

COVID-19 FAMILY LAW INFORMATION

ALL FAMILY LAW ORDERS MUST BE FOLLOWED

This includes:

- * Parenting Plans
- * Restraining Orders
- * Child Support Orders, and
- * Any other temporary or final order signed by a judicial officer.

CHILD SUPPORT

You must continue to pay your child support obligation. If you are unable to pay your child support obligation for any reason, you may discuss your options with the Washington State Division of Child Support at <https://www.dshs.wa.gov/location/dshs-dcs-ken>.

You may **NOT** withhold parenting time from a parent for failing to pay support.

PARENTING PLANS MUST BE FOLLOWED

Court-ordered parenting time must be followed and permitted where possible. If the government is permitting individuals to leave their homes to obtain necessary provisions, go for walks, etc., then the court deems **CHILD EXCHANGES AS ESSENTIAL**.

***Spring/Summer Break, Vacation and /or holiday:**

While school may be out of session at this time, this is **not** considered summer break, spring break, or a holiday. Parents shall follow the holiday and school break residential schedules in place at the beginning of the school year.

***Parenting Time in Public Places:**

Governor Inslee has forbidden all nonessential gatherings, regardless of size. If the parenting plan states that parenting time will occur in a public place, parenting time should continue at locations that are permitted under the health and safety guidelines for the state, such as a large park, or nature hike. If that is not possible, then the parenting time should be conducted virtually via videoconferencing or by telephone.

***Supervised Parenting Time:**

If the parenting plan is ordered to be supervised, and the supervisor is unavailable due to COVID-19 related issues or government orders, the parties should work collaboratively to ensure parenting time continues to occur in a manner that promotes their children's safety and wellbeing, such as finding an alternative supervisor. If that is not possible, then the parenting time should be conducted virtually via videoconferencing or by telephone.

***Parenting Plan Impossible to Follow:**

In those limited circumstances where parenting time cannot be followed, for example because the exchange requires the child to fly to the other parent and the airline has cancelled those flights, parents should liberally allow the other parent access to the child via videoconferencing or by telephone.

***Exchanges “after school” or “at school”:**

If your child is not attending school and it is an exchange day, communicate with the other parent and find an agreed upon exchange time and location. If no other time is specified in writing, use the approximate time school would have been out (for example 3:00 p.m.). 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.

***Sick Child:**

If your child is sick with something “regular” (not requiring emergency medical assistance or COVID-19 symptoms), the child should be exchanged at regular parenting times unless your parenting plan states that a sick child stays with one parent, or the parents otherwise agree.

***Other Parent is not Protective:**

You may feel the other parent is not following social distancing guidelines or not following a structured schedule that you have set up in your home, **this is not a basis to withhold parenting time**. As a general rule, each parent is able to use their own good judgment about what to do when they have the child, so long as their actions are not violating the law.

***Make-up Time:**

Make-up time may be requested by a parent whose parenting time has been impacted due to COVID-19 related issues once the court's regular schedule is resumed. Parents are encouraged to come to agreement on make-up time on the own prior to filing a motion with the court.

For more information, court-wide announcements for Benton-Franklin Superior Court can be found here: <http://www.benton-franklinsuperiorcourt.com/>

Please check back frequently as things are changing rapidly.