

Coronavirus (COVID-19)

April 27, 2020

Adapting to Measures to Fight COVID-19 *Managing Shared Custody*

Many parents have questions about how to manage shared custody in the current situation. The following information and suggestions may be of help.

Shared custody continues when no one in either household has symptoms of COVID-19, or the disease itself.

The current situation has no effect on court decrees. Visiting rights and child custody time sharing remain the same. Everyone is obliged to abide by public health directives (see the *Self-Care Guide*¹), including separated parents and blended families. This makes it possible to continue shared custody as before the COVID-19 outbreak and avoid transmission from one household to the other.

Parents may make mutually agreeable changes to shared custody. If no agreement can be reached, a family mediator may be able to resolve the issue, helping to find a solution. Mediators often work from a distance, permitting them to abide by physical distancing measures.

COVID-19 changes many things in the life of a child. Continuing to see both parents can be reassuring and help children cope with the changes.

Situations	
One parent works.	Workplaces take the precautions needed to protect employees from COVID-19.
The other parent lives in a different region.	Parents can travel between the regions to continue shared custody. A court decree is not required for that to happen.
Additional children or adults live with the other parent.	If the adults and children have no symptoms of COVID-19 or the disease itself, the child may remain in contact with people in both households during shared custody.
Support must be paid, but the financial situation has changed.	Support payments must continue, but the parents can try to agree on adjusting the amount on the basis of the new financial situation.

¹<https://publications.msss.gouv.qc.ca/msss/en/document-002492/>

Discussing in advance about what precautions are needed is helpful.

It is recommended that parents decide ahead of time what to do if a parent, child or other person living in one of the two households develops symptoms of COVID-19 or gets the illness.

Precautions must be clear for all adults and children. Notify everyone involved if someone develops symptoms or has COVID-19. It's a shared responsibility that can save lives.

What to do if a parent, child or other person living in the same household as the child shows symptoms of COVID-19 or has the disease itself?

Abide by behaviour recommendations

- *Instructions for People With COVID-19 Symptoms*
(<https://publications.msss.gouv.qc.ca/msss/en/document-002528/>)
- *Instructions for People with COVID-19 in Home Isolation*
(<https://publications.msss.gouv.qc.ca/msss/en/document-002497/>)

Situations	What to do
A child has symptoms of COVID-19 or the disease itself (For a list of symptoms, see the Self-Care Guide)	<ul style="list-style-type: none">• The child must remain with the parent where the symptoms first appeared.• The former spouse must be informed of the situation.• The child must follow isolation instructions as closely as possible, on the basis of its age.<ul style="list-style-type: none">▪ It is recommended that same person always takes care of the child and wears a face covering when it isn't possible to stay at a distance of 2 metres (6 feet) from the child.▪ The child's toys must not be shared.▪ When outside the bedroom, the child should always use the same chair and armchair during the isolation period.▪ A distance of 2 metres (6 feet) between the child and other people must be maintained, even during meals. When this is impossible, the child's caregiver may wear a home-made face covering.▪ Everyone must wash their hands regularly.• Shared custody can resume after 14 days if the child has no symptoms on days 13 and 14 (aside from a mild cough and loss of taste or smell, which can persist). If the child still has symptoms on days 13 and 14, it is important to wait until none are observed for 2 consecutive days.

<p>A parent or someone else in the household has symptoms of COVID-19 or has the disease itself <u>and the child is with them.</u></p>	<ul style="list-style-type: none"> • The child must remain in that household, to avoid infecting others with COVID-19. • The former spouse must be informed of the situation. • The person who is sick or has symptoms must follow isolation instructions as closely as possible (<i>Instructions for People with COVID-19 in Home Isolation</i>). • Shared custody may resume 14 days after the last contact between the child and the sick person as long as the child does not develop symptoms and the sick person has followed isolation instructions. • If the child develops symptoms, follow the above instructions.
<p>A parent or someone else in the household has symptoms of COVID-19 or has the disease itself <u>and the child is not with them.</u></p>	<ul style="list-style-type: none"> • The child must stay with the other parent. • The former spouse must be informed of the situation. • Shared custody may resume after 14 days if the person who is sick or is symptomatic has no symptoms on days 13 and 14 (aside from a mild cough and loss of taste or smell, which can persist). If symptoms remain on days 13 and 14, waiting until there are no symptoms such as fever for 2 consecutive days is required. • If someone else in the household is in isolation due to contact with a person that has COVID-19, shared custody may resume 14 days after the last contact between the two.
<p>No one in either of the two households has symptoms or the disease itself or is in isolation following public health directives.</p>	<ul style="list-style-type: none"> • Shared custody may continue.

Learn more about shared custody

Find a family mediator

<https://www.justice.gouv.qc.ca/en/couples-and-families/separation-and-divorce/family-mediation-negotiating-a-fair-agreement/search-for-family-mediator>

Legal advice on child custody (Ministère de la Justice)

1-866-699-9729

<https://www.justice.gouv.qc.ca/en/coronavirus/faq/faq-child-custody>

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