

Restricted or Supervised Parenting Time

The court may restrict parenting time if the parent asking for parenting time might harm the children. Harming the children might be physical, emotional or by kidnapping. The court can limit the hours of parenting time or limit the place where parenting time can take place. The court can order that the child only visit when another person is there. This is called **supervised parenting time**. In some cases, parenting time may be denied altogether. The court can also order that the pick-up and drop-off of the child take place at a safety center to protect the custodial parent.

If a parent asking for parenting time has been convicted of certain crimes, that parent must convince the court that parenting time with the child is in the child's best interest. These crimes include assault, sexual abuse, parental kidnapping, terroristic threats, felony harassment and stalking. Ask your lawyer if these laws apply in your case.

Moving Out of State

When parenting time rights are granted, the custodial parent cannot move the child to another state without getting permission from the other parent. If the other parent will not give written permission for the move, the custodial parent must ask for permission from the court.

Once the court makes a decision about parenting time, can that order be changed?

Yes. The parenting time order can be changed if the situation changes and a new order is needed for the child's best interest. Changing parenting time rules is easier than changing custody orders. This is because the court just looks at the best interest of the child and does not have to look at if the current parenting time actually endangers the child. The court administrator's office has forms for the public to use (called pro se forms) to ask the court for parenting time changes without a lawyer. You can also contact your local legal aid office for help.

We signed a Recognition of Parentage (ROP). What are each parent's parenting time rights?

If the father wants a legal right to visit, he has to bring a separate legal action for parenting time. The parents may agree about parenting time but there is NOT a legal right to enforce that agreement. Please read the sections about custody after an ROP is signed, since much of the same procedure applies when looking at parenting time. The court will also use the same legal standards to decide parenting time for any reason—after an ROP in a paternity action or in a divorce action.