

## **Custody Enforcement in PA**

### Custody Orders

Oftentimes parties are able to come up with a custody arrangement on their own, which they can then ask the court to turn into a legally binding order. In the minority of custody disputes in which the parties cannot agree, the court will make a custody determination based on the best interest of the child. In either case, once the court issues a Custody Order, all of the parties are legally required to comply with its terms.

However, if the parties do not get a court order, then both parents have an equal right to custody. In other words, there is nothing to legally prevent either parent from deviating from an informal custody agreement. For example, one parent could withhold the child, and the other parent could come take the child away. In order to resolve disputes in cases where there is no Custody Order, one parent may want to initiate custody proceedings. If you have any questions about enforcing a custody agreement, obtaining a Custody Order, or about filing for custody, contact the experienced attorneys at Notaro & Associates today.

### Violation of a Custody Order

Even though a Custody Order is legally binding and everyone is required to comply with its terms, it is not uncommon for a parent to act in violation of the order.

A parent may be in violation if he or she blocks the other parent's access to, or communication with, the child. This would include incidents in which one parent withholds the child because of the other parent's failure to pay child support. While many people believe that it is permissible to prohibit access to a child on these grounds, Pennsylvania treats issues of child support and child custody separately, so a parent may find themselves in violation of a Custody Order if they withhold a child for this reason. Instead, the parent seeking child support should file a Petition for Contempt on those grounds.

If a parent violates a Custody Order, the non-violating parent will be able to file a Petition for Contempt. If the court finds that a parent is in Contempt for violating a Custody Order, it could result in many different consequences. For example, the judge could order any of the following: parenting classes, legal fees, removal of the child, loss of visitation rights, make-up of the other parent's lost visitation, fines, and jail time.

*(For more information on this topic or any topic in divorce, custody, mediation, child support, collaborative law, PFA matters, alimony, or other family law matters, visit [www.Pittsburgh-Divorce-Lawyer.com](http://www.Pittsburgh-Divorce-Lawyer.com) or contact **Notaro & Associates, PC** at 412-281-1988 for a free phone consultation with an attorney. You can also schedule online by clicking [here](#).)*