

Darrell M. Harding Attorney at Law, PLC

With more than twenty five years of experience we know that not every case is the same and provide each case with the personalized individual attention it deserves. Our firm is committed to providing our clients with skillful and professional representation. We provide our clients personalized attention and service. Our firm understands that family issues involving divorce and/or children can be emotionally and physically stressful. We are here to help guide you through the legal system and will take you through the process one step at a time.



Darrell M. Harding graduated with honors with a Bachelor of Science in Psychology from Brigham Young University in 1984. He also graduated at the top of his class with his Juris Doctor Degree from J. Reuben Clark Law School, Brigham Young University, in 1988. He served as Legal and Political Chairman over the Civil Law Division from 1987-1988, Negotiator Forum Vice President in 1988 and served on the Law Review. For over 25 years he has focused exclusively on family law to best serve individuals like you.

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Visitation

DID YOU KNOW:

Visitation is based on the best interest of the child, but a court is required to consider specific factors.

**Read on to better
analyze your case.**



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WHEN PARTIES CANNOT AGREE ON A VISITATION SCHEDULE FOR THEIR CHILD(REN), THE JUDGE MAY CONSIDER THE FOLLOWING THINGS IN MAKING A DECISION:

Note: Using the following factors as a guide, list the facts in your situation that help or hurt your case.

- The age and physical and Mental condition of the child, including:
 - The ability of each parent to address any special physical and/or psychological needs of the child.
 - The opinion of the child’s therapists, school counselors, or other professionals seen by the child.

- The age and physical and mental condition of each parent. _____

- The relationship existing between each parent and each child, giving due consideration to the positive involvement with the child's life, the ability to accurately assess and meet the emotional, intellectual and physical needs of the child, including:
 - Any indication of a substance abuse problem by either parent, and the status of treatment, if any, received for this problem.

- The role that each parent has played and will play in the future, in the upbringing and care of the child. _____

- The needs of the child, giving due consideration to other important relationships of the child, including but not limited to siblings, peers and extended family members.

- The propensity of each parent to actively support the child's contact and relationship with the other parent, including whether a parent has unreasonably denied the other parent access to or visitation with the child, including:
 - Each parent’s willingness to encourage each child’s relationship with the other parent, siblings in either household, and significant third parties (grandparents, cousins)

- The relative willingness and demonstrated ability of each parent to maintain a close and continuing relationship with the child, and the ability of each parent to cooperate in and resolve disputes regarding matters affecting the child, including:
 - The ability of each parent to set appropriate limits and discipline effectively.
 - The willingness and ability of each parent to shield each child from “adult” conflicts with the other parent.
 - Recognition of nontraditional holidays that are special to the parent or child.

- The reasonable preference of the child, if the court deems the child to be of reasonable intelligence, understanding, age and experience to express such a preference;

- Any history of family abuse or sexual abuse, including:
 - Any indication of abuse or neglect of the child, by either parent, or by a current spouse or person sharing the home of either parent.
 - Any indication of Domestic violence by either parent against the other, or by or against a current spouse or person sharing the home of either parent.

- The practicality of the visitation considering the parties situation, including:
 - The school and day care schedules of each child.
 - The extracurricular activities of each child.
 - Medical, dental and psychological appointments of each child.
 - The distance each child would travel for visitation.
 - The availability of transportation to each parent.
 - The work schedules of each parent
 - Balance of school days and holidays

- Such other factors as the court deems necessary and proper to the determination.
