

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

<p>_____, Plaintiff</p> <p>vs.</p> <p>_____, Defendant</p>	<p>FILE NO: _____</p> <p>ORDER IMPLEMENTING SOUTH DAKOTA PARENTING GUIDELINES</p>
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The Plaintiff/Defendant (*circle one*) petition dated on the _____ day of _____, 20____, and filed with the Clerk of Courts on the _____ day of _____, 20____, (**with no objections** having been filed) / (**with objections** having been filed) (*circle one*) and the matter having come before the court for a hearing on the _____ day of _____, 20____, and it appearing that all parties were properly served and given proper notice; that the obligations for Court-approved parenting courses under SDCL 25-4A-32 have been met; and having considered all of the evidence presented, the prior court Order and for good cause shown, the Court orders as follows:

IT IS HEREBY ORDERED that the South Dakota Parenting Time Guidelines be implemented and incorporated into the above captioned matter and that the parties shall abide by the Parenting Time Guidelines with the exception of _____

_____.

IT IS HEREBY ORDERED that SDCL 25-4A-5 is attached as required by SDCL 25-4A-5.1 and shall become an Order of this Court.

Dated this _____ day of _____, 20____.

ATTEST:

BY THE COURT:

Clerk of Court

Circuit Court Judge

BY: _____
Deputy Clerk

(SEAL)

South Dakota Codified Laws
Title 25. Domestic Relations
Chapter 25-4a. Custody and Visitation Rights (Refs & Annos)

SDCL § 25-4A-5

25-4A-5. Sanctions for violation of custody or visitation decree

Effective: July 1, 2018
Currentness

If the court finds that any party has willfully violated or willfully failed to comply with any provisions of a custody or visitation decree, the court shall impose appropriate sanctions to punish the offender or to compel the offender to comply with the terms of the custody or visitation decree.

The court may enter an order clarifying the rights and responsibilities of the parents and the court's order. The court may order one or more of the following sanctions:

- (1) To require the offender to provide the other party with make up time with the child equal to the time missed with the child, due to the offender's noncompliance;
- (2) To require the offender to pay, to the other party, court costs and reasonable attorney's fees incurred as a result of the noncompliance;
- (3) To require the offender to pay a civil penalty of not more than the sum of one thousand dollars;
- (4) To require the offender to participate satisfactorily in counseling or parent education classes;
- (5) To require the offender to post bond or other security with the court conditional upon future compliance with the terms of the custody or visitation decree or any ancillary court order;
- (6) To impose a jail sentence on the offender of not more than three days; or
- (7) In the event of an aggravated violation or multiple violations, the court may modify the existing visitation or custody situation, or both of any minor child.

The provisions of this section do not prohibit the court from imposing any other sanction appropriate to the facts and circumstances of the case.

Credits

Source: SL 1994, ch 195, § 5; SL 2008, ch 125, § 1; SL 2018, ch 155, § 3.