

January 6, 2011

Supervised Child Visitation and Time-Sharing in New Mexico

In New Mexico, most parents faced with a child custody dispute, whether it is part of a divorce or a paternity action, will eventually have to deal with establishing a parenting plan that establishes how the parties will share custody and sets forth child support.

The New Mexico statutes create a presumption that the parents will share joint legal and physical custody of their children. Physical custody refers to how and when each parent spends time with their children and is often referred to as time-sharing or visitation.

Many families will wind up with a time-sharing agreement wherein the child goes back and forth between each parent's home. However, in some situations the parties may agree to, or the court may order, that the child's visitation with one or both parents be supervised. Such supervision can sometimes be provided by a family member or friend that is approved by the court or the parties. If no such person is available, a church or other community group may be able to provide supervision. Some New Mexico cities, especially Albuquerque, Rio Rancho and Santa Fe, also have companies that provide supervision for a nominal fee. In some cases, these companies provide a location where the actual visitation takes place and others provide a staff member that will accompany the parent and child on an outing. Most of these companies will also provide both parents with a report or notes of what occurred during the supervised visit.

A parent faced with a supervised visitation order will often object and feel hurt or offended that their time with their child is not fully their own. However, supervised visitation can be an asset to both parents. It can alleviate the fears of a parent who has concerns about the other parent's behavior. In turn, the supervised parent now has a witness to their interaction with their child, who can help support a future claim for unsupervised visitation. There are pros and cons to any parenting plan and consulting with a [New Mexico family law attorney](#) can help both parents ensure that a proposed visitation arrangement is the best option available to them under the law.

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