

1 Committee on Human Services language re: parent-child contact
2 in CHINS cases during COVID-19 state of emergency

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4 Sec. X. PARENT-CHILD CONTACT IN CHINS CASES DURING
5 COVID-19 EMERGENCY

6 Notwithstanding any provision of law to the contrary, for the duration of
7 any gubernatorial declared state of emergency related to COVID-19, any
8 provision of an executive order related to the state of emergency, including an
9 addendum to or directive of such order, that restricts activities outside the
10 home or place of residence shall be taken into consideration by the court when
11 issuing orders pursuant to 33 V.S.A. § 5319 relating to parent-child contact for
12 children in need of care or supervision. The court shall consider the totality of
13 the circumstances regarding the risks inherent with compliance with the
14 original order during a pandemic. The court shall consider any
15 recommendations of the Vermont Department of Health regarding social
16 distancing, isolating at home, and refraining from all nonessential contact
17 outside the home for the purpose of decreasing the spread of the contagion;
18 whether a child living in a foster home is at risk or puts others at risk of
19 contracting or spreading the contagion by in-person contact with others who
20 are not in the foster home household; and the inability or unwillingness of any
21 party to a parent-child contact order to comply with the Vermont Department

1 of Health’s specific recommendations to reduce the spread of the contagion.
2 The court may order in-person parent-child contact in compliance with the
3 original order or modify the order to protect the health and welfare of the child,
4 family, or community on a case-by-case basis. Any order issued or modified
5 during the state of emergency shall mandate that parties comply with the most
6 recently issued guidance from the Department of Health. Parties shall
7 endeavor to make reasonable accommodations to continue parent-child contact
8 via electronic communication during the emergency. The court may order in-
9 person parent-child contact in compliance with the original order or modify the
10 order to protect the health and welfare of the child, family, or community on a
11 case-by-case basis. No person shall be held in contempt for failing to provide
12 in-person parent-child contact as part of a good faith effort to comply with this
13 section.