

Parenting Time

Parenting Time is time each parent enjoys with his or her children.

There are many different parenting time arrangements. Parenting time is sometimes called visitation.

Parenting time and child support are both rights of a child.

- It is not okay for the parent with primary residential responsibility to deny parenting time to the other parent because that parent is behind with child support payments.
- It is not okay for the parent who owes support to not pay support because parenting time is being denied.

The Child Support program does not address parenting time issues, but there are resources available to help resolve parenting time issues.

If parenting time has been awarded by a court order and that order isn't being followed, state law (NDCC 14-09-24) provides that a court may enforce parenting time. To bring your parenting time issues before the court you may:

Hire an Attorney	Contact Lawyer Referral	Self-Represent
The State Bar Association of North Dakota (SBAND) matches people in need of service with attorneys through the Lawyer Referral & Information Service www.sband.org 1-866-450-9579	If you believe you cannot afford an attorney, you may be able to get legal help at a reduced cost. See the State Bar Association of North Dakota (SBAND). www.sband.org or 1-866-450-9579	The Supreme Court Legal Self-Help Center has forms and instructions to guide you through the legal process www.ndcourts.gov see Legal Self-Help Center - Family Law - Parenting Time

The court may award reasonable attorney's fees and costs if there has been willful and ongoing denial of parenting time.

Extended Parenting Time – When a child support order is being established or modified, the child support amount may be adjusted to factor in extended parenting time. Extended parenting time means there is a court order providing the child stays overnight with the parent who pays support for more than 100 nights per year.

Travel Expenses Relating to Parenting Time – When a child support order is being established or modified, the amount of child support may be adjusted to factor in travel expenses relating to parenting time. When the parent who pays support is also responsible for all travel expenses related to parenting time, the child support amount may be reduced due to the parent's travel costs related to visiting the child.

In a legal action to set or change parenting time, a parenting plan must be developed by the parents. If the parents can't agree on a parenting plan the judge will develop one instead.