

**403.325 Visitation denied parent convicted of homicide of other parent -- Exception -- Hearing required.**

- (1) Notwithstanding the provisions of KRS 403.320, if a parent of a child is convicted of murder or manslaughter in the first degree of the other parent, a court shall not grant the convicted parent visitation rights with respect to that child unless the court, through a hearing, determines that visitation is in the child's best interest.
- (2) If the court later modifies a denial of visitation to grant visitation, the court shall do so only after a hearing which establishes that visitation is in the child's best interest.
- (3) In any hearing conducted under subsection (1) or (2) of this section:
  - (a) Jurisdiction shall lie with the Circuit Court of the county where the child resides; and
  - (b) The convicted parent, to obtain visitation, shall have to meet the burden of proving that visitation is in the child's best interest.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 58, sec. 1, effective July 14, 2000.