

**THIRD DISTRICT COURT COMMISSIONERS' NOTICE  
REGARDING DOMESTIC CASES AND COVID-19**

As commissioners in the Third District Court, many attorneys and parties have questions about whether court orders will be interpreted differently to accommodate the disruption caused by the current COVID-19 pandemic. We have met and discussed possible scenarios, and while there are some situations that will require handling on a case-by-case basis, the following guidelines should govern in the absence of contravening directives of doctors and disease control experts.

1. **REGULAR PARENT-TIME:** There should be no deviation from the normal parent-time schedule unless the child or someone in the child's home has tested positive for COVID-19. If that is the case, the primary custodial parent should provide documentation of the positive COVID-19 to the noncustodial parent within 24 hours. If positive, parent-time with the noncustodial parent should be suspended for a period of two weeks. During the period of suspended parent-time, the noncustodial parent shall have at least 30 minutes of virtual parent-time (Google Hangouts, Skype, Facetime, etc.) each day. The missed parent-time will be made up during the summer break, or at other times agreed upon by both parents. If a child remains positive after conclusion of the two week period, this provision should be extended until the child is no longer positive.
2. **SPRING BREAK:** Pursuant to Utah Code 30-3-35(f) and (h) the spring break is the custodial parent's holiday in 2020. The parties will follow the child(ren)'s normal school schedule for the purpose of determining when spring break occurs. Unless there is a positive test (see above) or a travel restriction, spring break should be treated as it would under non-pandemic conditions.

Similarly, Under Utah Code 30-3-37(6) spring break is the custodial parent's holiday in 2020. If the order requires the child to travel for spring break and that travel is prohibited, a parent losing parent-time due to the travel prohibition should be entitled to an equal period of make-up time.

3. **RIGHT OF FIRST REFUSAL:** If the governing order allows for the right of first refusal to provide child care, the fact that a child may not be attending school does not affect the order.
4. **SCHOOL CLOSURES:** COVID-19 school closures will not be treated as snow days, teacher development days, or other days when school is not scheduled and which are contiguous to the weekend or holiday period under Utah Code 30-3-35 (b)(iv) and (c). Thus, until the conclusion of the academic year, children should be returned to the other parent at the time the children normally would be delivered to school or the other parent.
5. **MISCELLANEOUS:** For situations not specifically addressed above, we hope and expect that parents will be reasonable and will try to work together and follow government guidelines to ensure the health and safety of their children, themselves and others. Should parents attempt to take improper advantage of the court's present inability to hear many matters, this could eventually result in the imposition of appropriate sanctions when full court operations resume.