

403.315 Presumption that joint custody and equally shared parenting time is in best interest of child inapplicable if domestic violence order entered against a party.

When determining or modifying a custody order pursuant to KRS 403.270, 403.280, 403.340, or 403.740, the court shall consider the safety and well-being of the parties and of the children. If a domestic violence order is being or has been entered against a party by another party or on behalf of a child at issue in the custody hearing, the presumption that joint custody and equally shared parenting time is in the best interest of the child shall not apply as to the party against whom the domestic violence order is being or has been entered. The court shall weigh all factors set out in KRS 403.270(2) in determining the best interest of the child.

Effective: July 14, 2018

History: Created 2018 Ky. Acts ch. 198, sec. 5, effective July 14, 2018.