

# Parent-Time in Utah – State Code 30-3-35

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Topics covered on this page:

The State's statutes governing parent-time schedules detail [child visitation rights in Utah](#). The parent-time schedule is detailed in Utah Code Title 30, Chapter 3, Section 35 (Amended in 2020). It applies to a child from 5 years old to age 18. Under [Utah Code 30-3-35](#), when the parents do not agree on a parent-time schedule, the court will issue a required schedule for [parent-time in Utah](#). The court-ordered parent-time schedule is fully detailed to include the provisions below, among others. It specifies each parent's designated time with their child throughout each year.

**If you need help with parent-time in Utah, reach out to the experts in family law & divorce cases. Call Attorney David Pedrazas to book an appointment.**

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## Weekday Evening

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Weekday evening [parent-time](#) will be awarded to the noncustodial parent. The specific day of the week to be granted will be determined by the judge, emphasizing efforts to accommodate the custodial parent's work schedule. After the day of the [visitation](#) is designated, it may not be switched unless there is a written agreement between the parents or a new order from the court.

## Alternate Weekends

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Parent-time on weekends for the noncustodial parent will include school closing days. Such days can be, for example, teacher development days, snow days, or other non-school days that are contiguous with designated parent-time weekends. Birthdays are prioritized over holidays, except Father's Day and Mother's Day. Birthdays are also prioritized over days that are part of extended parent-time periods. Holidays, snow days, and other special days when students are out of school that are contiguous with holidays are also included. These take priority over weekend parent-time.

## Holidays

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The noncustodial parent is entitled to the even-numbered year holidays in odd years and the odd year holidays in even years. The custodial parent is entitled to the odd year holidays during years that the noncustodial parent is entitled to even year holidays. Likewise, the custodial parent is entitled to even year holidays when the noncustodial parent has the odd year holidays. Holiday weekends for purposes of the parent-time schedule are to include the added third day attached to Saturday and Sunday for a holiday, as applicable.

With multiple children in a family, if school schedules differ between siblings, the children may stay together during the affected holiday periods if the parent who has parent-time during that holiday chooses. The same applies during the parent's half of a holiday period during which the parent-time is divided in half.

### Noncustodial Holiday Parent-Time in Odd-Numbered Years

- Martin Luther King, Jr. Day
- 4th of July weekend
- Labor Day weekend
- Veterans Day weekend
- Christmas school vacation – first half
- Child's birthday

### Noncustodial Holiday Parent-Time in Even Numbered Years

- Presidents Day
- Memorial Day weekend
- July 24 (starting at 6 p.m. the previous evening)
- Columbus Day (starting at 6 p.m. the last evening)
- Halloween
- Thanksgiving through weekend
- Child's birthday

Exceptions to the odd/even years rule are Mother's Day, which is spent with the child's mother *every* year, and Father's Day, which is spent with the child's father *every* year.

## Extended Parent Time

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The parents are each entitled to uninterrupted parent-time for two weeks during school vacation periods. The parents must provide each other with notification of their plans to have their extended parent-time with the child no later than 30 days prior to the end of the child's school term. Suppose one parent fails to provide notification by the required date. In that case, the parent who *is* in compliance is entitled to decide the schedule for the non-compliant parent's period of extended parent-time.

## **Parent Time Via Telecommunications**

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Telephone contact between the child and the noncustodial parent must be during "reasonable hours" and last for a "reasonable duration." Opportunities for virtual parent-time are also allowed. Families must have reasonable access to the necessary equipment for those kinds of communications. The child's parents must also live a minimum of 100 miles apart for these connections to be provided for in parent-time stipulations ordered by the court. These communications further must be conducted during reasonable hours and last for reasonable lengths of time.

## **Resolving Conflicts Regarding the Parent Time Schedule**

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Confusion about stipulations of the court-ordered parent-time schedule can arise. Or, conflicts in scheduling may arise. If any conflicts render any part of the parent-time schedule compromised in some way that the parents cannot resolve without intervention, then the court will resolve issues. The judge may require solutions that align with the existing order or make parent-time schedule modifications based on:

- The child's best interest
- The parent's capacity to cover the added expense of virtual parent-time
- Other considerations that the judge determines are relevant

## **Changes to Parent Time Schedule**

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Under Utah Code 30 3 35, the parent-time schedule is established at the time of the divorce by a judge's decree or court order. Elections of preferences for parent-time arrangements should be submitted to the judge by both parents at that time. Any needed or desired changes to a parent-time schedule can be enacted later by one of several means.

- The parents can agree to modify some part of the parent-time arrangement.
- A parent can approach the judge for a new court order.
- Or, the noncustodial parent can adjust the parent-time schedule if there is a change of the child's schedule that affects the current parent-time allowances.

## **Attorney David Pedrazas, Salt Lake City Utah**

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For over 20 years, Attorney David Pedrazas has helped people throughout Utah obtain the best possible outcome in divorce and child custody cases. His goal is to help people and their families reach outcomes of their cases that will enable them to move on to their best

possible future beyond divorce.

David Pedrazas has been recognized as one of Salt Lake City's best divorce attorneys by the American Academy of Trial Attorneys, the National Academy of Family Law Association, and the American Institute of Family Law.

If you are involved in a custody dispute or parent-time conflict, call the Law Office of David Pedrazas, PLLC, Salt Lake City, UT, or use our online contact request, to schedule a review of your case and receive further legal help.