

FOR IMMEDIATE RELEASE
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The impact of the State of Emergency on Family Court custody and visitation orders

March 29, 2020, Governor John Carney issued his Seventh Modification to the COVID-19 State of Emergency Declaration. This modification provides for the 14-day self-quarantine of out-of-state travelers coming into Delaware. Family Court understands that families may have questions about whether the State of Emergency and the Seventh Modification impacts their existing child custody or visitation order. Many of these families have one parent who lives in Delaware while the other parent lives outside of Delaware.

To be clear, neither the State of Emergency nor the Seventh Modification interferes with or invalidates any existing Family Court order regarding custody or visitation. Custody and visitation orders remain in full force and effect. Travel (including interstate travel) for the purposes of complying with a Family Court order is considered essential travel and permitted. Such travel was deemed essential in Governor Carney's Fifth Modification to the COVID-19 State of Emergency Declaration issued March 22, 2020. Under the Seventh Modification, such travel remains essential and is excluded from the self-quarantine requirement.

Existing Family Court custody and visitation orders should continue to be followed unless altered by agreement of the parties or subsequent order of Family Court.

For the latest information on the Delaware Judiciary's response to COVID-19, please visit: <https://courts.delaware.gov/aoc/covid-19>

For more information on Governor John Carney's State of Emergency Declaration, please visit: <https://governor.delaware.gov/health-soe/>

For additional information on COVID-19, please visit the State of Delaware's informational website at: <https://coronavirus.delaware.gov/>. If you have any questions, you can also contact the State's Department of Public Health Coronavirus call center by phone at 1-866-408-1899 or by email at DPHCall@delaware.gov.