

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



www.communitylegalaid.org

Parenthood Toolkit: Parenting Time (Visitation)

Parents who don't have custody of their children need a court to grant them "parenting time" in order to have a legal right to visitation.

Getting a parenting time order is easiest when the parents can communicate and work together in a positive way. **Courts generally like to see both parents involved in a child's life, as long as there is no risk of harm to the child.**

How a court decides about parenting time varies based on the parents' relationship.

If the parents are married, a Domestic Relations Court will include parenting time in a final order ending a marriage (like a divorce, dissolution, or legal separation), including the schedule of when the child will be with each parent. The court can make other orders depending on what they see as in the child's best interests.

If the parents are not married, the other parent must have a legal relationship established with the child in order to get parenting time. This could be through their birth certificate, adoption, or by establishing paternity. They then must file an action with the court to allocate parental rights. Parents also can contact the Child Support Enforcement Agency for help establishing child support and parental rights.

Most courts have standard visitation schedules for when the child will spend time with each parent. You and your ex also can work together to create your own and share it with the court.

Courts generally like to see frequent and ongoing contact with both parents, but visitation may be limited if there is a risk to the child. Depending on the situation, courts can also decide to start with supervised or incremental visitation to either protect the child or help build parental bonds.

If you can't agree on a schedule, you should prepare your own and come to court with a compelling argument on why the court's standard order is not appropriate. You can also request that a Guardian Ad Litem (GAL) or CASA (Court Appointed Special Advocate) be appointed. This person will represent the child and conduct an investigation of both parents and recommend to the court what visitation (parenting time) schedule is in the best interest of the child. You may

have to pay for the GAL or CASA, and it can be expensive.

I'm ready to file my paperwork in court.

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