

# Visitation Enforcement: How to Write a Visitation Demand Letter and Keep a Visitation Journal

Texas Legal Services Center (<https://texaslawhelp.org/directory/legal-resource/texas-legal-services-center>) [1]

This article tells you how to write a demand letter to help you enforce visitation, as well as how to keep a visitation journal. FORMS ARE INCLUDED. This article was written by Texas Legal Services Center.



## Introduction

If the person with custody of your child is denying you your court-ordered access to the child, you can complete this letter to demand that your court-ordered visitation rights be respected.

## What counts as a denial of visitation?

To enforce your visitation order and ask the court to hold the other parent in contempt, there are very specific rules you must follow when you try to exercise your visitation.

You are not technically denied visitation unless you actually **appear in person at the pickup location** listed in your court order, even if the other parent has already told you that no one will be there or that you cannot pick up your child.

By not producing the child at the pickup location at a certain date and time, the other parent is violating the court order. **However, that parent cannot be required to testify against himself or herself in court, so you have to be able to testify that you were there and the other parent was not.**

## How to Use a Visitation Journal

Use the visitation journal to keep track of your visitation and whether or not you are able to see the children going forward. This will help you have a record of what is going on, in case you need to go back to court to enforce your rights.

## Steps to Follow

- **Step 1:** Look at your court order or a calendar prepared for you by your attorney. Find the next exact date and time that you are supposed to pick up your child.
- **Step 2:** Arrive at the pickup location at the exact date and time you are supposed to be there. Give yourself plenty of time to get there. If you are

early, wait a few minutes.

- **Step 3:** Knock on the door. Wait. Knock on the door again. You must indicate that you are there and ready to pick up your child.
- **Step 4:** Try to obtain evidence that you were at the right location at the right date and time. You can take a witness with you to observe what happened. You can go to a nearby convenience store or fast food restaurant and buy a drink or a pack of gum and keep the receipt showing you were in the area at a certain date and time. Some police departments may be willing to file a report for you.
- **Step 5:** Immediately write down what happened in your visitation journal. Write down the date, time, and place where you tried to pick up your child. If you have a witness, write down his or her name. If you have a receipt or other evidence, **keep it safe**.

**Click below for the VISITATION JOURNAL - FORM (https://texaslawhelp.org/form/visitation-journal-template) [2] (TEMPLATE)**

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/FORM/VISITATION-JOURNAL-](https://texaslawhelp.org/form/visitation-journal-template)

[2]

### **Visitation Demand Letter Instructions**

- Fill out the demand letter template with your information and sign the letter.
- Make **three** copies of the letter.
- Send a copy of the letter by **certified mail, return receipt requested** (<http://www.stamps.com/whitepapers/how-to-send-certified-mail.pdf>) [3] to the party who has custody of the child.
- Send the second copy of the letter by regular mail.
- Keep a copy of the letter as **proof** of the letter.

**Click below for the VISITATION DEMAND LETTER - FORM (https://texaslawhelp.org/form/visitation-demand-letter-template) [4] (TEMPLATE)**

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/FORM/VISITATION-DEMAND-L](https://texaslawhelp.org/form/visitation-demand-letter-template)

[4]

### **What if the demand letter doesn't work?**

Contact the **Texas Access and Visitation Hotline**. (<https://texaslawhelp.org/directory/legal-resource/texas-access-and-visitation-hotline>) [5]

Texas Legal Services Center, as a grantee of the Office of the Attorney General, operates a toll-free telephone hotline which provides easy access for noncustodial parents across Texas to basic legal information, education, and resources on the following issues:

- Establishing a parenting order;
- Legal rights and responsibilities;
- Court-ordered parenting schedules.



To speak with someone on this hotline, call (866) 292-4636 (toll-free) on weekdays. Click the link for more information.

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/DIRECTORY/LEGAL-RESOURC](https://texaslawhelp.org/directory/legal-resource/texas-access-and-visitation-hotline)

[5]

**You can also consider using our visitation enforcement kit to enforce your visitation orders. Click the link below for more information on enforcing visitation.**

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/ARTICLE/HOW-ENFORCE-VIS](https://texaslawhelp.org/article/how-enforce-visitation)

[6]

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### Links

[1] <https://texaslawhelp.org/directory/legal-resource/texas-legal-services-center>

[2] <https://texaslawhelp.org/form/visitation-journal-template>

[3] <http://www.stamps.com/whitepapers/how-to-send-certified-mail.pdf>

[4] <https://texaslawhelp.org/form/visitation-demand-letter-template>

[5] <https://texaslawhelp.org/directory/legal-resource/texas-access-and-visitation-hotline>

[6] <https://texaslawhelp.org/article/how-enforce-visitation/possession-order>