

# Fatherly

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## How Parents Can Make Child Custody Schedules Work During Coronavirus

*With these guidelines in mind, the process will go much smoother.*

By [Jeremy Brown](#) Apr 22 2020, 3:02 PM



With the majority of the world being forced to stay indoors as the efforts to stem the COVID-19 pandemic remain ongoing, the situation grows more and more complex. For most families, it can be fairly straightforward to follow social distancing protocols and stay safe. However, for divorced parents, handling child visitation or custody schedules while still trying to keep children healthy can prove to be especially challenging. In an uncertain time, it can add an unwanted wrinkle to an already complicated scenario. No one has really faced a situation like this before; the rules are being made up on the fly.

“Due to the world of uncertainty in which we are currently living, it is important that parents understand that they need to be flexible and work together during this difficult time to ensure that they are acting and reacting while thinking about the best interest of their child or children,” said Tiffany Hughes, managing partner at the Law Office of Tiffany M. Hughes. “Now is the time to sit down and try and reach an agreement on all parenting issues as well as financial issues based upon the law, and the best interest of all parties involved.” So how can parents with joint custody make visitation work during coronavirus? Here are some guidelines to keep in mind.

## Stick to the Plan

Under the current social distancing and shelter-in-place rules, custody arrangements are not affected unless, per Hughes, there are extenuating circumstances. “Parents need to continue to follow their previously agreed-upon parenting plans,” she says. “However, it is important that both parents are practicing proper social distancing, following the guidelines of the CDC, and keeping the children within their respective homes as much as possible.” Bear in mind that co-parents do not have the legal right to deny visitation on their own, and the courts will take such a denial very seriously. If there are concerns about safety and social distancing, it’s important to try to come to an arrangement with a spouse or see if a judge can amend the pre-existing custody agreement.

## Keep Communicating

Even if spouses do not generally get along, this is not the time to shut the other one out. Right now, all the cards have to be on the table and inflexibility or secrecy will only put a child in harm’s way. Co-parenting apps like AppClose are great ways for parents to stay in touch, see each other’s calendars, and communicate

effectively. Parents who are worried that one parent is not practicing proper social distancing, or that one may have been exposed to COVID-19 should voice those concerns immediately. Simply trying to restrict visitation will only resort in a legal battle that could make things worse. “Although there is never a guarantee on how anyone will act in a given situation,” says Hughes, “it is appropriate to address these concerns with the other parent, and have an agreement that both parents will ensure the safety of the minor child and stay home!”

## Know Your Options

If co-parents want to talk to a judge and have their arrangement legally amended, they still can. Even though the courts are largely closed at the moment, judges have remote hearings and conferences to ensure that parents’ cases are heard during the pandemic. “The Courts have made tremendous accommodations to ensure that people going through a separation, divorce, child custody dispute, or any other type of familial can be heard on a timely basis,” says Hughes. For example, mediation, as ordered by the court to address issues of parenting time and decision-making, is still taking place over the phone.

## Consider Alternatives

If one parent is in a situation where they might be more likely to contract COVID-19, such as working in healthcare or another essential field, then it might be wise to rethink visitation situations until the pandemic passes. With everyone from schools to offices going remote, there’s no reason that parents can’t come together to do the same. There are ways to make it work. Consider having the parent set up a semi-regular video call with the child or children, to read them a story or engage in a little extra quality time. If one parent has symptoms or was potentially exposed to the illness, they need to let the other know

immediately, says Hughes. “In the event that one parent cannot be around the minor child due to the same, the parents should do their absolute best to accommodate electronic parenting time now, and make up parenting time in the future,” she says.

## Keep Records

Not every co-parenting situation is perfect. It’s important, then, to keep notes on any time the other parent crosses a line and take steps to protect everyone involved. If the other parent does not want to relinquish rights or enforce visitation, the courts may have to get involved. “The Judge will determine how to proceed moving forward with parenting time, and whether or not make up parenting time is necessary in the situation,” says Hughes. “Because the facts of every case are different, there is no set way that things may happen.” However, it is important for parents to realize that judges will not be happy if parenting time is withheld, absent a serious emergency.