

Q&A - Navigating the Holidays, COVID and Divorce

By

When it comes to the holidays, there are always stressors for divorced families, and now with COVID and continued stay home restrictions on gatherings and travel, divorced and blended families have to face even more challenges. Divorced couples have to come to agreements about everything from travel, gifts and time with children, that are more complicated during COVID.

Already tensions are building about which parent can travel with children, when, where and how far. Many disagreements are growing about how much risk regarding COVID one parent is willing to let the other parent take. As we've seen with Thanksgiving, this is a year where families of every type, divorced and not, are coming up with new traditions.

Top Washington, DC-area lawyers Tracey Coates and Carlos Lastra, who co-chair the family law practice at Paley Rothman, are available to offer guidance for navigating the holidays, COVID, and divorce.

Q: What are divorced or blended families worried most about this season?

Coates: My clients and families I know are having the **most difficult time agreeing on travel**. One parent wants to maintain a tradition of being with family members, the other parent refuses to let the ex-spouse travel with their child or children out of state bounds or through multiple states, or to go by plane or train. They are having to discuss how large a gathering will one parent accept. We've seen the surges after Thanksgiving, and these are real concerns.

Lastra: Yes, families are most worried about travel, and there are discussions about **how far away** a parent will let their children travel with the other parent, ex-spouse. They are very worried and tensions are building about **how long children can be away** with another parent, and how long they need to quarantine once they arrive or when they return.

Q: How can divorced families handle the gift giving and receiving during COVID when they can't be together?

Lastra: Families are worried because many of the arrangements they may have made in their divorce agreements cannot be honored during COVID. One parent may not feel comfortable letting children be with their other parent on Christmas Day because there may be too many other people in the same household now quarantining together. This comes into play with blended families, where one parent might not want the children to be exposed to COVID potentially through step children. Families are working out new ways of doing things, especially with gifts. Many are receiving gifts by mail and many are planning zoom parties to open gifts.

Coates: 2020 is not the year to receive everything you want, it is the year to appreciate everything you have. Because of the economic constraints people are facing, some families are creating more homemade gifts. Some are doing Secret Santa gift giving to one selected family member. Others are distributing meals or adopting families to provide gifts for.

Q: What tips can you offer for blended and divorced families during COVID?

Lastra: I recommend that families try to set up some type of visitation schedule that looks as much like the one they've worked out in their divorce agreement. If that would involve out of state travel and one parent would take children to see grandparents or aunts and uncles and cousins in another state, if those states have strict shelter in place rules, then think about staying home with the children and setting up zoom celebrations.

Coates: This is really a wonderful time to start new traditions. Can you take children to a drive through light display? Can you remain closer to home and do outdoor activities, like ice skating or going on a hike? Can you play family games on zoom? Family holiday trivia contests are fun. Or you can do a cookie bake off or a family talent show on zoom. The key is for parents to have time and fun with their children and to make new traditions.



Tracey Coates



Carlos Lastra