

316TH DISTRICT COURT EMERGENCY STANDING ORDER

(Issued March 18, 2020)

**316th DISTRICT COURT STANDING ORDER REGARDING POSSESSION
SCHEDULE DURING SCHOOL CLOSURES**

This order is a standing order of the 316th District Court that applies in every suit affecting the parent-child relationship filed in Hutchinson County. This includes any pending divorce case with children. Hereinafter "child" refers to a child or children the subject of a court order. IT IS ORDERED THAT:

For purposes of determining a person's right to possession and access to a child under a court-ordered possession schedule, the original published school schedule shall control in all instances. Possession and access shall not be affected by the school's closure that arises from an epidemic or pandemic, including but not limited to, what is commonly referred to as the COVID-19 pandemic. A person currently in possession of the child who is not entitled to possession of the child under the original published school schedule SHALL immediately return the child to the person entitled to possession under that schedule.

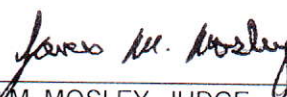
Example A: If a person had possession of the child for Spring Break, but the school has cancelled classes for the week following Spring Break, that person is NOT entitled to possession of the child. That person MUST return the child as if school had resumed following the Spring Break vacation as set out in the original published school schedule.

Example B: If a person has the right to possession of the child on Thursdays during the regular school term, that person is still entitled to that possession while the school is closed, until the regular school term ends, based on the original published school schedule.

Example C: In the event closures of school continue through summer, the parties shall follow the original published school schedule for the purposes of selecting and exercising their Extended Summer Possession.

WARNING TO PARTIES: FAILURE TO OBEY A COURT ORDER FOR POSSESSION OF ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEYS' FEES AND COURT COSTS.

SIGNED THIS THE 18TH DAY OF MARCH, 2020.



JAMES M. MOSLEY, JUDGE
316TH DISTRICT COURT