



## Custody During COVID-19

Governor Wolf, during this difficult time, has specifically said that all custody orders should be followed.

If you have a current custody order it cannot be changed or modified without permission of the court unless the order explicitly says so. If your order does allow for modification, look for language like “periods of custody can be modified by agreement of the parties” or “parties may agree to change the custody periods and should act reasonably in considering the other parties’ request.” Some specific custody issues our advocates have been hearing are listed below with some general answers to those questions.

If you have specific questions about an already open case, please reach out to the attorney that’s been assigned to your case. If you have other specific questions that have not been covered here, please call the number at the bottom of this flyer!

## FREQUENTLY ASKED QUESTIONS FOR CUSTODY DURING COVID-19 PANDEMIC

Q: The state is under a stay at home order, can I still travel to comply with the custody order’s visitation?

A. Yes! Travel is deemed essential, for the purposes of this, so long as it is required by law enforcement or by Court Order.

Q: Do I still have to follow my custody order?

A. Yes! A court order does not end or stop being enforceable because of the pandemic.

Q: What can happen if I do not follow the custody order?

A. When a custody order is not followed, the party whose visitation was missed or cancelled by the other party can file a custody contempt. This is a civil proceeding, but can have serious consequences like fines and possible jail time!

Q: Can we alter the court order if necessary?

- A. Most custody orders have a provision that the periods of custody can be changed as the parties should agree.

Q: Can a new custody action be filed right now?

- A. It depends on the county in which you live or are filing for custody. Please reach out to your local Prothonotary's office for more information?

Q: Can I ask for a custody modification during the pandemic?

- A. Courts, at the moment, are only handling cases that have been deemed essential. This can vary heavily county to county. Please check with your county or call 1-800-665-6597 for more detail about what each county is doing as far as this issue goes.

Q: I feel that my child is in extreme danger or being neglected while with the other parent, what can I do?

- A. If you feel that your child's safety and well-being is in question, please reach out to an attorney and voice your concerns. The attorney will give you advice on next steps or what should be done in the meantime during this pandemic.

Q: I'm already a client and want to know the status of my custody case?

- A. Please reach out to your attorney via phone or email! We will return your phone calls as soon as possible!

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