

March 30, 2020

## **HEALTHY PARENTING IN AN ERA OF COVID-19**

The lives of families around the world have been altered dramatically by a particle approximately a millionth of an inch in size. For families that include divorced or never married parents, COVID-19 may present additional questions and complexity. The Association of Family and Conciliation Courts (AFCC) and the American Academy of Matrimonial Lawyers (AAML) have joined together to offer the following important guidance to parents during this challenging time.

### **Seven Guidelines for Parents Who Are Divorce/Separated and Sharing Custody of Children During the COVID19 Pandemic**

*From the leaders of groups that deal with families in crisis:*

*Susan Myres, President of American Academy of Matrimonial Lawyers (AAML)*

*Dr. Matt Sullivan, President of Association of Family and Conciliation Courts (AFCC)*

*Annette Burns, AAML and Former President of AFCC*

*Yasmine Mehmet, AAML*

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*Jill Peña, Executive Director of AAML*

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#### **1. BE HEALTHY.**

*Comply with all CDC and local and state guidelines and model good behavior for your children with intensive hand washing, wiping down surfaces and other objects that are frequently touched, and maintaining social distancing. This also means BE INFORMED. Stay in touch with the most reliable media sources and avoid the rumor mill on social media.*

#### **2. BE MINDFUL.**

*Be honest about the seriousness of the pandemic but maintain a calm attitude and convey to your children your belief that everything will return to normal in time. Avoid making careless comments in front of the children and exposing them to endless media coverage intended for adults. Don't leave the news on 24/7, for instance. But, at the same time, encourage your children to ask questions and express their concerns and answer them truthfully at a level that is age-appropriate.*

*3. BE COMPLIANT with court orders and custody agreements.*

*As much as possible, try to avoid reinventing the wheel despite the unusual circumstances. The custody agreement or court order exists to prevent endless haggling over the details of timesharing. In some jurisdictions there are even standing orders mandating that, if schools are closed, custody agreements should remain in force as though school were still in session.*

*4. BE CREATIVE.*

*At the same time, it would be foolish to expect that nothing will change when people are being advised not to fly and vacation attractions such as amusement parks, museums and entertainment venues are closing all over the US and the world. In addition, some parents will have to work extra hours to help deal with the crisis and other parents may be out of work or working reduced hours for a time. Plans will inevitably have to change. Encourage closeness with the parent who is not going to see the child through shared books, movies, games and FaceTime or Skype.*

*5. BE TRANSPARENT.*

*Provide honest information to your co-parent about any suspected or confirmed exposure to the virus, and try to agree on what steps each of you will take to protect the child from exposure. Certainly both parents should be informed at once if the child is exhibiting any possible symptoms of the virus.*

*6. BE GENEROUS.*

*Try to provide makeup time to the parent who missed out, if at all possible. Family law judges expect reasonable accommodations when they can be made and will take seriously concerns raised in later filings about parents who are inflexible in highly unusual circumstances.*

*7. BE UNDERSTANDING.*

*There is no doubt that the pandemic will pose an economic hardship and lead to lost earnings for many, many parents, both those who are paying child support and those who are receiving child support. The parent who is paying should try to provide something, even if it can't be the full amount. The parent who is receiving payments should try to be accommodating under these challenging and temporary circumstances.*

*Adversity can become an opportunity for parents to come together and focus on what is best for the child. For many children, the strange days of the pandemic will leave vivid memories. It's important for every child to know and remember that both parents did everything they could to explain what was happening and to keep their child safe.*

## In Indiana

While circumstances are developing daily, guidance and direction also has been provided to Hoosier families by Indiana State and local government officials. Governor Eric Holcomb ordered all public and private K-12 schools in Indiana closed through May 1, 2020, in Executive Order 20-05, signed on March 19, 2020. Shortly after, on March 23, 2020, Governor Holcomb issued Executive Order 20-08. Executive Order 20-08 requires anyone living in Indiana to stay at home, except for essential activities (as defined by the Executive Order), and to maintain social (physical) distancing of at least six feet from any other person. Social distancing, it should be noted, does not apply to family or household members. The Governor's Order explicitly provides that essential travel permitted by the Order includes travel "to transport children pursuant to a custody agreement."

Courts in all ninety-two Indiana counties have applied to the Indiana Supreme Court for emergency relief. While the county courts' plans differ, most require that all non-essential hearings be continued. This means that the vast majority of hearings in family law cases will be postponed for the foreseeable future.

These unprecedented conditions, combined with the change and disruption being experienced in children's daily lives, elevates the importance of strong communication and cooperation between parents. We know that even in "ordinary" circumstances, parental conflict harms children more than almost any other factor – and conversely, that positive co-parenting improves children's ability to cope with stress. Now more than ever, to feel secure in these frightening and historic times, children need the contact, love, and support of both parents. They need to know and feel that their parents – their protectors in the world – are solidly united in their commitment to keep them safe.

We understand that these circumstances may create questions – and that it sometimes may be difficult to be the parents that our children need us to be, when we are managing stress of our own. We will continue to update you, as additional information and guidance becomes available. If you have questions or feel that you would benefit from additional support, family law attorneys and mental health professionals are prepared and available to help. These professionals are experienced in problem-solving approaches such as mediation, Collaborative Practice, parenting coordination, and arbitration, that do not require access to courts for solutions. The family law attorneys at Mallor Grodner always have been dedicated to helping you through life's most difficult transitions. It's good to know that's one thing that hasn't changed.

*Authored by Amy Stewart, a member of Mallor Grodner's family law team, who represents clients throughout Indiana.*

Mallor Grodner's Family Law team represents clients throughout Indiana. Call to speak with one of our attorneys in either Indianapolis (317-453-2020) or Bloomington (812-332-5000): Andy Mallor, Kendra Gjerdingen, Dustin Plummer, Kathy Harmon, Amy Stewart, Carrie Batalon, Lisa Anderson, Jenna Heavner, and Tim Sledd.