



# **NEWAYGO COUNTY TRIAL COURTS**

## **Newaygo County Friend of the Court**

### **ADMINISTRATIVE MEMORANDUM**

#### **Subject: COVID-19 Parenting Time Clarifications**

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This Memorandum has been created to address a number of potential parenting time scenarios that could arise in light of current issues surrounding COVID-19. This memorandum is a guideline meant to assist families in determining what is appropriate in a given circumstance. The Court understands that each individual case and situation is unique. It is the goal of this Memorandum to ensure that parenting time orders are followed to the greatest extent possible while also recognizing that circumstances related to parent illness or quarantine or child illness or quarantine may dictate that the schedule be temporarily altered. It is not the goal of this Memorandum to unduly deprive either parent of time with a child, but to ensure that parenting time or exchange of the child from one parent to the other does not become a mechanism or vehicle that contributes to the unnecessary exposure to or spread of COVID-19. If the parties are unable to agree to parenting time after discussion between the parties, review of the Administrative Memorandum – COVID 19 and guidance from Friend of the Court, Doctors and/or the Health Department, either may file a motion to address the matter.

#### **Scenario #1 – Custodial Parent required to quarantine due to potential exposure to COVID-19.**

If the parent with primary physical custody is required to quarantine due to contact tracing identifying potential exposure to a COVID positive individual, assuming that the custodial parent is observing the quarantine protocol within their home, has no COVID symptoms themselves and assuming the child is not ill and has not tested positive for COVID-19, parenting time may occur as ordered.

#### **Scenario #2 – Custodial Parent tests positive for COVID-19.**

If the parent with primary physical custody tests positive for COVID-19, requiring members of the household to quarantine, whether actually ill or not, parenting time shall be temporarily suspended for the duration of the child's quarantine. Parenting time missed shall be made up when feasible.

#### **Scenario #3 – Non-Custodial Parent required to quarantine due to potential exposure to COVID-19.**

If the Non-Custodial Parent is required to quarantine due to contact tracing identifying potential exposure to a COVID positive individual, regardless of symptoms or illness, parenting time shall be temporarily suspended for the duration of the parent's quarantine. Parenting time missed shall be made up when feasible.

**Scenario #4 – Non-Custodial Parent tests positive for COVID-19.**

If the Non-Custodial Parent tests positive for COVID-19, regardless of level of illness or symptoms, parenting time shall be temporarily suspended for the duration of the parent's illness, quarantine or until the parent is permitted to return to work or daily activity, whichever is later. Parenting time missed shall be made up when feasible.

**Scenario #5 – Child required to quarantine at Custodial Parent's home due to potential exposure.**

If a child is required to quarantine due to potential exposure at school, home or in the community, parenting time shall be temporarily suspended for the duration of the child's quarantine. Parenting time missed shall be made up when feasible.

**Scenario #6 – Child tests positive while at Custodial Parent's home.**

If child tests positive for COVID-19, regardless of level of illness or symptoms, parenting time shall be temporarily suspended for the duration of the child's illness, quarantine or until the child is permitted to return to school or daily activity, whichever is later. Parenting time missed shall be made up when feasible.

**Scenario #7 - Child is at the Non-Custodial Parent's home and the Custodial Parent becomes the subject of a quarantine or tests positive for COVID-19.**

If the child is at the home of the Non-Custodial Parent and the Custodial Parent becomes ill with COVID-19 symptoms, tests positive for COVID-19 (regardless of symptoms or illness) or is required to quarantine, unless the Non-Custodial Parent is unable to maintain temporary possession of the child, the child shall remain in the care of the Non-Custodial Parent until the Custodial Parent is no longer ill, tests negative for COVID-19 or is able to return to daily activity or work, whichever is later. No make-up parenting time shall be granted.

**Scenario #8 – Child is at the Non-Custodial Parent's home and the Non-Custodial Parent becomes ill with symptoms of COVID-19 requiring quarantine or tests positive for COVID-19.**

If the child is at the home of the Non-Custodial Parent and the Non-Custodial Parent becomes ill with COVID-19 symptoms, tests positive for COVID-19 (regardless of symptoms or illness) or is required to quarantine, and the child is required to quarantine due to contact with the Non-Custodial Parent, the child shall remain in the care of the Non-Custodial Parent until the child is able to return to daily activity or school, whichever is later. No make-up parenting time shall be granted.

**Scenario #9 – Child required to quarantine, becomes ill with symptoms of COVID-19 or tests positive while at Non-Custodial Parent's home.**

If the child is at the home of the Non-Custodial Parent and the child becomes ill with COVID-19 symptoms, tests positive for COVID-19 (regardless of symptoms or illness) or is required to quarantine due to potential exposure at school, home or in the community, unless the Non-Custodial Parent is unable to maintain temporary possession of the child, the child shall remain in the care of the Non-Custodial Parent until the child is no longer ill, tests negative for COVID-19 or

is able to return to daily activity or school, whichever is later. No make-up parenting time shall be granted.

Please feel free to contact the Newaygo County Friend of the Court if you have questions.

Thank you,  
Hon. Robert D. Springstead, Chief Judge  
Hon. Melissa K. Dykman, Probate Judge  
Referee Michael C. Paige, Circuit Court Referee  
Rachel Andrews, Dispute Resolution Specialist