

403.240 Decree or temporary order -- Failure to comply with -- Good-cause defense -- Attorney's fees.

- (1) If a party fails to comply with a provision of a decree or temporary order or injunction, the obligation of the other party to make payments for support or maintenance or to permit visitation is not suspended; but he may move the court to grant an appropriate order.
- (2) The failure of either party, without good cause, to comply with a provision of a decree or temporary order or injunction, including a provision with respect to visitation or child support shall constitute contempt of court, and the court shall remedy the failure to comply.
- (3) Good cause not to comply with a provision of a decree or temporary order or injunction with respect to visitation shall include mutual consent of the parties, reasonable belief by either party that there exists the possibility of endangerment to the physical, mental, moral, or emotional health of the child, or endangerment to the physical safety of either party, or extraordinary circumstances as determined by the court.
- (4) The court may, if no reasonable cause is found for denial of visitation, award attorney's fees to the prevailing party.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 414, sec. 2, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 188, sec. 286, effective July 15, 1980. -- Created 1972 Ky. Acts ch. 182, sec. 14.