent actually had the holiday last year, then count forward. A single wrong assumption here compounds every year after.
"The parties shall alternate"	Alternating is intended, but the order may not say who goes first.	Look for an anchor year or a "beginning in [year]" clause. If there isn't one, that's a gap — flag it.
"Reasonable holiday time" / "reasonable time"	Undefined by design — and one of the most disputed phrases in North Carolina custody orders.	Flag this as ambiguous. It has no fixed meaning until both parents agree on one or a court defines it.
"Thanksgiving break"	Usually refers to the child's full multi-day school break, not just Thanksgiving Day.	Confirm this is the term your order actually uses — it is not interchangeable with "Thanksgiving Day."
"Thanksgiving Day"	Usually means the single calendar day, not the surrounding school break.	Check whether a start and end time are written in, or only the day — a bare day with no hour is a common gap.
"As agreed by the parties"	Defaults to requiring fresh mutual agreement every year, with no backstop if you don't agree.	Flag this as a gap. Ask what happens if you can't agree — if the order doesn't say, there is no built-in answer.
Silent on a specific holiday	The regular schedule likely controls by default, but only if your order says the holiday section supersedes it.	Confirm the supersede language exists. If it doesn't, this is worth a direct question to your attorney.

03

STEP 3

Build Your Family's Actual Calendar

Once you understand the language, translate it into your own family's dates. **Fill this out using your order's exact wording — not your memory of how last year went.**

HOLIDAY	WHAT MY ORDER SAYS (QUOTE IT)	WHO HAS IT THIS YEAR	START / END TIME	FLAG?
Thanksgiving				Y N
Winter / Christmas Break				Y N
Christmas Eve				Y N
Christmas Day				Y N
New Year's Eve / Day				Y N
Spring Break				Y N
Religious or Cultural Holiday(s)				Y N
Child's Birthday				Y N
Mother's Day / Father's Day				Y N
Halloween				Y N
Summer Break Start / End				Y N

USE REAL DATES

Label each row with the actual dates for the current year before you rely on it — "Thanksgiving" moves every year; the date in your calendar should not.

04 STEP 4

Flag the Gaps

An order doesn't have to be wrong to be incomplete. Walk through this checklist for every holiday your family actually observes. **Any box you can't check is a gap worth raising — before the holiday, not during it.**

- ☐ No specific start or end time is written in — just a day, with no hour attached to it.
- ☐ No exchange location is named for the handoff.
- ☐ The order is silent on a specific holiday your family actually observes that isn't Christmas, Thanksgiving, or Easter.
- ☐ No makeup time is provided if a holiday exchange is missed for a legitimate reason.
- ☐ No language addresses what happens when a holiday falls on a day the school calendar treats differently than the order assumes.
- ☐ No anchor year is stated for an alternating-years clause.
- ☐ Two sections of the order seem to conflict — the holiday schedule and the regular schedule appear to say different things for the same date.

COMMON MISTAKES THAT CREATE HOLIDAY FIGHTS

- ⊗ Assuming "reasonable time" means the same number of hours to both parents.
- ⊗ Working from memory of what happened last year instead of the order's actual words.
- ⊗ Waiting until the week of the holiday to compare calendars and confirm exchange times.
- ⊗ Agreeing to a one-time change by text message with no written record of what was agreed.
- ⊗ Treating a school break and a single holiday as interchangeable when the order draws a real distinction between them.

NEXT STEPS

What to Do With This Once It's Built

YOU DON'T NEED TO FINISH FIRST

You don't need to finish this before you call us. Bring whatever you've filled in so far, including the gaps — that's often the most useful part.

This decoder is a starting point for a conversation with your attorney or a mediator, not a substitute for one. What a gap means for your specific order depends on your county, your judge, and the rest of your case.

CAPE FEAR FAMILY LAW

Ready to Put This to Work?

If you've found a gap, or you just want a second set of eyes on what your order actually says before the next holiday arrives, we can help — whether that means a consultation to talk through your options or bringing us in as your mediator to build language that actually holds up.

SCHEDULE A CONSULTATION

BOOK US AS YOUR MEDIATOR

This guide is for general educational purposes only and does not constitute legal advice. Every order and every county is different — consult a licensed North Carolina family law attorney about your specific situation.