

Making Sense of the Utah Parent-Time Laws

 utahdivorce.biz/making-sense-utah-parenttime-laws/

By David Pedrazas

February 26, 2016



What is Parent Time?

Divorce is a difficult experience for all parties involved, and can occur for a number of reasons. Research has shown that 40-50% of all marriages will end in divorce, and Utah's rate is even higher. While the statistics are unfortunate, the rules and regulations for what follows must be determined, which is why Utah has developed "Parent Time."

Other parts of the country refer to it as "visitation," but the Utah family law courts refer to Parent Time as time that the non-custodial parent spends with the child. It is normally determined on a case-by-case basis, as there is a myriad of circumstances that can affect it. If the parents are unable to agree on a visitation schedule, the state provides a minimum schedule, which is briefly outlined below. The number one concern of those responsible for determining Parent Time is the best interest of the child.

Minimum Schedule for Parent-Time for Children Under Five Years of Age in Utah

There are two sections for visitation defined in the Utah Code: One for children under the age of five, and another for children age five to eighteen. Holidays change based on whether the year is even or odd numbered, except Mother's Day and Father's Day, which are granted to the natural or adoptive parent, respectively.

Children under the age of five have six different criteria they fall under, depending on the age of the child. They vary in the amount of time the non-custodial parent can spend with the child, as well as how and where they are permitted to do so. With the advent of the ability to communicate digitally via the Internet, the code was modified to include “virtual parent-time.”

For example, the non-custodial parent of a child between the ages of 10 months and 18 months is permitted one 8-hour visit and one 3-hour visit every week, a total of 8 hours between all holidays, and telephone contact twice a week. Once the child is between 18 months and three years of age, the amounts change to one mid-week visit, alternating weekends, more time on holidays and the same amount of telephone contact. They are also permitted “Extended Visitation Parent Time,” which can be up to one week, as long as the custodial parent is granted the same.

Minimum Schedule for Parent-Time for Children 5 to 18 Years of Age in Utah

As children get older, the criteria for how Parent Time is spent changes; this is due in part to the fact that the child is now in school. At this juncture, the non-custodial parent is permitted all the same rights as listed above, but also up to four consecutive weeks of “Extended Visitation Parent Time,” most likely put into effect due to extended breaks from school and their development into adulthood.

Modification of Parent Time

While the outlines listed above are the minimum, modifications can be made to them so that both parties are receiving a fair amount of Parent Time. The courts understand that schedules don’t always match up; especially once those involved are living their lives separate from the other. It should be noted, however, that like any other court order, Parent Time must be obeyed once it is granted. If it is not, the wronged party does have the option to ask the court to enforce the order, which can lead all the way up to jail time for those not abiding by it.

Experienced Child Visitation Attorney in Salt Lake City, Utah

Just because a marriage didn’t work doesn’t mean your relationship with your child should suffer. Do what is best for you and your situation; [contact the offices of David Pedrazas](#) for a free 30-minute consultation.