Supreme Court of Kentucky

2020-65

AMENDED ORDER

IN RE: CUSTODY AND PARENTING TIME ORDERS

To avoid confusion and provide guidance and assistance to parties to a custody or parenting time order during the COVID-19 pandemic, the Supreme Court, under Section 116 of the Kentucky Constitution and Supreme Court Rule 1.010, hereby ORDERS as follows:

For purposes of determining a person's right to possession of and access to a child under a court-ordered custody or parenting time schedule, the existing court order shall control. However, reasonable accommodations shall be made to account for extenuating circumstances related to the COVID-19 emergency.

Specifically, the existing court order shall be considered temporarily modified to suspend parenting time for a period of 14 days for any person who:

1. Tests positive for COVID-19 or shares a household with someone who tests positive for COVID-19;
2. Has been advised that he or she, or someone with whom he or she shares a household, has possibly been exposed to COVID-19; or
3. Has, within the last 14 days, traveled to a state or country with a positive COVID-19 testing rate equal to or greater than 15 percent.

Any person experiencing the above-listed circumstances shall, upon discovery, immediately notify the other party(ies).

Any person whose parenting time is suspended pursuant to this order shall be granted liberal communication with the child(ren) subject to any restrictions specifically stated in the existing order(s).

Nothing in this Order prevents parties from altering a custody or parenting time schedule by agreement if allowed by their court order(s), or courts from modifying their orders on an emergency basis or otherwise.

The Supreme Court acknowledges that this is a rapidly evolving situation and respectfully asks all parties with a custody or parenting time order for patience and cooperation as we work to balance court access with public health.

This Order shall be effective upon entry and until further Order of this Court.

Entered this 15th day of September 2020.

CHIEF JUSTICE

All sitting; all concur.