



# OKLAHOMA STATE COURTS NETWORK

## Title 43. Marriage

### Oklahoma Statutes Citationized

#### Title 43. Marriage

#### Divorce and Alimony

#### Section 111.3 - Duty to Facilitate Visitation Rights of Noncustodial Parent - Motion for Enforcement - Order

Cite as: O.S. §, \_\_\_

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A. Any order of the court providing for visitation shall contain a provision stating that the custodial parent has a duty to facilitate visitation of a minor child with the noncustodial parent.

B. When a noncustodial parent has been granted visitation rights and those rights are denied or otherwise interfered with by the custodial parent, in addition to the remedy provided in subsection B of Section 111.1 of this title, the noncustodial parent may file with the court clerk a motion for enforcement of visitation rights. The motion shall be filed on a form provided by the court clerk. Upon filing of the motion, the court shall immediately set a hearing on the motion, which shall be not more than twenty-one (21) days after the filing of the motion.

C. Notice of a hearing pursuant to subsection A of this section shall be given to all interested parties by certified mail, return receipt requested, or as ordered by the court.

D. If the court finds that visitation rights of the noncustodial parent have been unreasonably denied or otherwise interfered with by the custodial parent, the court shall enter an order providing for one or more of the following:

1. A specific visitation schedule;
2. Compensating visitation time for the visitation denied or otherwise interfered with, which time shall be of the same type (e.g. holiday, weekday, weekend, summer) as the visitation denied or otherwise interfered with, and shall be at the convenience of the noncustodial parent;
3. Posting of a bond, either cash or with sufficient sureties, conditioned upon compliance with the order granting visitation rights;
4. Attendance of one or both parents at counseling or educational sessions which focus on the impact of visitation disputes on children;
5. Supervised visitation; or
6. Any other remedy the court considers appropriate, which may include an order which modifies a prior order granting child custody.

E. The prevailing party shall be granted reasonable attorney fees, mediation costs, and court costs.

F. Final disposition of a motion filed pursuant to this section shall take place no later than forty-five (45) days after filing of the motion.

G. The Office of the Court Administrator shall maintain on the OSCN system the form required by subsection A of this section to be used for a motion to enforce visitation rights which shall be in substantially the following form:

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY

STATE OF OKLAHOMA

\_\_\_\_\_, Petitioner/Plaintiff,

v.

\_\_\_\_\_, Respondent/Defendant.

Case No. \_\_\_\_\_

Assigned Judge \_\_\_\_\_

MOTION FOR ENFORCEMENT OF  
NON-CUSTODIAL PARENT VISITATION RIGHTS

The undersigned Non-Custodial Parent in the above case moves the Court, pursuant to the provisions of Section 111.3 of Title 43 of the Oklahoma Statutes, to enforce visitation rights which have been unreasonably denied or interfered with by the Custodial Parent.

The Name(s) and Age(s) of the Child(ren) to which my visitation rights have been unreasonably denied are:

\_\_\_\_\_

Date of Birth: \_\_\_\_\_

\_\_\_\_\_

Date of Birth: \_\_\_\_\_

\_\_\_\_\_

Date of Birth: \_\_\_\_\_

The approximate date of my last visit with the Child(ren) was:

\_\_\_\_\_.

Within the past 12 months, I have visited with the Child(ren) approximately \_\_\_\_\_ of times of visitation times.

Within the past 12 months, I have been denied requested visitation approximately \_\_\_\_\_ of times of denied visitation times.

On the attached page, I have stated THE SPECIFIC DETAILS as to how and when my visitation with the Child(ren) was denied.

Signed under penalties of perjury this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Signature: \_\_\_\_\_

My Full Name: \_\_\_\_\_

My Mailing Address: \_\_\_\_\_

My Telephone Numbers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission Expires:

\_\_\_\_\_

ORDER

The people of the State of Oklahoma, to the within-named defendant:

You are hereby directed to appear and answer the foregoing claim and to have with you all books, papers, and witnesses needed by you to establish your defense to the claim.

This matter shall be heard at \_\_\_\_\_ (name or address of building), in \_\_\_\_\_, County of \_\_\_\_\_, State of Oklahoma, at the hour of \_\_\_\_\_ o'clock of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. And you are further notified that in case you do not so appear judgment will be given against you as follows:

For the enforcement or modification of custody as requested by the movant.

And, in addition, for costs of the action (including attorney fees where provided by law), including costs of service of the order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Clerk of the Court (or Judge)

A copy of this order must be mailed by certified mail, return receipt requested to the non-moving party and return of service brought to the hearing.

**Historical Data**

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Laws 1998, SB 1237, c. 407, § 42, eff. November 1, 1998; Amended by Laws 2014, SB 1612, c. 411, § 1, eff. November 1, 2014 ([superseded document available](#)).

**Citationizer® Summary of Documents Citing This Document**

\_\_\_\_\_

<i>Cite Name</i>	<i>Level</i>
<b>Oklahoma Court of Civil Appeals Cases</b>	
<i>Cite</i>	<i>Name</i>
<i>Level</i>	
<u>2002 OK CIV APP 6, 38 P.3d 937,</u>	<u>ABBOTT v. ABBOTT</u>
<u>73 OBJ 407,</u>	
<u>2011 OK CIV APP 63, 254 P.3d</u>	<u>MCKIDDY v. ALARKON</u>
<u>141,</u>	
<i>Level</i>	
	<i>Discussed</i>
	<i>Cited</i>
<b>Oklahoma Supreme Court Cases</b>	
<i>Cite</i>	<i>Name</i>
<i>Level</i>	
<u>2021 OK 14, 484 P.3d 285,</u>	<u>FRAZIER v. BRUCE</u>
	<i>Discussed</i>

**Citationizer: Table of Authority**

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**Cite Name Level**

None Found.