

What if the custodial parent won't let me visit my child?

I have a court order for visitation. The custodial parent won't let me visit. What do I do?

You have the right to ask the court to enforce its order. You can do this by filing a Verified Motion for Contempt with the court that ordered your visitation. You can try to get an attorney to help you with this; if you cannot get an attorney you can file the Motion on your own. (However, it would be easier if you had an attorney). You can get a [Verified Motion for Contempt](#) and file it yourself.

Before you file a motion for contempt, you should:

- Read your visitation order carefully, and make sure you understand the visitation order.
- If the order says you are to have visitation at reasonable times, make a written request to the custodial parent for visitation on specific dates at specific times.
- If you have not tried to visit in a long time, notify the other parent in writing that you will visit and suggest a date to begin visits as provided in the court order.
- Ask the custodial parent to suggest a different time for visits if the custodial parent believes that the order provides for a different time or that the time you suggested is not reasonable.
- Let the custodial parent know that you expect a response by a certain date.
- Keep copies of your letters and the custodial parent's answers.
- Send cards, letters and gifts directly to your children, keeping copies of them for your records.
- Show up for every scheduled visitation on time.
- Let the custodial parent know in advance if you will miss a visit.
- Keep a diary of each time you try to visit and whether or not you were able to visit.
- Do not give up.

If you still are not able to visit your children, then you will be able to show the court that you tried to visit and the custodial parent did not follow the court's order. You will be able to tell the court specific dates when you were denied visits. You can ask the court to hold the custodial parent in contempt of court.

What happens if the custodial parent is held in contempt of court?

Generally, the court will order the custodial parent to follow the court's visitation order. If the custodial parent still doesn't follow the order, the court can punish the custodial parent with fines or even jail. The court can also change the visitation or even the custody order if the custodial

parent continues to refuse to follow the court's order.

What if the custodial parent still won't let me visit?

If you have an order for visitation; AND You pay your child support regularly; AND The custodial parent prevents you from visiting, THEN you may seek an injunction against the custodial parent. An injunction is a court order telling the custodial parent not to interfere with your visits. If the custodial parent violates the injunction, you may file a motion for contempt. If the court finds the custodial parent denied you visitation without a good reason, the custodial parent may be held in contempt, ordered to make up lost visitation, and ordered to pay your attorney fees.

What if I don't have a court order to visit my child?

If you don't have a court order and you are not being allowed to visit your child, you will have to ask the court to enter a visitation order. You can do this through the divorce court (if you are divorced from the child's other parent) or the paternity court (if you were never married to the child's other parent).

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