

Are you being denied child visitation?

If you want to enforce your possession and access (visitation) order and ask the court to hold the other parent (or conservator) in contempt, there are *very* specific rules you must follow.

You are *not* technically denied visitation unless you actually **appear in person at the pick-up site or exchange location** listed in the court order—even if the other parent or conservator already said that they will not be there or that they will not be giving you your children.

By not producing the children at the exchange location at a certain date and time, the other parent or conservator is violating the court order. **However, someone cannot be forced to testify against their own interests in court, so YOU have to be able to testify that you were there, and the other party was not.**

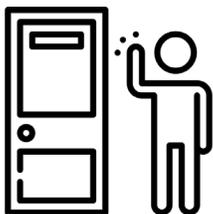
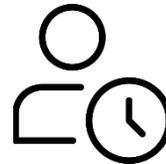


Step 1: Look at your court order or a calendar prepared for you by an attorney.

Find the exact date and time that you are supposed to get or regain possession of the children.

Step 2: Be at the pick-up, exchange, or surrender location at the exact date and time you are supposed to be there.

Give yourself plenty of time to get there. If you are early, wait a few minutes (if the location is not where you live). (If the issue is that the parent might not return the children, you still need to be there.)



Step 3: You must give some indication that you are there.

If you are picking up your children, you would be giving some indication that you are ready to pick up your children. Be calm and polite.

You could knock on the door. Wait. Knock on the door again.

Step 4: Gather evidence that you were at the right place at the right date and time. You can have a witness with you to see what happens. If you are not at home at your residence, you could go to a nearby convenience store or fast food restaurant and buy a drink or a pack of gum, and keep the receipt showing you were in the area at a certain date and time.

Some police departments may be willing to file a report for you.



Step 5: Immediately write down what happened in your visitation journal. Write down the date, time, and place where you tried to pick up your children. If you have witnesses, write down their names. If you have a receipt or other evidence, keep it safe.