

Indiana Legal Services, Inc

www.indianalegalservices.org

General Information About Visitation

A parent who does not have custody of a child is usually given reasonable visitation rights. The non-custodial parent will *not* be given visitation rights if the court finds that the visitation would be harmful to the child's physical or mental health.

What is "reasonable visitation"?

The court decides what is reasonable visitation. Usually the court will follow the Indiana Parenting Time Guidelines. You can see the Guidelines at [Indiana Parenting Time Guidelines](#). These guidelines generally apply to all child custody situations.

What if I think the other parent's visitation would be harmful to the child?

You can ask the court to order supervised visitation, or even allow no visitation. You will need to prove to the court that the visitations would be a danger to the child's physical health or significantly hurt the child's emotional development. This is not easy to prove. You will have to have evidence to back up your claim. Courts do not like to limit or end visitation, so you will need clear evidence to prove your case.

Can the court change a visitation order?

Yes, the court can change a visitation order if it is in the best interests of the child. However, the court cannot limit a parent's visitation rights unless the court finds that the visitations would hurt the child's physical health or emotional development. If you think the visitation should be changed, you need to go back to the court that issued the previous visitation order and ask that court to change the order.

What happens if the custodial parent will not give me the visitation ordered by the court?

You can go back to the court and ask the court to hold the custodial parent in contempt. The court can do several things to make the custodial parent give you your visitation:

- The court can tell the custodial parent to follow the court's order.
- The court can order the custodial parent to post a bond to make sure the custodial parent follows the visitation order.
- The court can make the custodial parent give you the missed visitation.
- The court can make the custodial parent perform community service.

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