



## **How to Manage Your Custody Arrangement with Your Ex During COVID-19**

In light of the COVID-19 virus, you may be wondering how to manage your custody arrangement with your ex. We've spoken with attorney and Certified Family Law Specialist, Myra Chack Fleischer, to find out how to keep you and your children safe in the face of a pandemic.

### **Because this is an emergency situation, can I have sole custody of my kids?**

The short answer-no. The current lockdowns do not change custody rights for any parent. If you try to assume full custody now you may be in a precarious situation with the courts later if the infraction is brought to their attention. Of course, if you have real concerns about your child's safety you should always get in touch with your attorney and, if the child's physical wellbeing is in immediate danger, law enforcement.

### **I don't think it's safe for my kids to travel to see their other parent. What should I do?**

It depends. Is the other parent a health care professional working on the front lines of viral defense? Or do they share a home with someone who may have an increased risk of infection? Now more than ever your communication as co-parents is key. Even if it doesn't always feel like it, everyone wants to keep their children safe.

If you and your co-parent decide together to amend your normal custody schedule to keep your children healthy, arrange frequent and lengthy video calls appropriate with the children's ages to substitute for in-person time.

### **I'm out of work, can I get extra child or spousal support? Do I still have to pay child or spousal support?**

For now, yes. However, if you suspect the layoff will be long-term, a Modification of Support can be drafted by your attorney to be filed with the courts as soon as they reopen.

### **What if my ex and I can't manage these issues on our own? How do we find solutions when the courts are closed?**

Call your attorney. They can set up a telephone or video negotiation with the other side and their attorney to work out short-term details. In these stressful times it's normal and expected to need extra support.

**During a mandatory lockdown or shelter in place, should we continue exchanging our kids?**

In most situations, yes. However, if you usually exchange at public places that are now be closed, temporary modifications may be in order. Your attorney can help you work out the details.

**What if we have a child-related issue that requires emergency action while the courts are closed?**

Contact your attorney. We can help. We can find other attorneys who can act as mediators to assist in resolving the situation even while the courts are closed.

**Will the courts allow video appearances?**

It depends on where you live. Currently in San Diego the answer is no.

**Will my case be delayed?**

Most likely, yes. If you had a case on calendar during the period of the court closure in your area it will be delayed. But we are taking things day by day and other options do exist. If waiting isn't for the courts isn't an option for you, ask your attorney about using a private mediator instead.

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