

What to Do If Your Co-Parent Violates a Custody Order in Massachusetts

Services

Family Law

- Child Custody & Visitation

By Thomas J. Cleary on February 18, 2026

A custody order from the judge is legally binding. This means you and your coparent are required to abide by it. While the court is unlikely to take action when someone is 5 minutes late for a custody swap a couple of times in a year, you may have legal recourse for regular or severe offenses. The [Massachusetts family law](#) and [divorce attorneys](#) at Cohen Cleary, P.C. are prepared to help you formulate a plan and determine what to do if your co-parent violates a custody order.

Why Courts Take Violations Seriously

When one parent violates a custody order in Massachusetts, the courts take it seriously. This is because of the way it can impact the environmental stability and overall emotional well-being of the child:

- It often disrupts routine
- It demonstrates a lack of willingness or ability to effectively coparent
- This behavior is often the result of a parent's inability to prioritize the child's needs

At best, these factors can affect the child's well-being, and at worst, they may indicate custodial interference, parental alienation, and other more dangerous behaviors.

Common Types of Custody Order Violations

Custody violations can happen in several ways, whether it involves physical possession of the child, or legal components, like making educational or medical decisions. Some of the forms of custody order violations that we handle most often include:

- Consistently late for pickups or drop-offs
- Moving a significant distance away with your child
- Making significant decisions without consulting the other parent
- Interfering with communication by failing to allow or facilitate ordered calls
- Making efforts to turn the child against the other parent
- Failing to allow the non-custodial parent the first right of refusal when required

In many custody agreements, the parents may have some flexibility to arrange their schedule according to what works for all parties, as long as everyone is agreeable. When this happens, it can be difficult to determine whether the problems are a violation of the custody order or just one of the drawbacks to the flexibility you have. If you have questions, you can [consult an](#)

[attorney](#).

Immediate Steps to Take When a Violation Happens

It can be difficult to know what to do when your child's other parent violates the order. You may be worried about causing a scene and making things more difficult for yourself and your child in the future, or you may wonder if it's the right time to take action.

When in doubt, document the situation. You can keep a journal that includes every situation in which your child's other parent violated the custody order. Include times and dates, and a quick explanation of what happened. This will create a record and help you establish patterns to get the court involved when necessary.

If you have concerns for the safety of your children regarding the other parent's violation, you can call the police to address immediate threats. When you have ensured short-term safety, you can contact your attorney to determine the next steps.

When and How to Involve the Court

Absent immediate safety concerns related to a custody order violation, it is likely your attorney will advise you to file a [complaint for contempt](#) with the Massachusetts probate family court. This will invite a hearing to address their violation.

When you get the courts involved, you can do so with a couple of solutions in mind. One of these options is to have the judge remind your co-parent that the order is to be followed and outline the possible penalties or consequences should they continue to violate it. However, they may face other consequences related to contempt of court charges.

Seeking Modification of the Custody Order

Seeking a [modification to a custody order](#) is not uncommon. You may choose to do this when your circumstances have dramatically changed, or when the current order no longer serves the best interests of your child.

What Not to Do

It can be tempting to try to work out changes privately, without involving the courts, but these agreements can be incredibly difficult to enforce without a judge. In some circumstances, you may even find yourself facing accusations of violating the order if the other parent changes their mind after the fact.

When Safety, Neglect, or Abuse Is Involved

If you are in the midst of a domestic violence situation, it can be incredibly tempting to just leave with the kids and not tell the abuser what is happening. This can often backfire.

We understand that the months immediately following separation from an abusive partner are often the most dangerous for survivors of intimate partner violence, and this is one of the many reasons we advise you to speak with an attorney and develop a plan that protects you physically and legally prior to leaving.

How a Family Law Attorney Can Help

Working with a family law attorney from Cohen Cleary, P.C. can help you protect your parental rights as well as the best interests of your child. We will stay by your side every step of the way to provide unbiased and well-informed guidance that lets you feel confident in the decisions you make. [Contact us today](#) to schedule a case consultation and learn more about how we can help.