

## Confusion over co-parenting rules during the Covid-19 lockdown period? Webb Farry has put together this handy fact sheet on the dos and don'ts during the lockdown

We understand parents who have shared care arrangements may have some questions around how this will work during the level 4 COVID 19 lockdown period.

The Principal Family Court Judge Jackie Moran released has helpful guidelines to assist during this period, please see the summary below:

- The overriding consideration is for parents to make decisions that are in the best interest of their children (as is required by the Care of Children Act 2004 for all decisions that parents make about their children);
- The intent of Alert Level 4 is to prevent COVID-19 spreading within New Zealand. Staying at home will save lives and is key to Alert Level 4,
- Generally, shared care arrangements for children whose parents live in the same communities can continue unless:
  - The child is unwell. In this case, the child should not travel between homes until they are well;
  - Someone in either home is unwell;
  - Someone involved (i.e. the child or people in the home they have been in or will go to) has been overseas in the last 14 days OR has been in close contact with someone who is currently being tested for COVID-19 OR has been in close contact with someone who has the virus or is being tested.
- If children are moving between homes they should be accompanied by an adult and private vehicles should be used.
- Parents and caregivers should discuss whether their usual shared custody arrangements may allow COVID-19 to spread without them being aware, and reach an agreement to minimise risk. There may be an increased risk where multiple homes are involved (for example blended families where more than one set of children have separate shared care arrangements). If parents and caregivers cannot minimise the risk, they should consider whether the child should stay with one parent/caregiver for the entire initial four-week period.
- Where families with a shared care arrangement are in different towns or communities (i.e. more than a one hour drive apart), children should not be moving between homes as this may compromise the safety of the children and others in their family units, especially if there are more than two homes involved.



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- Where children cannot move between homes, the Court would expect indirect contact – such as by phone or social media messaging – to be generous. It is also a good idea to make a plan to make up any time missed by the parent who does not have care of the children during the lockdown period once it is over.
- Parents must put aside their conflict at this time and make decisions that are in the best interests of the child and their families and the wider community. This global pandemic should not be seen as an opportunity for parents to unilaterally change established care arrangements without cause or otherwise behave in a manner inconsistent with the child’s best interests or the Court ordered care arrangements. The Court has made it clear that actions such as these will not be looked upon kindly by the Court after the lockdown period is over.
- For up to date information, families are referred to Unite against COVID-19 website (<https://covid19.govt.nz/>)

If you are transporting children between homes, it would be helpful to bring a copy of any Parenting Order to explain the reason for your travel.

The Court is considered an “essential service” and will be operating during the COVID-19 lockdown. The Family Court will only be running for priority proceedings, this includes urgent Parenting Orders.

Webb Farry is working remotely during this period so we are available to help with any queries or concerns you may have during the lockdown period.



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