

Annette T. Burns, Attorney at Law

Separated Parents and CoVID

by Annette Burns on ~~March 15, 2020~~

Parents: This is a truly difficult time. Talk about making being divorced/ separated from your other parent more difficult!

Please follow guidelines for co-parenting as closely as possible during these difficult times, for your sake and your children's sake (and health)

YOUR PARENTING PLAN SHOULD BE FOLLOWED. Do not take advantage of general chaos in the world to withhold parenting time. You may think "The courts are overcrowded and won't have time to deal with me now, if I do this." You may be right, but I'll hazard a guess and say that in a few months, when the courts are confronted with cases of children being withheld during this crisis, the sanctions will be harsh, as in make-up time and DOUBLE make-up time awarded to the other parent. Don't make that mistake. Court-ordered parenting time must be followed and permitted.

IF YOU DON'T AGREE WITH HOW YOUR OTHER PARENT IS HANDLING THINGS

You may feel the other parent is allowing the child too much access to other people and children and not following Social Distancing guidelines. If the two of you have joint legal decision-making rights under your Parenting Plan, each of you must use your own good judgment about what to do when you have the child. At this point, the government hasn't issued orders for isolation, and you can't force isolating guidelines on the other parent if he or she doesn't agree. You can try to talk to him or her about your concerns, but you can't force your guidelines on the other parent's household unless he or she is violating the law.

[CNN offers advice to parents about children and social activities](#)

If your child is saying he's scared by what's going on, COMMUNICATE that to the other parent (not by blaming the other parent, simply by providing information) so that the other parent can take action to make the child feel better.

IF YOUR CHILD IS SICK

If your child is sick with something "regular" (non-critical), the child should be exchanged at regular parenting times unless your Plan states that a sick child stays with one parent. COMMUNICATE with the other parent and ask if s/he will allow a sick child to stay with you. If the parents can agree to delay an exchange, that's fine. But if the parents don't agree, the child needs to be exchanged.

COMMUNICATE everything about your child's illness to the other parent, in writing. Try to stick to email. Start one email string with all information about the child's symptoms, what medication is given when, and how often. Keeping all this information in one place will let you both care for your child. Visits to doctors or urgent care should be communicated IMMEDIATELY to the other parent, including all information, symptoms, diagnoses, and medications. Tell the other parent where you filled the prescriptions. SHARE the child's prescriptions, and if the other parent asks, share the over-the-counter medications too. It's not that easy to pick up another package of Day-Quil these days.

IF YOUR EXCHANGE TIME WITH THE OTHER PARENT IS DONE THROUGH SCHOOL, AND SCHOOL IS CANCELLED

If your child isn't attending school and it's an exchange day, you need to COMMUNICATE with the other parent and find an exchange time. If no other time is specified in writing anywhere, use a 2:30 or 3pm exchange time (the approximate time school would have been out). If you can't exchange the child at someone's home, find a public place as close to the child's school as possible to make the exchange. You can exchange in the parking lot of a Target, McDonald's, or some other large public area where you don't need to be near a lot of people. Park close enough for the child to walk safely from one parent to the other.

CONTACTING YOUR ATTORNEY. Attorneys are likely not seeing people in-office right now. Email or call and confirm all appointments you have scheduled. Email your attorney and ask how to best communicate with him or her for the near future. If you generally text with your attorney, he or she might be overwhelmed with texts right now. Communicating from a cell phone is difficult. Stick with email until you're told differently. Leaving voice mails at the office might delay things. Most attorneys I know will try very hard to respond to emails within a few business hours.

IF YOU HAVE A COURT HEARING COMING UP AND YOU DON'T KNOW WHAT'S GOING ON.

If you have an attorney, email the attorney and ask if anything has changed with your hearing. Things are changing by the hour with the court system. Your attorney may not know yet what's going on, but he or she will contact you when they do know.

PLEASE DO NOT EXPECT TO FIND OUT ABOUT YOUR HEARING STATUS UNLESS YOUR HEARING IS IN THE NEXT DAY OR TWO.

If you don't have an attorney, the telephone numbers for Maricopa County (Phoenix) judges are located at <http://www.superiorcourt.maricopa.gov/JudicialBiographies/judicialList.asp?title=1>

Find your judge's name and call that number to find out the status of your hearing. **PLEASE DO NOT CALL JUDGES UNLESS YOUR HEARING IS SET WITHIN THE NEXT 1-3 DAYS.** If you have a hearing farther out than 2-3 days, you need to wait. The judge's offices simply won't know yet what's going to happen with a hearing that's 2-3 weeks out.

Courtwide announcements for Maricopa County (Phoenix) will be found at the Superior Court of Arizona in Maricopa County Facebook page, and the court's twitter <https://twitter.com/courtpio> (MCSuperior Court)

Previous post: [Benefits of Failed Mediation – Part II](#)

Next post: [CoVID and Co-Parenting: Stick With the Plan, Be Flexible When You Can](#)

- - [Home](#)
 - [About](#)
 - [Blog](#)
 - [Resources/Links](#)
 - [FAQs](#)
 - [Contact](#)

- **Categories**

- [Arizona Rules of Family Law Procedure](#)
- [Books](#)
- [Child Custody and Parenting Time](#)
- [Child Support](#)
- [CLE Programs and Topics](#)
- [Court Administration](#)
- [Current Affairs](#)
- [Divorce in the News](#)
- [Family Law and the Internet](#)

- o [General Divorce](#)
- o [Legislation and Divorce](#)
- o [NEW ARIZONA DECISIONS](#)
- o [Parenting Coordination](#)
- o [Practice Management](#)
- o [Spousal Maintenance](#)
- o [State Bar of Arizona](#)
- o [Stuff on the Web](#)
- o [Uncategorized](#)

© 2011 Annette T. Burns Attorney at Law | Disclaimer |