

Your Money-Separation Anxiety: Divorce, Money and Coronavirus

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NEW YORK — The first few days of staying at home for coronavirus seclusion with my two kids were chaotic, stressful and scary, much like they were for everyone else.

And then they left for their dad's house.

Suddenly alone in total quiet, it was torture. My head filled with anxious questions and what-ifs. One peek at social media told me I was not alone.

"There's no pandemic clause in divorce agreements," said Lauren Behrman, a licensed clinical psychologist who does parent coordination in New York.

Behrman is virtually meeting with parents nonstop via Zoom trying to hammer out emergency plans.

Custody schedules are maddeningly specific, down to the time and place of the transitions from one parent to the other, with contingencies outlined for school holidays, birthdays and even snow days. But they do not cover what is going on now.

The issue is so dire that the Texas Supreme Court weighed in with an emergency order on March 13 that divorced couples should go by the originally published school schedule.

That is not enough guidance for most.

One couple has a situation where one parent just returned from international travel and was supposed to quarantine for 14 days, but he wanted to come get a child for regular visitation over the mom's objections.

Houston-based divorce attorney Susan Myres, president of the American Academy of Matrimonial Lawyers (AAML), is trying to help a woman whose ex-husband took their son out of the country because he decided the United States was not safe.

"I don't know how we'll ever get him home," Myres said.

New York divorce attorney Heidi A. Tallentire said that in cases where one parent takes a child away without consent - even just to go to grandparents or a vacation home - the courts could be harsh upon their return. Consequences could be anything from mandating makeup time to losing custody altogether, but it will all have to wait.

Also hanging in the balance for many families is child support and other divorce-related financial settlements. One of Tallentire's clients closed his small business this week and wanted an immediate modification, which is retroactive to the date you file.

"But you can't file because the court is closed," Tallentire said.

Here is advice for divorced parents left to sort this out on their own:

1. Be reasonable

Nobody is coming to your rescue, so work it out. The AAML and the Association of Family and Conciliation Courts put out seven recommendations that all revolve around a theme of kindness and mindfulness. (<https://bit.ly/3a61kf7>)

2. Get whatever help you can

You may be able to find a parenting coordinator who will take new clients in an emergency. Note that these professionals typically charge \$200 to \$400 per hour, but some will work on a sliding scale. Your local courthouse should have online resources. You can also consult a therapist or lean on family members for your own anxiety.

3. Document

You do not need to pay a lawyer to hash out little changes to your parenting plan. Anything you mutually agree on is fine, you just need to write it down. It can simply be an email that says, just to confirm, I'm picking up Johnny at 2 p.m. on Tuesday at your house and you will come get him from my house the following Sunday at 3 p.m., Tallentire said.

4. Agree on your family bubble

A friend had a really awkward discussion with his ex-wife about his new girlfriend because of coronavirus, but it had to happen because of how many people were going to be in their social chain over the course of this situation. Their nuclear family now included their twin boys, his girlfriend and her teenage daughter, that kid's father and whoever else was in his orbit. On her side was her boyfriend and his two kids, plus their mother and her significant other.

"If she had said I couldn't date anymore, I would have been apoplectic," my friend told me. "But the truth is, whatever you do affects everything in your whole life."

5. Make the best of it

I have discovered the one true silver lining of joint custody in the age of coronavirus: Your toilet paper supply will last much longer.

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