

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO.:
20-18 AMENDED
SUPERSEDES 20-18

IN RE: DOMESTIC RELATIONS – COVID-19 VISITATION & TIMESHARING GUIDELINES

WHEREAS, the laws of the State of Florida and public policy expect parents to encourage a continuing and meaningful relationship between the children and the other parent regardless of whether they are in an intact family;

WHEREAS, the laws of the State of Florida provide that, where a parent refuses to honor the time-sharing schedule without proper cause, the court may consider such actions in assessing sanctions against the noncompliant party. Such sanctions may include, but are not limited to, granting makeup timesharing in the best interests of the child, and assessing attorney's fees and costs; and

WHEREAS the court must weigh the need to protect the public health against the need to enforce particular timesharing arrangements during this COVID-19 pandemic;

THEREFORE, pursuant to Rule 2.215, Florida Rules of Judicial Administration, charging the Chief Judge with ensuring the efficient and proper administration of all courts within the circuit, and as an ongoing effort to mitigate the effects of COVID-19 on the courts and its participants,

IT IS HEREBY ORDERED that:

1. Any timesharing order now in effect shall remain in full force and effect.
2. Parties to an existing timesharing order shall comply with the terms of those orders unless modified by a court of competent jurisdiction.
3. Each parent to an existing timesharing order is prohibited from unreasonably restricting the other parent from access to a child.
4. Regular timesharing as set forth in any existing court order shall continue as set forth in that order; the parties shall continue to follow the calendar of the school designated in any such order notwithstanding that school attendance may have been suspended. School closure for public health purposes will not be considered an extension of any break/vacation/holiday period or weekend.
5. Exchanges that were to take place at a child's school or daycare that is not currently open should be arranged between the parents in writing by email, text, or parenting app. In the event the parents

cannot agree on an alternate arrangement, the exchanges shall take place at the police station or sheriff's office that is located closest to the school or daycare. The closest police station or sheriff's office shall be determined by the distance shown on Google Maps.

6. Videoconferencing and telephone contact, as set forth in a court order, shall be honored and should be reasonably increased to "regular and consistent contact" to alleviate fears and concerns a child may be experiencing during this time. Unless previously ordered, video and phone contact should not be monitored or interrupted by a parent or third party.
7. Any party who had been deprived of timesharing may bring an action to enforce the timesharing order or ask that the noncompliant party be found in contempt of court.
8. Nothing in this AO is meant to prevent parents from complying with the Center for Disease Control directives on matters of health and safety for the children who are subject to timesharing order regarding visitation.
9. Parents are strongly cautioned that unreasonable, hurtful, or destructive behavior may be severely sanctioned by the court; and the non-offending parent may be awarded substantial make-up time, including summer and consecutive holidays; and the court may award attorney's fees and costs to be paid to the non-offending parent. Such actions may also impact the court's long-term decision for timesharing pursuant to Chapter 61, Florida Statutes.
10. No party shall seek emergency relief except by verified motion, based upon personal knowledge, alleging evidence of imminent harm to a child. Mere allegations that a child may be safer in the home of one parent shall not be a sufficient basis for the establishment or modification of a timesharing order.
11. A parent testing positive for COVID-19 shall immediately notify the other parent of the positive test. A parent learning that a household member has tested positive for COVID-19 shall immediately notify the other parent of the positive test, though the identity of the person testing positive shall not be disclosed.
12. All parents shall comply with "social distancing" and the general protective measures recommended by the CDC and shall encourage their children to do the same.
13. This order shall remain in full force and effect until further order of this court.

DONE AND ORDERED this 16th day of June, 2020.

LISA DAVIDSON
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CHIEF JUDGE

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