

PARENTING TIME AND COVID-19

KENT COUNTY FOC

Co-parenting is challenging.
COVID-19 makes it even tougher.

The FOC Suggests:

- **Follow the court order.**
- **Be Flexible with parenting time and consider what works for everyone.**
- **Communicate with the other parent.**
- **Explore options to change or enforce your order.**
- **Write down changes you and the other parent make to your court order.**

HOW TO CHANGE YOUR ORDER

Follow all court-ordered parenting time and parenting time exchanges. If you would like to change your order, you have options:

- **File a motion with the court.** Forms and instructions are available here: <https://www.accesskent.com/Courts/FOC/forms.htm>.
- **Request mediation.** FOC provides mediation for parents to help them change their order. You can sign up for FOC mediation here: <https://www.accesskent.com/Courts/FOC/default.htm>.
- **Reach an agreement.** If you and the other parent reach an agreement, **write it down**. This will not change your order, but will help in case there is a later disagreement.

HOW TO ENFORCE YOUR ORDER

If the parenting time order is not followed, you can:

- **File a complaint with the FOC.** You can file a complaint here: <https://www.accesskent.com/Courts/FOC/forms.htm> **OR**
- **File a motion with the court.** Forms and instructions are available here: <https://www.accesskent.com/Courts/FOC/forms.htm>.

If you and the other parent meet with the FOC, we will try to help you reach an agreement. If no agreement is reached, the court will decide if your court order was violated.

QUARANTINE & POSTIVE COVID-19 TESTS

Please keep in mind:

- A positive test or quarantine for your child or in the other parent's household does not mean that parent cannot exercise parenting time. However, parents should work together to help keep everyone safe.
 - A child can isolate or quarantine with **either** parent or **both** parents.
 - **Continue to follow the court order**, unless you and the other parent agree. Be flexible in changing schedules and allowing make-up parenting time. Remember to get any agreements in writing.
 - You can file a complaint with the FOC or a motion with the court to enforce your parenting time. For **both** options, the parent who did not follow the order will have an opportunity to explain.
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HOLIDAY PARENTING TIME

The holidays are upon us. Parents may disagree about celebrating and gathering with family during this time. Please know:

- FOC will enforce your holiday parenting time as written. You and the other parent are welcome to agree to do something different, but please get that agreement in writing.
- We know parents are concerned about following CDC or Health Department guidelines. FOC has no authority to tell either parent what they can or cannot do during parenting time. We sincerely hope parents will work together to protect everyone's health.

FOC HEARINGS TO ENFORCE PARENTING TIME

FOC Hearings on parenting time violations:

- **Held over ZOOM.** If a hearing is scheduled, you will receive information and instructions.
- **Possible delay.** There could be a delay in getting your case into court due to a backlog of cases.
- **Be flexible and creative** in exercising parenting time in the meantime.
- FOC will continue to enforce court orders as written until a new order is entered.

REMOTE LEARNING

Many schools are using remote learning. Different schools are doing different things at different times. Things can change quickly, which makes this issue hard to address. We recommend:

- **Flexibility.** Be flexible in co-parenting to avoid additional stress for your child.
- **Follow the court order** for parenting time.
- **Change your court order** using the options state above, if needed. Also, you can request a FOC Co-Parent Session if you need to clarify your court order for remote learning. Send an email to FOC.Mail@Kentcountymi.gov to request a Co-Parent Session.

Remote Learning FAQs:

My child is doing remote learning. How do I follow my order for parenting time?

- **What if my court order states that I pick up after school?**
The language "after school" is not specific enough for FOC to enforce. You can request a FOC Co-Parent Session to make your order more specific. If your order says, "release from school" use the time the school day ends.
- **What if my court order states I return children to school the following morning?**
This is not specific enough for FOC to enforce. You can agree to return the child to the other parent or agree to something else.
- **What if the parenting time exchange is at the school parking lot.**
Although your school may be closed to the public, you can still do your exchanges in the parking lot. If this is no longer convenient, you can agree to a new location.
- **My school is asking me if my child will return to school in person. Do I need to discuss this with the other parent or can I make the decision on my own?**
It depends on what your court order says. If your court order says that you have sole legal custody, you can make the decision on your own. If your court order says that you have joint legal custody, you will need to discuss with the other parent and make the decision together.

- **What guidance does FOC have for parents deciding whether a child should return to school in person or attend remotely?**

The FOC suggests that parents consider their own unique circumstances and the needs of their child. Each family is different, so the FOC encourages parents to work together to make the best decision for their child while considering each family's circumstances.

- **When parents cannot reach an agreement about school, can the FOC help?**

Yes. The FOC provides mediation services. **Both** parents must agree to participate. The mediation will be held using ZOOM.

- **What happens if our court order says that we have joint legal custody but we cannot reach an agreement about school?**

Either parent may file a motion to ask the court to decide. The court will base its decision on the child's best interests. The FOC suggests that parents first try to resolve the issue or request mediation.

- **The other parent has sole legal custody, but I don't like the decision they are making. Can I still ask the court for help?**

Yes. Under certain circumstances the court might change legal custody or override the other parent's decision. You may want to contact an attorney for assistance, visit www.MichiganLegalHelp.org, or consider mediation.