

Resolving Parenting Conflicts During COVID

When the world is upside down, Archer's dedicated matrimonial and family law department is ready to help parents navigate the issues they face. by LIZ HUNTER



CCOVID-19 IMPACTS US ALL. Today, families struggle to keep each other and their children safe, while also adjusting to modified work conditions and other commitments. Parents embroiled in separation and divorce face greater problems when they cannot agree on a plan to address their children's needs. Unfortunately, the courts are plagued with unprecedented backlogs, reported to be as high as 150 percent above last year's caseload. Significant delay occurs in securing court determinations, which parties believe require immediate attention. Fortunately, parents have a choice and can resolve the stresses created by fears of illness and mandates to shelter in place that disrupt what was a previously stable parenting arrangement without the necessity of expensive and time-consuming litigation.

The group of attorneys in Archer's Haddonfield Matrimonial and Family Law Department are uniquely positioned to handle the matters pertaining to divorce, and especially now when so many cases are delayed and stress is running high, this mediation-friendly department offers an alternative.

Former Presiding Judge Marie E. Lihotz, and William J. Thompson, Esq., members of Archer's Alternative Dispute Resolution (ADR) Family Practice Group, explain the firm's services serving as a "COVID coordinator" to help

manage the parenting disruptions created by the pandemic. As mediators, they work with parents who need a neutral party to listen to their conflicting concerns and objectively devise a path of resolution on issues such as: What is the best plan for the upcoming school year? Should the children's extracurricular activities continue? Do alternative child-care arrangements need to be made? Can a parent travel and take the children on vacation? Lihotz states, "Our ADR group offers flexible services to meet parents' needs, including utilizing adjusted rates for short-term requests to 'just make a call on an issue' or accepting longer assignments to un-tangle more complicated disagreements. We work to achieve a plan of cooperative planning so parents can face crises together—not in conflict."

"The family law experience of our ADR Group is unsurpassed," adds Thompson. "Not only do we have years of matrimonial litigation experience, gaining incite to various Family Part judges sitting in almost every county in the state, but also we handle hundreds of mediations and arbitrations, successfully and efficiently concluding these family disputes. We are prepared to aid the families to adjust their expectations and meet the emergencies of today, while accepting that these solutions will be reformed tomorrow, once the crises ends."

Suburban Family spoke with Lihotz about some of the concerns families have and what considerations they should make for a resolution.

What if divorced parents disagree on the plan for the school year and potentially caring for the children while learning remotely?

The issue of school attendance has been troublesome for many families, in part because school plans keep changing. When we work with those who want a resolution through mediation or a quick arbitration, one thing we emphasize is look at this situation as a separate period of time that will change when things get

back to "normal." Also, there needs to be flexibility in how parents deal with concerns; people need to be cooperative and reasonable. We work on finding that balance because it's important to get a schedule that works for parents and the children.

How can parents ensure their children's risks are minimal when they are with the other parent?

We try to get people to look at what's going on in each family and what could be the result. While anything is possible and the worst situation is if a child became very sick because a parent was careless. Even if such chances are low, parents need to address this concern in a practical way. We want to reframe the way people view a problem and then resolve it. It's one thing to go to an outdoor dining establishment, but it's another to attend a crowded event in a confined indoor space. Alternatively, if you have one parent who is a front-line worker at a hospital or nursing home, protocols can be developed to do what's best for the kids. In fact, health care workers are more informed and well trained to protect themselves and their loved ones. Others may need to understand this information and realize there are good choices.

While sheltering in place, some couples may have decided to hold off on a formal divorce until things return to normal. What should they be doing in the meantime?

It's important to get educated and I think the best investment is to schedule an initial consultation with an attorney who understands the parameters of what each party needs to know and what needs to be done once the party moves forward with a divorce. We often see one party in a divorce does not have necessary information. When that happens, it takes great time and money to gather it. If you consult with an experienced attorney, you can make a reasoned decision about when to file because timing pertains to asset distributions and other significant issues affecting a party's interest in the future.

Why should parents consider mediation?

If there's a disagreement between parents, the options are either hire a mediator to resolve the dilemma or file an application with the court. However, courts are limited in what they are doing—I believe they just started handling approximately 15 percent of the caseload. Also, the cost and expense of litigating tends to be greater, even with virtual hearings. Using an alternative dispute resolution process is very flexible. Parties can define what they want done and how they want it done. You can decide to spend two or possibly four hours, and that is what you pay for. You can decide to address one issue or several. When people participate in the process with the right frame of mind, a mediated or arbitrated resolution is more efficient and more effective. ♦