

## **Suggested Guidelines for Persons Subject to Montgomery County Custody Orders During COVID-19**

For persons seeking guidance regarding existing Custody Orders during the COVID-19 pandemic, the following are recommendations only and are not enforceable via a Contempt Petition. These recommendations are consistent with the Governor's Emergency Mandate:

1. Existing Custody Orders shall remain in effect and shall govern where a child resides unless modified by further Court Order or agreement of the parties. However, existing Orders could be subject to the guidelines below. All of these temporary guidelines should remain in place and be followed until the Governor of Pennsylvania rescinds or allows to expire any "stay at home" orders covering Montgomery County AND any other county in which any party subject to the custody order resides.
2. All parties subject to custody orders should adhere to the CDC recommended protocols for COVID-19 (to include washing hands, cleaning surfaces with disinfectant solutions, physical distancing, etc); remaining in one's home and refraining from taking children to a public place.
3. Parties should take all precautions necessary to keep children safe and healthy at all times.
4. Employment by one party as a first-responder, health care worker or other essential worker is not a valid reason alone to justify suspension of an existing custody order.
5. In the event a party or any person in their household becomes infected with a respiratory illness or is showing any signs of being

infected with COVID-19, that party should report such situation to the other party. In such a situation, the following is recommended:

- a. If the party giving notice (“reporting party”) does not have custody of the child at the time of the report, the physical custody rights of the reporting party should be suspended and the child subject to the custody order should remain with the other party pending the resolution of the infection or illness.
  - b. If the reporting party has custody of the child at the time of the report, then the physical custody rights of the non-reporting party should be suspended and the subject child should remain with the reporting party, until the infection has resolved.
  - c. Any party whose physical custody rights are suspended pursuant to subsection a or b above, should have the right to daily contact with the child through any electronic means available, to include telephone, skype, zoom, facetime or other appropriate means. Such contact should be liberal and in such a way as to maximize the child’s contact with the non-custodial party with no interference from the custodial party.
  - d. Should a reporting party having custody of a child be unable to maintain custody due to conflict between the need for in-person supervision of a young child and the reporting party’s essential employment obligations or because of illness, the parties shall exchange the subject child in a timely manner. The reporting party’s custodial rights should thereafter be suspended until the infection has resolved or the work requirements have lessened and, if appropriate, the non-reporting party receiving the child shall take any isolation or quarantine measures necessary for the safety of the child.
6. In the event a custodial exchange is required to take place inside a public place, the Court recommends that the exchange take place in the parking lot of the ordered location.