

20PJ

FILED

**20th JUDICIAL DISTRICT STANDING ORDER REGARDING PARENTING TIME
DURING AN EPIDEMIC OR PANDEMIC**

MAR 25 2020

(Issued March 25, 2020)

RICHARD R. ROOKER, Clerk
By *[Signature]* Deputy

This Order is a Standing Order of the 20th Judicial District that applies to every suit affecting the parent-child relationship filed in the 20th Judicial District. This includes any closed and pending cases with any form of court ordered parenting time (both temporary and permanent). Hereinafter, "child" refers to a child or children who are the subject of a court order from the 20th Judicial District. **IT IS SO ORDERED THAT**

For purposes of determining a person's rights to parenting time/physical custody of a child under a temporary or permanent parenting time order, the original published school schedule shall control in all instances. Parenting time/physical custody shall not be affected by the school's closure that arises from an epidemic or pandemic, including but not limited to, what is commonly referred to as COVID-19. A person currently exercising parenting time/physical custody that is not entitled to parenting time/physical custody under the court-ordered parenting schedule and originally published school schedule SHALL immediately return the child to the parent entitled to parenting time and physical custody under the schedule. The following exception shall apply to this rule.

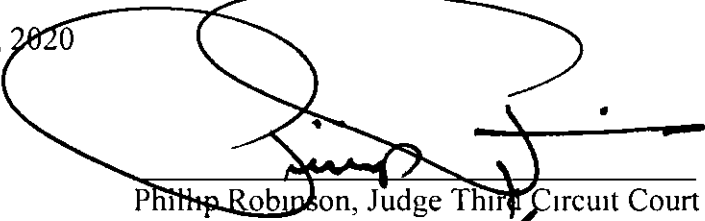
1. If the child, parent or an in-home sibling or family member is diagnosed with COVID-19 while the child is in the home, visitation shall be suspended for 14 days following the diagnosis upon presentation to the other parent of a doctor's note confirming the diagnosis.
2. In the event of a "lockdown" or "shelter-in-place" order by a local, state or federal agency, the primary residential parent, as designated on the parenting time order, shall take immediate physical possession of the child and shall retain physical possession of the child until such time the "lockdown" or "shelter-in-place" order is removed. For purposes of this Order, "immediate physical possession" shall occur within four (4) hours of the activation of the "lockdown" or "shelter-in-place" order.
3. Parents and/or legal custodians are at liberty to agree on alternate parenting time arrangements, however, such agreements shall be in writing and signed by both parties.

Example A: If a parent had custody of the child for Spring Break, but the school has cancelled classes for the week following Spring Break, that parent is NOT entitled to physical custody of the child after the end of the break. That parent MUST return the child as if school had resumed following the Spring Break vacation as set out in the original published school schedule.

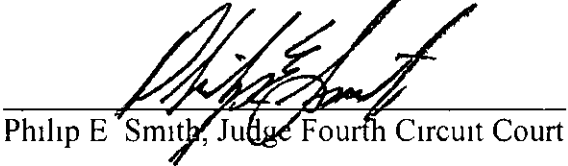
Example B: If a parent has the right to parenting time and physical custody of the child on Thursdays during the regular school year, that parent is still entitled to that parenting time while school is closed until the regular school year ends, based on the original published school schedule.

WARNING TO ALL PARTIES: FAILURE TO OBEY A COURT ORDER FOR VISITATION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO 10 DAYS, A FINE OF UP TO \$50.00 FOR EACH VIOLATION, AND A MONETARY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

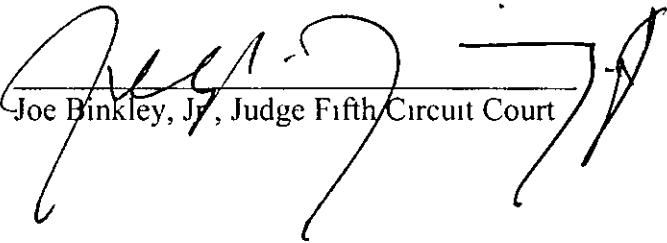
Entered this the 25th day of March, 2020



Phillip Robinson, Judge Third Circuit Court



Philip E. Smith, Judge Fourth Circuit Court



Joe Binkley, Jr., Judge Fifth Circuit Court