DOCUMENTING CUSTODY/VISITATION PROBLEMS

If you are experiencing child custody and visitation problems because the other parent is not following or cooperating with the current court orders, you have the following options:

1. Go to Family Court Services for (further) mediation
2. Attend private mediation through the Court's private mediation program
3. Attend private mediation with a mediator of your own choosing
4. Request a hearing before the Family Court to modify or enforce current orders

If you choose the fourth option, the burden will be on you to prove that the other party is not complying with the current court orders. One way to meet this burden is to document all visitation violations. For example, start keeping a visitation log listing all visiting dates and times. In the log document violations and collect proof when possible. Acceptable proof may include:

- Restaurant or store receipts with a date and time on the receipts (to prove your presence at the time and place for the scheduled visitation exchange)
- Parking garage tickets/receipts with a date and time on the ticket
- Signed and notarized statements from witnesses
- Police/sheriff reports, if law enforcement is involved.

If you have primary physical custody of your child(ren) and the other parent fails to return the child(ren) after a visit, this may be considered parental child abduction. In that case, local law enforcement may be able to assist in retrieving your child(ren).

Sacramento Police (non-emergency) or Sacramento Sheriff's Department
Telephone: (916) 264-5471 Telephone: (916) 874-5115

If the other parent has removed your child(ren) from the Sacramento area, or law enforcement are unable to assist, you may also contact the District Attorney's Child Abduction Unit at (916) 875-0096. For more information, visit www.sacda.org/divisions/units/childabduction.php.