

Divorced Co-Parents: What Happens When You Disagree Over Travel and Quarantine

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With [coronavirus](#) concerns reaching a fever-pitch, what happens if divorced spouses disagree on things like travel and quarantine protocol? Here's what attorney [Matheu D. Nunn](#) has to say:

Generally, divorced parents have joint legal custody, which means they have equal decision-making authority—including for matters impacting their children's health and welfare.

If one parent has an imminent vacation planned to a non-travel ban country, and due to the current environment, the other parent opposes the trip, and the parents cannot reach a mutual decision, then either party can file an "emergent" application in court to have a judge decide the issue. The judge's decision would be guided by a standard that centers on the child's best interests. Considering that so many events, businesses and schools are postponing or cancelling or temporarily closing, it would probably be best to re-schedule the vacation.

What if the state imposes a two-week quarantine, which implicates the children's parenting time with each parent?

One would hope that the parents could implement recommended precautions within their respective homes to afford the child parenting time with both parents. If not, either or both parents could file an emergency application in court to resolve the issue. However, in my experience, in situations that will divest one parent of time with the child—in the absence of a bona fide emergency situation—courts typically afford remedies like make-up parenting time or mandated daily Skype contact.

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