



How to best manage co-parenting during the Coronavirus outbreak

Co-parenting during the Coronavirus outbreak: With the UK in lockdown due to the COVID-19 outbreak, our family lawyers are being asked how to best manage co-parenting during the coronavirus outbreak.

Commonly asked questions include worries over court closures, how to best manage shared parenting arrangements and maintenance issues.

Will the Courts shut down due to the coronavirus outbreak?

That is a good question. As it stands it would appear that the Courts are endeavouring to make alternative arrangements, such as telephone hearings and video call hearings.

If you want to know more about your local Court or hearing, it is best that you contact them by email or check this page on the government website.

Can I just keep the children with me during this time?

The answer to this is not straight forward. In circumstances where there are child arrangement orders in place regulating where the children will live and whom they will spend time, these orders will remain in effect and there are consequences for breaching them.

The court's primary concern with regards to contact and living arrangements for a child is the welfare of that child, and parents should bear this in mind when it comes to contact arrangements.

It is important to remember that this is a public health emergency and should not be used as an excuse to alter parenting arrangements.

Instead, a combined approach between both parents to ensure they have time with their children whilst keeping them safe is preferred.

If you do not understand a court order, seek the advice of a legal representative.

How does the child get from one parent to the other for drop-offs and pick-ups?

Many child arrangement orders stipulate how handovers are to take place, but parents do need to communicate as to the practical arrangements at this time.

For example, if handovers are to take place in a public place, consider trying to agree to another location, such as one of the parent's homes. If handovers are typically achieved by dropping off and collecting children from school, think about a temporary measure that facilitates both parent's work patterns.

What if one parent tests positive for Coronavirus?

Regardless of whether a child arrangements order is in place if a parent has been tested positive for Coronavirus, it is safe to assume that it is best for the health of the child not to see that parent during the 14-day self-isolation stage. (Please check the NHS website for the latest medical information on this).



What if children are with one parent who falls ill and they need to self isolate?

This is a tricky one. The government's current advice is that those who are living with someone who has coronavirus should self isolate for 14 days from the day the first person in the home started having symptoms. Whilst this may mean that you are in breach of an order, this would be the sensible way forward, so I suggest that you communicate this to the other parent.

My child's parent wants to travel with my children overseas despite the outbreak – what can I do?

Most child arrangements orders contain provisions concerning travel, and these should be adhered to. If you are concerned about your children travelling, you should check current government advice and share your concerns with the other parent as to safety.

Where parents share parental responsibility, and there is no court order, both parents should consent to take a child or children overseas.

If you do not consent, then you can make an application to the court for a prohibited steps order. That said, you should always try to agree on arrangements with the other parent, and court applications should be the last, not the first, resort.

Can I take my children to the hospital if they get sick from Coronavirus?

Yes, albeit check with the government guidelines as to what steps they think you should take. Remember, the courts prioritise the welfare of the child. You should too.

What should I do if I cannot pay child maintenance or spousal maintenance as I cannot get into work?

Communication is key. If you don't pay and don't say that you are struggling, don't be surprised if your ex-partner asks why.

Also, be transparent. If your ex-partner does not know what is going on, they may well contact the Child Maintenance Service to seek assistance, increasing tension which is likely unnecessary.

If you have a letter from your employer saying your pay will reduce, or a contract saying you only get paid for work done, show this to your ex-partner.

Strictly speaking, if your income falls below £7 per week you do not have to pay child maintenance. If you are able therefore to make a small contribution, the receiving party should be grateful. If you earn between £7 and £100 per week, you will have an obligation to pay £7.

Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit www.stowefamilylaw.co.uk