



A CLIENT GUIDE FROM CAPE FEAR FAMILY LAW

The Summer Holiday Custody Quick Guide

*July 4th Weekends, Summer Camps & Vacation Schedules —
Resolved Before They Ruin Your Summer*

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SUMMER CUSTODY, RESOLVED

Three Conflicts. Three Clear Paths Forward.

Summer is when custody orders get stress-tested. The school-year routine disappears, camps and vacations collide with the rotation, and July 4th falls on a different day of the week every year. This quick guide walks you through the three most common summer conflicts North Carolina parents face — and the exact steps to resolve each one without torching your co-parenting relationship or your holiday weekend.

DIRECT ANSWER · Who gets the kids on July 4th in North Carolina?

Your custody order controls. If it names July 4th, that provision wins — even over the regular weekend rotation. If it's silent, the normal schedule applies, and neither parent may unilaterally keep the child. Disputes are resolved by written agreement, mediation, or a motion under N.C.G.S. § 50-13.7.

CONFLICT #1

The July 4th Weekend Tug-of-War

THE PROBLEM: July 4, 2026 falls on a Saturday — which means the “holiday” and the “regular weekend” are the same days. Both parents read the order and both believe it's their time.

HOW TO RESOLVE IT

- **Read the priority clause.** Most NC orders state that holiday provisions override the regular rotation. Find that sentence and screenshot it.
- **Check the definition of the holiday.** Does your order define July 4th as the day itself (9 a.m.–9 p.m.), the overnight, or the entire weekend? The definition — not your assumption — controls.
- **Confirm odd/even year assignment.** 2026 is an even year. If your order alternates holidays by odd/even years, the answer may already be written down.
- **Put your position in writing early.** Send a short, businesslike message through your co-parenting app by mid-June: quote the order language, state the exchange time you expect, and ask for confirmation.
- **If the other parent refuses, don't self-help.** Withholding the child in retaliation creates your own contempt exposure. Document the refusal and call an attorney — an expedited motion or contempt filing protects the record.

PRO TIP

If your order is silent on July 4th, propose a written trade now — the holiday this year for a comparable weekend — and memorialize it in your co-parenting app. A documented agreement is enforceable leverage; a phone call is a memory contest.

CONFLICT #2

Summer Camp Sign-Ups, Costs & Consent

THE PROBLEM: One parent enrolls the child in a camp that eats into the other parent's custodial time — or expects the other parent to split a bill they never agreed to pay.

HOW TO RESOLVE IT

- **Camp is not a custody trump card.** Enrolling a child in camp does not rewrite the schedule. Camp during your time is generally your call; camp scheduled over the other parent's time requires their agreement.
- **Check who holds decision-making authority.** If your order grants joint legal custody, significant enrollment decisions typically require consultation. Sole legal custody changes the analysis — read your order, not the other parent's summary of it.
- **Costs follow the agreement, not the invoice.** A parent who unilaterally books a \$900 camp cannot manufacture a debt for the other parent. Cost-sharing comes from your order, your separation agreement, or a documented mutual agreement — get it in writing before the deposit.
- **Handle work-related camp differently.** Camp that functions as childcare while a parent works may be treated as a work-related childcare expense in child support analysis. Flag it for your attorney rather than arguing it by text.
- **Propose, don't impose.** Send camp options with dates, costs, and a response deadline in writing by early spring for next year. Courts notice which parent behaved reasonably.

CONFLICT #3

Vacation Weeks & Notice Deadlines

THE PROBLEM: Most NC custody orders give each parent one or two weeks of uninterrupted summer vacation — with a written notice deadline (often April 1 or May 1). Miss the deadline, and the other parent's selection may take priority.

HOW TO RESOLVE IT

- **Calendar the deadline every January.** Notice provisions are strictly read. “I mentioned it at drop-off” is not written notice.
- **Give notice the way the order requires.** If the order says certified mail or the co-parenting app, use that method — even if you also text.
- **Include travel details if required.** Many orders require itinerary, lodging, and contact information for out-of-state travel. Provide it without being asked; withholding it invites a motion.
- **Overlapping selections:** Orders usually break ties by odd/even year priority or first-notice-wins. Apply the tiebreaker in the order — don't invent your own.
- **Out-of-country travel deserves a call to counsel first.** Passport consent, itinerary requirements, and any travel restrictions in your order need review before you book nonrefundable flights.

THE SUMMER DOCUMENTATION CHECKLIST

- A dated copy (or screenshot) of the controlling custody order provisions — holiday clause, vacation clause, notice clause
- All summer scheduling communications in one channel — your co-parenting app or email, not scattered texts
- Written confirmations of every agreed trade, camp enrollment, and cost split
- A dated log of any denied exchange: time, place, what was said, who was present
- Receipts for camps and activities you may seek contribution for

WHEN TO STOP NEGOTIATING AND CALL AN ATTORNEY

- The other parent has denied or threatened to deny your court-ordered July 4th or vacation time
- You've been unilaterally billed for camps or activities you never approved
- Exchanges are being used to renegotiate the order on the fly
- Your current order no longer fits your family and needs modification under N.C.G.S. § 50-13.7 (substantial change in circumstances affecting the child's welfare)
- You suspect the other parent plans to travel without required notice or consent

Willful violation of a custody order is enforceable through the court's contempt powers. The record you build in June and July is the evidence that wins in September.

**DON'T SPEND YOUR SUMMER IN A COURTROOM —
OR LOSE IT WITHOUT A FIGHT**

The Fourth of July comes every year — but the window to fix a broken summer schedule doesn't.

If your parenting plan falls apart every June, the time to act is now — not the night before the exchange. If the other parent is withholding your court-ordered holiday or vacation time, you may have remedies under N.C.G.S. § 50-13.7 and contempt powers you're not using.

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