

# Tips for Parenting During the Pandemic

*At what stage is your divorce? Whether you're under temporary custody orders, an informal arrangement, seeking modified custody, or have been co-parenting for years, COVID-19 has probably thrown you for a loop. Have faith, fear not. We know from experience that parents are amazingly resourceful and kids are phenomenally resilient. You can do this.*

*These tips from Stewart Law Group's family law team can help you co-parent successfully during this pandemic. (We have kids in school, too!) The information is general and not intended to be specific legal advice. With legal concerns about your particular situation, please contact your attorney directly.*

If ever there was a time for parents to stay healthy, put aside their differences, and work together, this is it. Where to start? That's easy:

## 1. Stay Informed

Both parents need to stay informed and be poised to act. Check official websites weekly for updates. Online resources are plentiful with COVID-19 guidelines posted by all levels of government and community – state, county, city, school district, employers, retail stores, restaurants, banks. Note what directly applies to your family's circumstances – work notices, school closures and re-openings, testing sites, and so on. Bookmark key websites to your PC and smart phone. Vaccines may be available soon so have the vaccine discussion with the other parent sooner than later.

## 2. Make Good Hygiene Super Easy for Kids

You know the drill, make sure your child does, too. You taught your little one to "brush your teeth" after every meal, now instruct on hand washing, sanitizing and disinfecting surfaces throughout the day. Think about what your child totes back and forth from school. Be consistent with Arizona schools in emphasizing the 3 Ws (WEAR a face covering – WALK 6 feet apart – WASH your hands). Explain the need for extra precautions around vulnerable family members. Keep your household adequately supplied with masks, hand sanitizer, and other appropriate personal protective equipment. Many children's books are available to help with this, from story books to coloring books.

## 3. Follow Your Parenting Plan

COVID-19 is not generally a reason to deny parenting time. Parents must comply with any existing parenting time orders unless they agree otherwise, or until the orders are modified. Follow your parenting plan as closely as possible. An exception would be an executive



order restricting travel for parenting time exchanges. Otherwise, exchanges should go on as scheduled unless compliance isn't possible. Be smart. Do the right thing. Be transparent with the other parent about possible exposure to coronavirus. Make reasonable adjustments. Agree to change the exchange location to a place where fewer people congregate to reduce the risk of transmission (for safety reasons choose a neutral location, such as a fire or police station).

No matter what happens with COVID-19, parents should cooperate with each other and encourage the child's contact with both of them. (No court-ordered parenting plan? If no custody orders are in place, then you and the other parent are entitled to co-equal physical custody. ARS § 13-1302(A)(2).)

When a member of the household is diagnosed with COVID-19 or is self-quarantined, then work together to temporarily adjust the schedule. Before each parenting time exchange, confirm everyone's health. Take additional care if the parent, stepparent, or someone else residing in the home is a first responder, delivery driver, medical provider, routinely interacts with many people, or has one or more co-morbidities (for example, is obese, diabetic, or elderly).

For parents living great distances apart, ground and air travel can become an issue (for example, Phoenix to Mexico City or Flagstaff to Houston). Is the destination experiencing a spike in cases? Review alternatives.



Parents who cannot agree should request direction from the court. Talk to your attorney about this.

#### **4. Supervised Parenting Time**

Supervised parenting time should still go on. Utilize the supervisor or exchange agency as ordered. In the event the supervisor becomes unavailable, agree to an alternate supervisor, such as a family member or friend. Can't agree? Use virtual visitation or phone contact. The primary residential parent could supervise the virtual contact.

#### **5. Avoid Contempt of Court**

Worried about being held in contempt for violating custody orders? The party who exercises parenting time when not entitled to it under the schedule must immediately return the child to the permitted parent UNLESS there is good cause. When withholding access from the other parent out of fear of infection is reasonable and agreeable, this kind of informal agreement should not be an issue. However, if parents had no such agreement and one parent acted unilaterally, then a contempt action later is possible. (That a parent has sole legal decision-making authority or final decision-making authority does not entitle him or her to unilaterally modify the court-ordered parenting time plan.)

What about late or reduced child support payments? If you were furloughed or lost your job during the pandemic, then immediately talk to your attorney about requesting modified child support orders.

#### **6. Grandparent Visitation**

Does a grandparent have court-ordered visitation? Those orders should be complied with, too. Allow virtual visitation and telephone contact as much as possible. Filing for modified temporary visitation orders may be necessary, especially when the age or health of the grandparent is worrisome.

#### **7. School Breaks, Vacation Time, Holidays**

Follow the parenting plan for scheduled school breaks, vacation time, and holiday time. Be flexible, but not overly eager to disrupt your child's routine. If there's no legitimate reason for changing the parenting time schedule, then don't. Are there travel plans for vacation time with the child? Even with COVID-19 travel restrictions loosened, avoiding nonessential international travel is probably a good idea. Travel arrangements may have to be cancelled last minute so plan for that. Is the risk of infection transmission high, yet the other parent refuses to cancel travel arrangements? Try to reach agreement with the other parent and, if a temporary modification is agreed to, put it in writing. Do not resort to self-help! Consult an attorney about filing for temporary modified custody orders.

#### **8. Agree to a Back-Up Plan**

We anticipate some family members, friends, neighbors, or coworkers could become ill. For how long or how severely depends upon many factors (and we're still learning what those factors are). Assume the people you would call on first may not be able to assist when you want their help. Parents can be proactive by agreeing to a temporary back-up plan, putting it in writing, and signing it. Your court-ordered parenting plan is Plan-A and should be adhered to. If that isn't possible because of COVID-19, then implement Plan-B so long as necessary. Discuss modifying the visitation schedule with a 14-day suspension of parenting time in the event a member of the household tests positive for COVID-19 or is directed to self-quarantine (traveled internationally). What if there is a new shelter-in-place order? How will you handle an outbreak at the daycare center? Plan for these.

Parents should be intentional with parenting time, even when scheduled activities are cancelled. Even when exchanges cannot take place because someone in your household was exposed to or contracted the coronavirus. Be creative.

#### **9. Virtual Visitation and Make-Up Time**

Suspending parenting time temporarily? When face-to-face parenting time cannot occur, use technology to maintain communication and visual interaction between parent and child. The parent whose time was canceled should have liberal virtual contact. FaceTime, Zoom, Skype, or other forms of virtual visitation, videoconferencing, along with frequent telephone calls, are great for staying in touch while social distancing. Try to agree on a make-up schedule for lost in-person

parenting time and be generous about it. If not agreed to, you may file a request for make-up time with the court although, logistically, making up missed parenting time may not be feasible.

### **10. Talk to Your Child**

Talk to your child. Be calming, loving, reassuring, comforting. Don't assume your child understands why things are the way they are. Listen carefully to your child's concerns. Be emotionally supportive. Positive communication with your child is important under any circumstances. Some conversations will be about health and sickness issues, but your child needs to know that there is a great deal more to life than COVID-19. Impress upon your child that parents, teachers, coaches, church leaders, and the other adults in their lives are working every day to protect them. Always conduct adult conversations out of sight and hearing of your child. Explain to your child that he or she is not to blame for a parent's, sibling's, or grandparent's illness. Maintain an open dialogue about, well, anything your child wants to talk about. COVID-19 is a reason to strengthen relationships, not shy from them.

### **11. Apply What You Learned from the Parent Information Course**

Think back to the Parent Information Course you took early in your custody case. The course emphasized the emotional impact divorce and separation have on children. Kids have difficulty comprehending adult conflict, something parents should always work toward defusing. The stresses associated with COVID-19 could magnify parental conflict, even prolong litigation. Be mindful, your reactions to court proceedings can negatively impact your child and could risk parental alienation.

### **12. Counseling**

Be open to counseling with a mental health professional. For you, for your child, for the other parent who may be struggling, for both parents who need a mediator to help resolve disputed issues. Every parent has responsibilities, but the pandemic may be pushing coping skills to the limit. A loving parent will cross the sea and climb a mountain to make life better for his or her child.

Lastly, be involved and stay involved in your child's daily life. Make sure that you and your child continue to have good times together. Life goes on and fun-filled afternoons can make a world of difference in relieving stress for everyone. Do not be so distracted with the day's challenges that you forget to praise your child for good works.



## **FAMILY RESOURCES**

### **MARICOPA COUNTY**

- [https://www.maricopa.gov/DocumentCenter/View/61740/Physical\\_Distancing\\_2020\\_Schools](https://www.maricopa.gov/DocumentCenter/View/61740/Physical_Distancing_2020_Schools)
- <https://www.maricopa.gov/DocumentCenter/View/61739/Face-Coverings-Schools?bidId=>
- <https://www.maricopa.gov/DocumentCenter/View/58863/Home-Isolation-Guidelines>
- <https://www.maricopa.gov/5493/Education-Child-Care-and-Youth-Activities#schools>
- <https://www.maricopa.gov/5489/Protect-Yourself-and-Others>

### **STATE OF ARIZONA**

- <https://www.azed.gov/communications/2020/03/10/guidance-to-schools-on-covid-19/>

### **U.S. GOVERNMENT**

- <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/index.html>
- [https://www.cdc.gov/nchs/nvss/vsrr/covid\\_weekly/index.htm](https://www.cdc.gov/nchs/nvss/vsrr/covid_weekly/index.htm)
- <https://wwwnc.cdc.gov/travel/notices/warning/coronavirus-global>

### **OTHER**

- <https://www.arizonalawgroup.com/child-custody/parent-education-program/>
- <https://www.afccnet.org/Coronavirus>