



COVID Vaccine and Custody Statutes, Policies, and Case Law

Current as of January 1, 2025

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TABLE OF CONTENTS

NOTE: For your convenience, hyperlinks are located on each state name in this Table of Contents.
For faster access, please select the name of the state you would like to view.

[Alabama](#)

[Alaska](#)

[American Samoa](#)

[Arizona](#)

[Arkansas](#)

[California](#)

[Colorado](#)

[Connecticut](#)

[Delaware](#)

[District of Columbia](#)

[Florida](#)

[Georgia](#)

[Guam](#)

[Hawaii](#)

[Idaho](#)

[Illinois](#)

[Indiana](#)

[Iowa](#)

[Kansas](#)

[Kentucky](#)

[Louisiana](#)

[Maine](#)

[Maryland](#)

[Massachusetts](#)

[Michigan](#)

[Minnesota](#)

[Mississippi](#)

[Missouri](#)

[Montana](#)

[Nebraska](#)

[Nevada](#)

[New Hampshire](#)

[New Jersey](#)

[New Mexico](#)

[New York](#)

[North Carolina](#)

[North Dakota](#)

[Northern Mariana Islands](#)

[Ohio](#)

[Oklahoma](#)

[Oregon](#)

[Pennsylvania](#)

[Puerto Rico](#)

[Rhode Island](#)

[South Carolina](#)

[South Dakota](#)

[Tennessee](#)

[Texas](#)

[United States Virgin Islands](#)

[Utah](#)

[Vermont](#)

[Virginia](#)

[Washington](#)

[West Virginia](#)

[Wisconsin](#)

[Wyoming](#)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
ALABAMA	None found.	<p>H.B. 165. 2024 Reg. Sess. (Ala. 2024) Vaccines, parental consent for minor to receive vaccine, required</p> <p>at 25-30: (a) Any minor who is 14 years of age or older, or has graduated from high school, or is married, or having been married is divorced, or is pregnant may give effective consent to any legally authorized medical, dental, health or mental health services for himself or herself, and the consent of no other person shall be necessary.</p>	<p><i>Marler v. Lambrianakos</i>, 371 So. 3d 287 (Ala. Civ. App. 2022)</p> <p>(Only highlighting visitation issue directly related to Covid)</p> <p>Facts: Court ordered make up visitation for all visitation denied by the mother, including visits denied because of the on-going Covid-19 pandemic. The lower court ordered “The [paternal grandmother] shall have the minor child for thirty (30) days commencing in June 2021, unless the COVID-19 pandemic makes such an arrangement impracticable, in which case the visit shall take place in the next June when it can resume.”</p> <p><u>Id.</u> at 307</p>	<p>In the Supreme Court of Alabama, In Re: COVID-19 Pandemic Emergency Response “Administrative Order Suspending All In-Person Court Proceedings for the Next Thirty Days” (Ala. Mar. 13, 2020)</p> <p>Text: (page 1) Exceptions to this suspension of in-person court proceedings include, but are not limited to: Proceedings related to protection from abuse. Proceedings related to emergency child custody and protection orders.</p> <p>Order of the State Health Officer “Suspending Certain Public Gatherings Due to Risk of Infection by COVID-19” (Applicable Statewide) (Ala. Amended Apr. 3, 2020)</p> <p>Text: (page 3) <u>h.</u> To travel as required by law. A person may leave his or her place of residence to travel as required by law enforcement or court</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>Held: The trial court properly found the Mother lacked credibility in stating she would facilitate a relationship after the pandemic ended based on prior actions. “the visitations missed because of the COVID-19 pandemic were not canceled, and the right to visitation awarded to the paternal grandmother did not cease, merely because the paternal grandmother was not able to safely exercise that visitation.” <i>Id.</i> at 320</p> <p><i>Cantrell v. Cantrell</i>, 367 So. 3d 426 (Ala. Civ. App. 2022)</p> <p>Facts: Mother obtained sole custody after the divorce. The father was incarcerated at the time</p>	<p>order, including the transportation of children required by a custody agreement.</p> <p>HB 524. 2023 Reg. Sess. (Ala. 2023) Relating to child custody.</p> <p>at 370-412: <u>Section 3. Section 30-3-158 is added to the Code of Alabama 1975 to read as follows: §30-3-158</u> (a) When a parent refuses to adhere to the time-sharing schedule in the parenting plan ordered by the court without proper cause, the court may take any of the following actions: (1) After calculating the amount of time-sharing improperly denied by a parent, issue an order awarding the parent who was denied time a sufficient amount of extra time-sharing to compensate for the time-sharing missed. The order shall be issued as expeditiously as possible in a manner consistent with the best interest</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>for rape of a minor. Father filed in 2018 to modify for visitation. Father obtained supervised visitations on Sunday for 2-5. Father then filed for unsupervised visits. Mother then filed in March of 2020 to suspend supervised visitation due to the Covid-19 pandemic. The trial court suspended visitation until the parties could agree on a supervisor who was willing and suitable.</p> <p>Held: Mother did not willfully disobey the visitation order. The missed visitations were a consequence of the supervisor's unavailability. The trial court did not exceed its discretion in determining the mother was not in contempt.</p>	<p>of the child and scheduled in a manner that is convenient for the parent deprived of time-sharing. In ordering any makeup time-sharing, the court shall schedule the time-sharing in a manner that is consistent with the best interest of the child or children, that is convenient for the nonoffending parent, and at the expense of the noncompliant parent. (2) Order the parent who did not provide time-sharing or did not properly exercise time-sharing under the time-sharing schedule to pay reasonable court costs and attorney fees incurred by the nonoffending parent to enforce the time-sharing schedule. (3) Order the parent who did not provide time-sharing, or did not properly exercise time-sharing under the time-sharing schedule, to attend a parenting course approved by the court. The parenting course shall educate the parent about the benefits of a child's relationship with both parents. (4) Order the</p>

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				<p>parent who did not provide time-sharing or did not properly exercise time-sharing under the time-sharing schedule to pay the actual costs incurred by the other parent because of the failure to provide time-sharing or the failure to properly exercise time-sharing as provided by the court order. (5) Impose any other reasonable remedies as a result of noncompliance. (b) The actions described in subsection (a) are in addition to existing remedies, including, but not limited to, contempt. <u>Section 4.</u> A court of competent jurisdiction shall equally enforce all child custody and child support orders.</p> <p><u>Section 5.</u> Nothing in this act shall be construed to limit the domestic or family abuse provisions provided in Article 6 of Chapter 3, Title 30, Code of Alabama 1975.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
<u>ALASKA</u>	None found.	<p>C.S.S.B. 3006 (L&C) 2021 Reg. Sess. (Alaska 2021) An Act relating to COVID-19 immunization and proof of vaccination; relating to personal objections to the administration of COVID-19 vaccines; relating to COVID-19 immunization rights; relating to utilization review requirements; making temporary changes to state law in response to the novel coronavirus disease; relating to telemedicine and telehealth; relating to background checks; relating to certificates of need; and providing for an effective date.</p>	None found.	<p>In the Supreme Court of the State of Alaska, “Special Order of the Chief Justice: Order No. 8131”, Alaska (Mar. 23, 2020)</p> <p>Text: (page 1) Beginning March 23, 2020, all superior court and district court proceedings are suspended through April 3, except the following priority hearings: j. Domestic violence proceedings</p> <p>Office of the Governor Mike Dunleavy, Health Mandate 012, “Intrastate Travel - Limiting travel between communities to critical infrastructure or critical personal needs” Alaska (Mar. 28, 2020)</p> <p>Text: All in-state travel between communities, whether resident, worker, or visitor, is prohibited unless travel is to support critical infrastructure,</p>

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		<p>Article 2A. COVID-19 Immunization Rights at 01-20: <u>Sec. 18.09.270. Proof of vaccination.</u> A person who requires an individual to show proof of vaccination against the novel coronavirus disease (COVID-19) shall accept evidence that the individual has antibodies against COVID-19 as satisfying the vaccination requirement. That evidence shall include but not be limited to a documented positive antibody test or a documented COVID-19 test. <u>Sec. 18.09.280. Personal objections</u></p>		<p>or for critical personal needs. Certain Small Alaskan communities may implement further travel restriction pursuant to “Alaska Small Community Emergency Travel Order – Attachment B.” Personal travel is prohibited except as necessary to meet critical personal needs or work in critical infrastructure jobs. Critical personal needs include buying, selling, or delivering groceries and home goods; obtaining fuel for vehicles or residential needs; transporting family members for out-of-home care, essential health needs, or for purposes of child custody exchanges; receiving essential health care; providing essential health care to a family member; obtaining other important goods; and engaging in subsistence activities. Travelers are reminded to follow social distancing measures, including, to the extent reasonably feasible, keeping six feet away from</p>

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		<p><u>to the administration of COVID-19 vaccines.</u> An individual may object to the administration of a COVID-19 vaccine based on religious, medical, or other grounds. A parent or guardian of a minor child may object to the administration of a COVID-19 vaccine to the minor child based on religious, medical, or other grounds. A person may not require an individual to provide justification or documentation to support the individual's decision to decline a COVID-19 vaccine or to decline a</p>		<p>others, avoiding crowded places, and limiting public gatherings to less than ten people. Read the “<u>Mandate 11 and 12 FAQ’s</u>” for more details. No one traveling to or from any community for critical reasons or critical personal travel may be subject to any automatic quarantine or isolation on arrival except as allowed under Alaska Statutes or Health Mandates. Air carriers and other travel-related businesses have no duty to verify that intrastate travelers meet the criteria for permissible travel under this health mandate. Air carriers shall inquire if travelers are permitted to travel under this mandate and shall rely upon a traveler’s assurance that they are eligible to travel. ***This Mandate supersedes any local government or tribal mandate, directive, or order restricting intrastate travel *** ***This mandate is in effect until April 21, 2020***”</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>COVID-19 vaccine for a minor child. <u>Sec. 18.09.290.</u> <u>Access to areas and services.</u> A business, state agency, or political subdivision of the state may not require an individual to be vaccinated against COVID-19 for the individual to access an area or service that is open to the public. In this subsection, "business" has the meaning given in <u>AS 18.35.399.</u> <u>Sec. 18.09.300.</u> <u>Exercise of rights and access to benefits.</u> A state agency or political subdivision of the state may not adopt or issue a regulation,</p>		

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		<p>ordinance, order, or similar policy that requires an individual to be vaccinated against COVID-19 for the individual to exercise a right or receive a benefit that is available to the public.</p>		
AMERICAN SAMOA	None found.	<p>Office of Insular Affairs, “Returning Home to American Samoa after being Stranded by COVID-19 Travel Restrictions” (US-AS Mar. 1, 2021)</p> <p>Summary: Americans Samoa maintained zero reported cases of COVID-19. They closed their borders, restricting air travel in or out of the territory, which left</p>	None found.	None found.

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>hundreds stranded overseas. As they begin to repatriate those stranded, they continue to make masks mandatory in public places, encourage social distancing, and encourage residents to take the COVID-19 vaccine.</p>		
ARIZONA	<p><i>In re Marriage of Butler</i>, 2023 Ariz. App. Unpub. Lexis 758</p> <p>Facts: Parents divorced in May 2021. Joint legal decision making was granted by consent. Mother wanted the children to receive the Covid-19 and flu vaccines. Father opposed. A minor child I.B. filed to intervene and the</p>	<p>Ariz. Rev. Stat. § 36-787 (2024) Public health authority during state of emergency or state of war emergency; notices; appeals.</p> <p>C. In addition to the authority provided in subsections A and B of this section, during a state of emergency or state of war emergency in which there is an</p>	<p><i>McCanless v. McCanless</i>, 2022 Ariz. App. Unpub. Lexis 332</p> <p>Facts: Mother appeals. Parties divorced in 2015 by consent that awarded joint legal decision-making authority and equal parenting time. Mother went to Concho Arizona on March 15, 2020, with the children and asked to keep the children there due to</p>	<p>Arizona Supreme Court, “Family Court Guidelines for Parenting Time of Children During the COVID-19 Pandemic” (Ariz. AOC DRS10H2020-040320)</p> <p>Text: (page 2) Parenting Time Orders Parents must comply with any existing parenting time orders unless they agree otherwise, or until the orders are modified. A parent who refuses without good cause to comply with a parenting time order is subject to legal penalties, which may include</p>

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	<p>court denied the motion without prejudice. Mother received final say as to vaccines for I.B. and father received final say as to vaccines for A.B. I.B. received her first Covid vaccine and then the court granted a motion to stay the order as to I.B. second Covid vaccine. I.B. again filed to intervene and it was again denied as moot. IB appeals the denial of her motion to intervene.</p> <p>Held: Although I.B. age and maturity allowed her wishes to come into play, neither parent alleged she was abused or neglected. The court did not abuse its discretion</p>	<p>occurrence or the imminent threat of smallpox, plague, viral hemorrhagic fevers or a highly contagious and highly fatal disease with transmission characteristics similar to smallpox, the governor, in consultation with the director of the department of health services, may issue orders that:</p> <p>1. Mandate treatment or vaccination of persons who are diagnosed with an illness resulting from exposure or who are reasonably believed to have been exposed or who may reasonably be expected to be exposed. A person may refuse a</p>	<p>Covid. Parents agreed to a biweekly rotation. Then mother changed her mind stating Concho was safer. Mother’s attorney sent father a letter outlining her Covid concerns. Father filed a motion to enforce. Mother filed to modify legal decision-making, parenting time, and CS. Mother returned and agreed to make-up parenting time so father vacated his enforcement petition. The court found substantial and continuing changes in circumstances since mother made numerous decisions without consulting father. Court continued joint legal decision making and each parent is financially responsible for expenses incurred without consent. The</p>	<p>being held in contempt of court, fines, and sanctions. • A parent currently exercising parenting time/physical custody who is not entitled to it under the court-ordered parenting schedule must immediately return the children to the permitted parent. • The Court reminds parents that “[a]n order for sole legal decision making does not allow the parent designated as sole legal decisionmaker to alter unilaterally a court-ordered parenting time plan.” A.R.S. §25-403.01(C). o The same applies to a parent who has final decision-making authority under a legal decision-making order. (page 2-3) Denial of Parenting Time The COVID-19 pandemic is not generally a reason to deny parenting time. • Unless otherwise ordered by the Court, parents are considered fit to care for their children and make decisions regarding day-to-day aspects of</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>in denying her motion. Standard: “We nevertheless identified several non-exclusive factors relevant in ruling on a child's request for independent counsel under § 25-321, including whether: (1) the parents have each alleged the other has placed the child's welfare in danger by abuse or neglect, thereby placing the interests of the parents in potential conflict with the best interests of the child; (2) the child's maturity and ability to communicate his circumstances and wishes would enable an independent attorney to serve as</p>	<p>vaccination required by this paragraph based on the person's personal beliefs. 2. Isolate and quarantine persons. State of Arizona, Governor Douglas A. Ducey, “Executive Order 2021-09 – Prohibiting Political Jurisdiction of the State from Requiring the Disclosure of an Individual’s COVID-19 Vaccination Status” (Ariz. Apr. 19, 2021) Text: (page 1) WHEREAS, although highly contagious, COVID-19 has not</p>	<p>court altered parenting time and ordered mother to pay CS. They also awarded father attorney fees. Held: “Additionally, the record showed Mother's statements and actions did not support her purported concern about COVID-19. Father repeatedly asked Mother to speak to the children, which she allowed them to do only intermittently.” Id. at 7. Mother’s unilateral decision to take the children to Concho was properly used in conducting the best interest evaluation. This also constituted a substantial and continuing change in circumstances. The award of attorney fees was also proper because mother acted unreasonably.</p>	<p>parenting while children are in their care. o This day-to-day care includes following federal, state, and local directives regarding social distancing and safety-related measures (such as frequent handwashing) State of Arizona, Governor Douglas A. Ducey, “Executive Order 2021-18 – Stay Home, Stay Healthy, Stay Connected Physical Distancing to Mitigate COVID-19 Transmission” (Ariz. Mar. 30, 2020) Text: (page 3) 4. Under this policy, Essential Activities include; b. Caring for a family member, friend, or pet in another household or residence, which includes nit is not limited to transportation of a family member, friend or their pet for essential health and safety activities and to obtain necessary supplies and services for the other household.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>an effective advocate for the child; and (3) an independent attorney could help ensure the record is more accurate and complete. <i>Id.</i> at 276. <i>Id.</i> at 7.”</p>	<p>demonstrated to have transmission characteristics that meet the requirements of A.R.S. § 36-787 (C) which provides for mandated vaccines under narrow circumstances; and WHEREAS, although receiving a COVID-19 vaccination pursuant to an EUA is strongly encouraged, it is not and will not be mandated by the State of Arizona, and; WHEREAS, a person’s COVID-19 vaccination status is private health information that no person should be compelled to disclose to a governmental entity as a condition of</p>		<p>(page 4) 9. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>receiving services, being granted a license, or being granted entry to a business or facility, except as currently provided by state law;</p> <p>(page 3) Nothing in this order shall be construed to limit the ability of a child care center or home, school, or university from requiring a student's vaccination records pursuant to state law.</p> <p>(For the COVID-19 vaccine to be added to the list required for schools it would have to go through the process under Arizona Administrative Code R9-6 Article-7)</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
ARKANSAS	None found.	None found.	<p><i>John v. Bolinder, 2021 Ark. App. 477</i></p> <p>Facts: Father filed an emergency petition for contempt against mother for refusing to allow visitations to Chicago in March and April 2020. Mother claims she was acting in the interests of the child due to the pandemic.</p> <p>Held: Mother will not be held in contempt for refusing visitation in March and April of 2020 because of the recommendation of the CDC. Visitation would require air travel. Mother offered make up time and it was made up.</p> <p><i>Wallis v. Holsing, 2023 Ark. App. 137</i></p>	<p>Supreme Court of Arkansas, In re Response to the Covid-19 Pandemic, 2020 Ark. 116 (Ark. Mar. 17, 2020)</p> <p>Text: The courts of the State of Arkansas shall remain open. Nevertheless, pursuant to this Court's constitutional superintending authority to supervise the administration of the state judicial system, the Supreme Court of Arkansas hereby suspends all in-person proceedings in all appellate, circuit, and district courts, subject to the exceptions in this order. The suspension will last from Wednesday, March 18, 2020, through Friday, April 3, 2020, and may be adjusted by order of this court as circumstances warrant. The suspension of in-person judicial proceedings is subject to the following exceptions: Proceedings pertaining to relief from abuse, including but not limited to, orders of protection; Proceedings related to</p>

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			<p>Facts: Parties divorced in December 2016. Father received primary custody and mother received supervised visitation, which was to become unsupervised within 90 days. Mother filed a motion in April 2020 requesting joint custody. The Court found a material change in circumstances to modify custody in part because Father refused to allow mother to see or talk to the child during the COVID-19 pandemic despite people in his home continuing to work outside the home.</p> <p>Held: The circuit court did not err in modifying the decree to join custody in the best interests of the child.</p>	<p>emergency child custody orders; Proceedings related to probable cause, emergency child placement, and ICWA in dependency-neglect proceedings; Proceedings related to petitions for temporary restraining orders or other forms of temporary injunctive relief; <u>Id.</u> at 1-2.</p>

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CALIFORNIA	<p><i>In re Matthew M., 88 Cal. App. 5th 1186 (2023)</i></p> <p>Facts: Mother asked the court to prohibit DCFS from vaccinating her child against Covid-19 due to a religious exemption. Child was originally removed from father’s custody and placed with mother. After child was hospitalized for psychiatric issues mother was unwilling for child to return to her home. Child was placed in a home and it was advised he get the covid vaccine. Mother objected on the basis of them being Christian. The court authorized</p>	<p>Lambert, Diana. “California ends plans for kids’ Covid vaccine mandate.” EdSource, February 1, 2023, https://edsources.org/2023/california-ends-plans-for-kids-covid-vaccine-mandate/685077</p> <p>Summary: Governor Newsom announced that California would be the first state to require schoolchildren to receive the Covid-19 vaccine. Current law requires vaccine checks at kindergarten and 7th grade. However, the bill was put on hold because it would be too difficult to implement with the requirement for</p>	None Found.	<p>Executive Department State of California: Executive Order N-33-20 (Cal. Mar. 19, 2020)</p> <p>Text: (page 1) ORDER OF THE STATE PUBLIC HEALTH OFFICER March 19, 2020 To protect public health, I as State Public Health Officer and Director of the California Department of Public health order all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors.</p> <p>Judicial Council of California Statewide Order by Hon. Tani G. Cantil-Sakauye, Chief Justice of California and Chair of the Judicial Council (Cal. Mar. 23, 2020)</p> <p>Text: (page 2) 3. The time period provided in Code of</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>vaccination in accordance with CDC guidelines. The court ultimately found insufficient evidence that it was in the child's best interest not to be vaccinated.</p> <p>Held: When a child is a dependent of the court, the court is authorized to make all decisions. “[A parent “cannot claim freedom from compulsory vaccination for the child more than for himself on religious grounds. The right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or</p>	<p>more frequent vaccine checks.</p>		<p>Civil Procedure sections 583.310 and 583.320 for the holding of a civil trial is extended for a period of sixty (60) days from the date of this order. Courts may conduct such a trial at an earlier date, upon a finding of good cause shown or through the use of remote technology, when appropriate.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>death” (fn. omitted)]; <i>Brown v. Smith</i> (2018) 24 Cal.App.5th 1135, 1143 [235 Cal. Rptr. 3d 218]” <i>Id.</i> at 1197.</p>			
<p>COLORADO</p>	<p><i>In re Parental Resps. Concerning E.E.L-T</i>, 2024 COA 12 (Col. Ct. App. 2024)</p> <p>Facts: Parents are unmarried and share responsibility for child’s medical decisions. Father requested sole medical decision-making responsibility, order the child get the COVID-19 vaccine and future boosters, and make decisions regarding COVID. Mother expressed concerns for the child’s health and</p>	<p>None found.</p>	<p>None found.</p>	<p>Governor Jared Polis “Executive Order – D 2020 017 – Ordering Coloradans to Stay at Home Due to the Presence of COVID-19 in the State” (Colo. Mar. 26, 2020)</p> <p>Text: (page 2) II. B. I direct all Coloradans to stay at home, subject to limited exceptions such as obtaining food and other household necessities, going to and from work at critical businesses, seeking medical care, caring for dependents of pets, or caring for a vulnerable person in another location.</p> <p>Supreme Court of Colorado Office of the Chief Justice, “Order Regarding COVID-19</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>the vaccine. The court found it in the best interest of the child to receive the COVID vaccine and boosters and parties retain all joint decision making. Mother appealed arguing the court didn't find the child endangered by not getting the vaccine. Held: Endangerment is not required for the court to break an impasse in decision-making.</p>			<p>and Operation of Colorado State Courts” (Colo. Mar. 16, 2020)</p> <p>Text: (page 1-2) I also order that the following classes of matters or operations may not be suspended and will continue in the state courts throughout this period:</p> <ol style="list-style-type: none"> 1. Petitions for civil protection orders and permanent protection order hearings; 2. Petitions for emergency risk protection orders and hearings on emergency risk protection orders; 9. Hearings on motions to restrict parenting time and parental abduction prevention;
CONNECTICUT	<p><i>Moriarty-Ambrozaitis v. Clair</i>, 2023 Conn. Super. LEXIS 2543 (Superior Court of Connecticut, Litchfield. 2023)</p>	None found.	<p><i>J.Y. v. M.R.</i>, 215 Conn. App. 648 (2022)</p> <p>Facts: Mother appeals the post judgment decision regarding custody and visitation. Parties shared joint legal custody with</p>	<p>Frequently Asked Questions – COVID-19 and Court Business State of Connecticut Judicial Branch https://jud.ct.gov/LawLib/covid19-faqs.htm#top ></p> <p>Divorce and Custody:</p>

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	<p>Facts: Parties were divorced and entered into an agreement with joint legal and physical custody to plaintiff. The agreement ordered parties follow the pediatrician's recommendations and parties disagreed on the child receiving the covid vaccine, despite doctor recommending it. Father eventually consented to child receiving the vaccine. Mother filed to modify custody to be sole decision-maker.</p> <p>Held: The mother has not sustained her burden of proof that the child's physical and emotional needs necessitate a change in custody. Child did</p>		<p>mother as the parent of primary residence. Residential custody was modified to joint. After COVID-19 mother filed an emergency application for modification requesting a modification of custody and suspension of father's visits temporarily. Ex parte relief was ordered but the court failed to schedule a hearing on mother's motions. The court ordered on the motions pending before COVID-19 and awarded joint legal, joint physical with father as parent of primary residence. Mother testified that she was better able to watch the child when daycare closed. Father testified they worked out parenting time</p>	<p>16. If we have an agreement, may we have our family court case resolved without having to come to court? This web page on how to request that certain family matters be handled remotely states that "[t]he procedure is available to request the entry of final judgment in any action for custody, visitation between parents, dissolution of marriage, or legal separation, or a final order on any motion in such a case, as long as the parties are in complete agreement and file all necessary documents." Click here for explanations of the procedures and the necessary documents.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>not suffer from a two month delay in receiving the vaccine, and in fact suffered adverse side effects from the covid vaccine.</p>		<p>between them when daycare was closed. Held: The trial court properly denied mother’s post-COVID-19 motions on the basis she did not demonstrate a material change in circumstances. Further, mother tried to use the pandemic as an exigent circumstance to change the course of the already pending case. The court properly issued final orders in September of 2020, and denied mother’s application to modify them based on circumstances that existed prior to September 2020.</p> <p><i>Swain v. Swain</i>, 213 Conn. App. 411 (2022)</p> <p>Facts: Father appeals a modification of visitation for lack of</p>	

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>proper notice. After the divorce parties were awarded joint legal and father was awarded residential custody. After post judgment motions the court awarded father sole legal and primary residence. Mother received visitation. Mother then filed a motion to modify custody and visitation because father put the children's lives in danger during the COVID-19 pandemic and violated Connecticut rules. Mother requested the court grant maternal grandmother custody. The court granted the request to modify mother's visitation and denied the request to modify custody finding no material change in circumstances.</p>	

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>Held: Mother requested to modify custody, visitation, and support. Father had the ability to provide counter evidence. Judgment affirmed.</p>	
<p>DELAWARE</p>	<p><i>A.R v. J.A.</i>, No. CK14-015512022 Del. Fam. Ct. LEXIS 34 (Del. Fam. Ct. Sept. 14, 2022)</p> <p>Facts: Mother filed a petition to modify custody to obtain decision making authority over vaccines for COVID-19 and its variants. Child missed nine days of school based on the COVID-19 protocols for unvaccinated students, piano lessons, swimming practices, and meets.</p>	<p>None found.</p>	<p>None found.</p>	<p>Office of Governor John Carney, “Fifth Modification of the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat” (Del. Mar. 22, 2023)</p> <p>Text: (page 5-6) 8. Leaving your home or residence for Essential Travel is permitted. For the purposes of this Order, Essential Travel includes travel for any of the purposes set forth in this paragraph. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements. e. Travel required or authorized by a law enforcement officer or court order.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>The child’s pediatrician recommended the vaccine. Father would not consent to the child being vaccinated.</p> <p>Held: In review of the best interest factors the court found it in the best interest of the child to allow mother to make decisions related to COVID-19 and any vaccine designate for it or any variants.</p>			<p>Delaware Family Court “Delaware Family Court details procedure during COVID-19 restrictions – Family Court will continue to handle emergency requests for Protection from Abuse Orders, emergency child welfare, custody, visitation, and guardianship matters, and limited adult criminal and juvenile delinquency matters” (Del. Mar. 23, 2020)</p> <p>Text: (page 1) Family Court will be accepting emergency civil filings by email at FC_COVID19@delaware.gov. Emergency filings include:</p> <ul style="list-style-type: none"> - protection from abuse proceedings - any filing related to a child welfare matter involving the Department of Services for Children, Youth and Their Families

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<ul style="list-style-type: none"> - custody/visitation/guardianship filings if filed on an emergency or priority basis (a motion and affidavit for emergency ex-parte order, Family Court Form 650, and affidavit for priority scheduling, Family Court Form 651, are available on the Family Court website at https://courts.delaware.gov/family/expeditedrelief/) <p>Delaware Family Court “The impact of the State of Emergency on Family Court custody and visitation orders.” (Del. Apr. 1, 2020)</p> <p>Text: (page 1) March 29, 2020, Governor John Carney issued his Seventh Modification to the COVID-19 State of Emergency Declaration. This modification provides for the 14-day self-quarantine of out-of-state travelers</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>coming into Delaware. Family Court understands that families may have questions about whether the State of Emergency and the Seventh Modification impacts their existing child custody or visitation order.</p> <p>Many of these families have one parent who lives in Delaware while the other parent lives outside of Delaware.</p> <p>To be clear, neither the State of Emergency nor the Seventh Modification interferes with or invalidates any existing Family Court order regarding custody or visitation. Custody and visitation orders remain in full force and effect. Travel (including interstate travel) for the purposes of complying with a Family Court order is considered essential travel and permitted. Such travel was deemed essential in Governor Carney's Fifth Modification to the COVID-19</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>State of Emergency Declaration issued March 22, 2020. Under the Seventh Modification, such travel remains essential and is excluded from the selfquarantine requirement.</p> <p>Existing Family Court custody and visitation orders should continue to be followed unless altered by agreement of the parties or subsequent order of Family Court.</p> <p>Delaware Family Court “Announcement – Addition of Rule 79.2 to the Family Court Rules of Civil Procedure” (Del. July 1, 2020)</p> <p>Rule 79.2 relates to filing in civil cases by email. Throughout the COVID-19 State of Emergency, Family Court has accepted civil emergency filings by email. In order to expand this process for the longer term, Family Court</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>has adopted Rule 79.2. This new rule provides that the Chief Judge of Family Court, by Order or Administrative Directive, can authorize the Family Court to accept pleadings and papers by email. Together with the implementation of Rule 79.2, Chief Judge Michael K. Newell is issuing Standing Order #3. Standing Order #3, which will be effective July 1, 2020, authorizes litigants to file by email pleadings and papers in the following case types: custody, visitation, divorce, ancillaries, protection from abuse, guardianship, child support, termination of parental rights, adoption, dependency/neglect, expungement, substantiation, and minor name change.</p>
DISTRICT OF COLUMBIA	None found.	None found.	None found.	Chief Judge, “Superior Court of the District of Columbia ORDER” (D.C. Mar. 19, 2020)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Text: (page 1) Filings: All Divisions and the Family Court will be open for filing of pleadings, motions and new cases with limited staff. Electronic filing will continue.</p> <p>(Page 2) Court Operations: The following courtrooms will hear matters: JM-15: Family Court Emergencies, Neglect Initial Hearings, and Juvenile Initial Hearings 115: Criminal Division and Domestic Violence Emergencies - other than TPOs emergencies which will be heard via Web Ex, see below</p> <p>(Page 4) Any existing Temporary Protection Order and Civil Protection Order will remain in effect and will be extended through May 15, 2020 or to the next assigned court date. Requests for Temporary Protection Orders will be available through the</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Emergency Temporary Protection Order (ETPO) Process. During this emergency operating Court status, the ETPO process will be accessible at any time of the day for situations involving immediate danger. If you are in immediate danger and call the police (911) or the DC Safe Critical Response Team (800) 407-5048, you will be routed to the ETPO process to determine if you qualify for an Emergency Temporary Protection Order.</p> <p>Office of the Mayor “Government of the District of Columbia Administrative Issuance System Mayor’s Order 2020-054” (D.C. Mar. 30, 2020)</p> <p>Text: 5. “Essential Travel” means: f. Travel</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				required by law enforcement or court order;
FLORIDA	None found.	<p>Office of the Governor State of Florida “Executive Order Number 21-81 (Prohibiting COVID-19 Vaccine Passport)” (Fl. Apr. 2, 2021)</p> <p>Text: (page 2) <u>Section 1.</u> No Florida government entity, or its subdivisions, agents, or assigns, shall be permitted to issue vaccine passports, vaccine passes, or other standardized documentation for the purpose of certifying an individual’s COVID-19 vaccination status to a third party, or otherwise publish or</p>	None found.	<p>Supreme Court of Florida, “No. AOSC20-23 In Re: Comprehensive COVID-19 Emergency Measures for the Florida State Courts” (Fl. Apr. 6, 2020)</p> <p>Text: (Page 5) B. Essential and Critical Trial Court Proceedings: (1) All circuit and county courts shall continue to perform essential court proceedings, including but not limited to:... hearings on petitions for injunctions relating to safety of an individual; hearings on petitions for risk protection orders; hearings on petitions for the appointment of an emergency temporary guardian;</p> <p>The Eleventh Judicial Circuit Miami-Dade County Florida “COVID-19 Advisory #16: Administrative Order 20-06 A1 Amends Previous AO 20-</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>share any individual’s COVID-19 vaccination record or similar health information. <u>Section 2.</u> Businesses in Florida are prohibited from requiring patrons or customers to provide any documentation certifying COVID-19 vaccination or post-transmission recovery to gain access to, entry upon, or service from the business.</p>		<p>06 and Establishes Parenting Protocols for Families with Cases in the Family and Unified Children's Court Divisions” (Fl. Apr. 24, 2020) <https://www.jud11.flcourts.org/coronavirus/PgrID/2391/PageID/20/ArtMID/2392/ArticleID/3583></p> <p>Text: “Shelter in Place” Orders: If the <u>Governor of Florida</u> or any other government official issues a “shelter in place” order, where individuals <u>are not</u> permitted to go outside their homes for activities to obtain essentials such as food, time-sharing exchanges will be suspended until these orders are lifted.</p> <p>“Safer at Home” Orders: If the Governor of Florida or any other government official issues a “safer at home” order, where individuals <u>are</u> permitted to go outside their homes for activities to obtain essentials such as food, time-sharing exchanges will continue as</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>previously ordered or agreed upon in writing by both parents. Time-sharing exchanges that normally took place at a child's school or daycare facility that is currently closed due to COVID-19 should be arranged at an alternate location agreed upon by the parents in writing via email, text message or a parenting online application. If parents cannot agree on an alternate location, a motion should be filed with the presiding judge.</p> <p><u>Emergency Motions and Expedited Hearings:</u> The presiding judge may set a hearing where parties are to appear remotely via telephone or video conference. Either parent may file an emergency motion to modify or suspend time-sharing temporarily due to concerns about an increased risk of transmission of COVID-19 to a child or others. The motion should address the following:</p> <p>a) Current time-sharing</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>arrangements and the Order or written Agreement establishing those arrangements</p> <p>b) Who has parental responsibility for medical decisions</p> <p>c) Who resides in each parent’s home, where those individuals work and whether their workplaces place them or others at risk for transmission of COVID-19</p> <p>d) What precautions the parents are taking at home and in their workplaces to safeguard against transmission of COVID-19</p> <p>e) What alternate arrangements can be made to allow meaningful remote contact between parent and child if the court were to grant a temporary modification or suspension of time-sharing exchanges.</p>
GEORGIA	None found.	GA Code § 50-1-11 (2022) “Proof of COVID-19 vaccination for government	None found.	Supreme Court of Georgia “Order Declaring Statewide Judicial Emergency” (Ga. Mar. 14, 2020)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>services prohibited; exceptions”</p> <p>Text: (page 2) (b)(1) No agency shall require proof of COVID-19 vaccination of any person as a condition of providing any service or access to any facility, issuing any license, permit, or other type of authorization, or performing any duty of such agency. (2) No agency, through any rule, regulation, ordinance, resolution, or other action shall require that any person or private entity require proof of COVID-19 vaccination of any person as a condition</p>		<p>Text: (page 1) To the extent feasible, courts should remain open to address essential functions, and in particular courts should give priority to matters necessary to protect health, safety, and liberty of individuals. Essential functions are subject to interpretation; however, some matters that fall into the essential function category are: (1) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available; (2) criminal court search warrants, arrest warrants, initial appearances, and bond reviews; (3) domestic abuse temporary protective orders and restraining orders; (4) juvenile court delinquency detention hearings and emergency removal matters; and (5) mental health commitment hearings.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		of providing any service or access to any facility, or as a condition of such person or private entity's performance of any regular activity by such person or private entity.		
GUAM	None found.	None found.	<p><i>Chaco v. Chaco</i>, 2021 Guam Trial Order LEXIS 213</p> <p>Facts: Mother filed requesting father be held in contempt for violating their divorce agreement. When COVID hit the parties agreed the child can stay with mother. Mother then enrolled child in preschool without consulting father. After the school year fathers wife picked up child in Florida so she could</p>	<p>In the District Court of Guam “In Re: Court Operations in Response to COVID-19, General Order No. 20-0008, Order Concerning Jury Trials and Other Proceedings” (GU Mar. 16, 2020)</p> <p>Text: (Page 1) 1. The District Court of Guam will remain open for business, subject to the following limitations. (Page 2) 7. Individual judges may continue to hold hearings, conferences, and bench trials in the exercise of their discretion, consistent with this order. 8. Judges are strongly encouraged to conduct court</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>spend the summer in Guam. Father then failed to return child to mother. Father argued he retained custody because they could not agree on school and there was a risk</p> <p>Held: Although the court can decide to override the parties agreement to mediate due to COVID-19 safety concerns, they decline to do so. Father works in a hotel and is unvaccinated, which are the same odds of transmission of COVID. Father willfully violated the agreement and is in contempt.</p>	<p>proceedings by telephone or video conferencing when practicable.</p> <p>Office of the Governor, “Executive Order No. 2020-04 Relative to Responding to Confirmed Cases of Novel Coronavirus (COVID-19)” (GU Mar. 16, 2020)</p> <p>Text: (page 2) 6. Restricting Entry into Guam. Pursuant to Section 3333, Article 3, Chapter 3, of Title 10, Guam Code Annotate, all persons who are non-residents who have been in a country with confirmed COVID-19 cases for more than one (1) week and do not possess a DPHSS recognized and certified document that attests that they are not infected with COVID-19, shall be restricted entry into Guam.</p>
HAWAII	None found.	Office of the Mayor, City and County of Honolulu “Second	None found.	In the Supreme Court of the State of Hawai’i, Recktenwald, C.J. “In the Matter of the Judiciary’s

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>Amendment to the Order Implementing Tier 5 of Honolulu’s Post COVID-19 Vaccine Framework” (Haw. Aug. 30, 2021)</p> <p>Text: (page 2) Exceptions: The following individuals are exempt from this Order 10, section A. above, and therefore may enter covered premises without proof of full vaccination: 3. Individuals under 12 years of age;</p>		<p>Response to the COVID-19 Outbreak” (Haw. Mar. 16, 2020)</p> <p>Text: (page 1-3) IT IS HEREBY ORDERED that, with the exception of emergency and time-sensitive matters, in-person appearances for civil, family, and, to the extent possible, criminal dockets will be limited starting Tuesday March 17, 2020 until Thursday April 30, 2020, unless otherwise ordered. The chief judges of each circuit shall devise a circuit-specific plan to significantly reduce the need for in-court appearances while this Order is in effect and postpone court proceedings as appropriate. This shall be carried out in the following manner: 5. Family: Divorce and paternity proceedings will be postponed to a date after Thursday, April 30, 2020,</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>except motions for urgent relief may be considered by the court.</p> <p>8. All Proceedings: In lieu of postponing proceedings, courts have the discretion to convert hearing motions to non-hearing motions or allow motions to be argued telephonically or by video conferencing as permitted by court rules. Where in-person hearings must occur, courts are encouraged to stagger the participants' appearances and make other reasonable efforts to minimize the number of people gathered in court at one time.</p> <p>Office of the Governor, State of Hawai'i "Nineteenth Proclamation Related to the COVID-19 Emergency" (Haw. Apr. 9, 2021)</p> <p>Text: (page 12-13) V. Quarantine for Travel Between Counties Pursuant to section 127A-13(a)(1), HRS, and section 127A-12(b)(19), HRS, all</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>persons traveling from within the State to the counties of Kaua‘i, Hawai‘i, Maui and Kalawao shall be subject to mandatory self-quarantine. The period of self-quarantine shall begin from the day of entry into the county and shall last 10 days or the duration of the person’s presence in the county, whichever is shorter.</p> <p>All travelers must comply with all applicable State and county rules, directives, and orders related to travelers, including those mandating the verification of data upon arrival at the airport and the completion of any and all documents. All provisions of Section IV.C-E and G of the Proclamation apply with full force and effect to this Section. The self-quarantine mandated by this section, or any waiver or exemption therefrom, does not affect or in any way impede or supersede the authority of CDC, or DOH pursuant to sections 321-1 and 325-8, HRS, to</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				require persons to quarantine if they test positive for COVID-19 or if they are a close contact of a person confirmed positive for COVID-19, regardless of whether a negative test result was subsequently obtained.
IDAHO	None found.	H.B. 154, 2023, 67th Leg., Fir. Reg. Sess., (Idaho, Feb. 15, 2023) An Act Relating to Crimes, Amending Chapter 9, Title 18, Idaho Code, By the Addition of a New Section 18-926, Idaho Code, to Provide that Providing or Administering an MRNA Vaccine is a Misdemeanor; and Declaring and Emergency and Providing an Effective Date at 10-14: 18-926.	None found.	In the Supreme Court of the State of Idaho “In Re: Idaho Supreme Court Response to COVID-19 Emergency” (Idaho Mar. 13, 2020) Text: (page 1) On March 13,2020, Governor Brad Little entered a Proclamation and declared a State of Emergency in response to the novel coronavirus (COVID-19) emergency in the State of Idaho. In light of this measure and to protect the health and safety of court employees, elected officials, and the general public, and under Article V, Section 2 of the Constitution and the inherent powers of the Supreme court, hereby provides the following

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>ADMINISTERING AN MRNA VACCINE. (1) Notwithstanding any other provision of law, a person may not provide or administer a vaccine developed using messenger ribonucleic acid technology for use in an individual or any other mammal in this state.</p> <p>(2) A person who violates this section is guilty of a misdemeanor</p> <p>H.B. 155, 2023 Fir. Reg. Sess. (Idaho, Feb. 21, 2023) Relating to Immunization.</p> <p>at 16-42: 67-2359.</p> <p>CERTAIN VACCINE</p>		<p>guidance to judges and ORDERS the following measures to be implemented from Monday, March 16, to Friday, April 10,2020:</p> <p>1. with the exception of emergency matters, child protection hearings, domestic violence hearings, and evidentiary hearings in criminal cases, all in-person appearances for civil and criminal dockets shall be excused. Judges are encouraged to use telephonic or video technology for all necessary hearings, including arraignments and mental health hearings.</p> <p>2. All civil trials, hearings, and motions should be postponed and rescheduled for a later date unless the assigned judge finds the proceedings can be heard and adequately recorded through telephonic or video means. Any civil trial or hearing currently in progress shall be continued or completed at the discretion of the presiding judge.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>PASSPORTS PROHIBITED. (1) No person shall be required to receive a coronavirus vaccination, have a vaccine passport, or provide proof of any other form of coronavirus immunization or negative laboratory test result for coronavirus in order to:</p> <p>(a) Apply for or receive services provided by the state or a political subdivision of the state;</p> <p>(b) Enter or remain in a government venue during a time when the venue is accessible to the general public; or</p> <p>(c) Be hired by the state or maintain employment with</p>		<p>Idaho Department of Health and Welfare, Director Dave Jeppesen “Order to Self-Isolate for the State of Idaho” (Idaho Mar. 25, 2020)</p> <p>Text: (page 5-6) 8. Definitions and Exemptions: a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.</p> <p>v. To care for a family member or pet in another household.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>the state. An employee of the state or a political subdivision of the state may not be discriminated against on the basis of such employee's coronavirus immunization status, including decisions relating to promotion, compensation, or job duties. However, the state may require:</p> <ul style="list-style-type: none"> (i) An employee who has previously tested positive for coronavirus to provide a negative laboratory test result for coronavirus in order to return to work; (ii) An employee to be tested for coronavirus if the employee was exposed to 		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>coronavirus during the course and scope of employment; or (iii) Coronavirus vaccination for an employee whose job duties include the following, provided that the requirement for vaccination must be specified in the employee's job description at the time of hiring;</p> <ol style="list-style-type: none"> 1. Travel to a state, territory, or country that requires such vaccination; or 2. Entry into a private location that requires such vaccination. 		
ILLINOIS	<i>Lippert v. Lippert</i> , 2022 IL App (1st) 220536-U	None found.	None found.	In the Supreme Court of Illinois “In re: Illinois Courts

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Facts: Father appeals the order granting mother sole decision-making authority regarding the covid vaccine, boosters, and any further preventative treatments. The parties divorce judgment gave joint decision-making responsibility to both parents. Mother filed a petition for temporary relief to vaccinate the children. The court gave considerable weight to the children’s pediatrician and the CDC recommendations.</p> <p>Held: The trial court improperly accepted the hearsay testimony of the pediatrician.</p>			<p>Response to COVID-19 Emergency, M.R. 30370” (Ill. Mar. 17, 2020)</p> <p>Text: (page 1) B. Essential court matters and proceedings shall continue to be heard by the Illinois courts. If feasible and subject to constitutional limitations, essential matters and proceedings shall be heard remotely via telephone or video or other electronic means. C. All non-essential court matters and proceedings should be continued or, where possible, conducted remotely via telephone or video or other electronic means.</p> <p>Office of the Governor, “Executive Order 2020-32 (COVID-19 Executive Order No. 30)” (Ill. Apr. 30, 2020) <https://www.illinois.gov/government/executive-orders/executive-order.executive-order-</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>However, the court also considered supporting evidence, so the admittance of the testimony was harmless error. It was appropriate for the trial court to take judicial notice of the CDC recommendations. The pandemic was a substantial change in circumstances to modify the prior decision-making authority and it was in the children’s best interest. Affirm decision for mother to make decisions regarding the vaccine, boosters, and subsequent covid preventative treatments.</p> <p><i>In re Marriage of Jones, 2023 IL App (1st) 221369-U</i></p>			<p>number-32.2020.html#:~:text=Essential%20Travel.&text=Individuals%20engaged%20in%20any%20Essential,Operations%2C%20or%20Minimum%20Basic%20Operations></p> <p>Text: 14. <u>Essential Travel.</u> For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.</p> <p>5. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Facts: Father appeals an order allowing mother to vaccinate their minor child against COVID-19 and giving mother sole decision-making authority with respect to the COVID-19 vaccine and any boosters. The parties are divorced and under the Final Judgment which dictates the parents should resolve by consensus all substantial medical decisions. Mother filed a petition after Father wanted to take the minor child to Costa Rica while refusing to allow the child to be vaccinated. Mother's petition was denied on an</p>			

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>emergency basis. Mother then filed asking to allow the child to be vaccinated. The court found it in the child's best interest to be vaccinated against COVID-19.</p> <p>Held: Trial court did not err in granting mother petition to vaccinate the minor child against COVID-19 and modifying the decision-making responsibilities.</p>			
INDIANA	None found.	None found.	<p><i>Bixler v. Hunt</i>, 172 N.E.3d 712 (Ind. Ct. App. 2021)</p> <p>Facts: Mother appeals the modification of custody. Under the parties divorce agreement they shared joint legal and physical custody of the children.</p>	<p>Executive Department Indianapolis “Executive Order 20-08: Directive for Hoisers to Stay at Home” (Ind. Mar. 23, 2020)</p> <p>Text: (page 3) 7. Leaving the Home for Essential Activities is Permitted</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>Mother moved to Alaska and father was granted temporary custody. Mother continued to petition asking that the child move to Alaska. Mother finally obtained custody because Father abused his new wife in the presence of the child. Mother was then arrested for domestic violence and she filed a notice she planned to relocate to Hawaii. Mother moved to Hawaii awaiting the relocation decision, which was ultimately denied. Mother denied father his summer parenting time alleging concerns over COVID-19. The court found mother's excuse to be invalid given her own actions around covid precautions and granted</p>	<p>e. To Take Care of Others: To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order. (page 8) 16. Essential Travel e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.</p> <p>In the Indiana Supreme Court “In the Matter of Custody, Parenting Time, and Child Support During the 2019 Novel Coronavirus (COVID-19) Pandemic Supreme Court Case No. 20S-MS-238” (Ind. Mar. 31, 2020)</p> <p>Text: (page 1) Custody and Parenting Time Orders. Existing court orders regarding custody and parenting time shall remain in place during the COVID-19 pandemic and shall be</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>father's request to modify custody.</p> <p>Held: Mother has no intention of complying with the court order to relocate back to Alaska or Indiana. Further, her reliance on COVID could mean the father goes a year without seeing his child. Mother's relocation and denial of father's parenting time is a substantial change in circumstances warranting a modification of custody.</p>	<p>followed. For purposes of interpreting custody and parenting time orders, the school calendar as published at the start of the academic year from each child's school shall control. Custody and parenting time shall not be affected by the school's closure during the COVID-19 pandemic.</p> <p>If both parents and any other parties to their court case ("the parties") believe there is a reason to temporarily modify or change the terms of a custody or parenting time court order during the COVID-19 pandemic and modification is not prohibited by the terms of their existing order, they may informally agree in writing to temporarily modify their existing order. This temporary agreement may be filed with the court, but filing is not necessary so long as the agreement is kept by the parties.</p> <p>If the parties cannot reach a temporary agreement or do not remain in agreement, any</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				party may file an emergency petition to modify the existing order.
IOWA	<p><i>In re Marriage of Frazier</i>, 996 N.W.2d 120 (Iowa Ct. App. 2023)</p> <p>Facts: Mother M. appeals the court’s dismissal of her application for vaccine determination. Parties are divorced and share joint legal custody. Parties went to mediation on the issue of the covid vaccine, which was unsuccessful. Mother M. filed a petition for vaccine determination. Mother S. filed an opposition arguing the court lacks tie breaker authority and that the courts</p>	<p>State of Iowa General Asembly “House File 2298: An Act Relating to Immunization Against COVID-19 Requirements for Enrollment in any Licenses Child Care Center, Elementary or Secondary School, or Postsecondary School in Iowa.” (Iowa June 14, 2022)</p> <p>Text: (page 1) Section 1. New Section. 129A.8b COVID-19 immunization. 1. Notwithstanding whether a person’s attendance is in person or virtual,</p>	None found.	<p>In the Iowa Supreme Court “In The Matter of Ongoing Provisions for Coronavirus/COVID-19 Impact on Court Services” (Iowa May 22, 2020)</p> <p>Text: (page 2-3) 2. Emergency and essential services.* Emergency and essential services include the following: Protection orders for individuals who fear for their safety. The list is not intended to be exclusive and judicial officers shall determine what constitutes an emergency within the meaning of this paragraph.</p> <p>(page 14-15) 47. Child custody care or visitation.* For purposes of determining a parent’s right of physical custody, care, or visitation to a child under a</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>authority is only over modification actions. The court agreed with Mother S. and denied the application.</p> <p>Held: When parties disagree, the court needs to make the decision. Remanded for a determination consistent with the best interest of the children.</p> <p><i>In re Marriage of Frazier</i>, 1 N.W.3d 775 (2024)</p> <p>Facts: Appeal of the above.</p> <p>Held: Reverse appellate court’s decision and affirm dismissal of Mother M.’s case. The court does not have the authority to resolve the dispute because Mother M. did not</p>	<p>immunization against COVID-19 shall not be required for a person to be enrolled in any licensed child care center, elementary or secondary school, or postsecondary school in Iowa prior to July 1, 2029.</p>		<p>previously entered court order, any custody, visitation or care schedule that is related to a school schedule shall be uniformly interpreted to refer to the school schedule for the school where the child attends that was in place prior to any school closure or suspension caused by the COVID-19 virus. Custody, care, or visitation of a child shall follow a schedule as if school is in session and shall not be impacted or modified by the school closure. A school closure caused by the COVID-19 virus does not extend or modify a parent’s custody, care, or visitation beyond any period designated in a prior court order. A school closure caused by the COVID19 virus does not amount to an extension of spring break or the beginning of summer break. A parent currently exercising custody, care, or visitation of a child in violation of a court order should immediately return the child</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>file a modification petition. Mother M. did not properly invoke the court's authority by filing an application for determination instead of a modification petition.</p>			<p>to the original court ordered schedule. Nothing contained in this order prevents both parents of a minor child from mutually agreeing to modify a previous court order. Nothing contained in this order prevents a court from altering, amending, modifying, clarifying, or enforcing court orders within its sound discretion and consistent with the law of this State. Further, this order does not limit the ability of the court to hear and address emergency matters on a case-by-case basis in the discretion of the court.</p> <p>In the Iowa Supreme Court “In the Matter of Prioritization of Cases and Duties, Supervisory Order” (Iowa July 9, 2020)</p> <p>Text: (page 1) 1. Emergency matters. The highest priority shall be given to emergency matters in case types such as...relief from sexual assault</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>(236A)...relief from domestic abuse (chapter 236), injunctive relief involving an imminent threat of serious harm to health or safety.</p> <p>(page 2) c. Other Cases. The next priority shall be given to the following list of priority cases. Within these cases, judges, magistrates, and staff should exercise their judgment and give primacy based on the facts of circumstances of each case.</p> <p>Cases involving child custody, physical care, visitation, and child support.</p> <p>In the Iowa Supreme Court “In the Matter of Resuming Family Law Trials Postponed by COVID-19” (Iowa July 9, 2020”</p> <p>Text: (page 2) II. Informal Family Law Trial Program for Self-Represented Litigants</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>The Informal Family Law Program expedites the resolution of family law cases involving less complicated factual circumstances. The 7th judicial district has piloted the Informal Family Law Program for over three years. All judicial districts shall implement the Informal Family Law Trial Program or a similar program to include all family law cases where both parties are self-represented.</p> <p>Consent of both parties is no longer required. The district court may allow a self-represented party to opt out of the informal trial program for good cause. By August 17, 2020, each judicial district shall report its plan to implement the Informal Family Law Trial Program or a similar program to the supreme court for approval.</p> <p>(page 4-5) VI. Judicial Discretion Regarding Video Conferencing in Non-Custodial Trials</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Non-custodial trials may be conducted by video conference, but not by telephone, and they may be held over the objection of a party, after an opportunity to be heard. Attorneys and self-represented litigants shall articulate in their objections the reasons constituting good cause for an in-person trial.</p> <p>Custody trials may be held by video conference by consent of the parties. However, when the best interests of the child require court action regarding a time-sensitive issue (e.g. determination of a school district for a child’s enrollment where there is no agreement between the parents) the court shall have discretion to hold a hearing by video-conference.</p>
KANSAS	None found.	None found.	None found.	<p>In the Supreme Court of the State of Kansas “ Administrative Order 2020-PR-016, Order Imposing Statewide Judiciary Restricted Operations Due to COVID-19 Emergency” (Kan. Mar. 18, 2020)</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Text: (page 1-2) As the Chief Justice of the Kansas Supreme Court, in consultation with the member of the Kansas Supreme Court, I have determined the following actions are necessary to secure the health and safety of court users, staff and judicial officers: 1. All jury trials, both civil and criminal, scheduled to begin in any Kansas state court on or after the date of this order are continued until further order of the Chief Justice. Questions concerning prospective scheduling of hearing or trial dates should be directed to the assigned judge. 2. Civil and criminal jury trials that are in progress as of March 18, 2020, may continue to conclusion, in the discretion of the assigned Judge. The assigned Judge should encourage juror to follow Centers for Disease Control and Prevention and Kansas Department of Health and Environment guidance on reducing the spread of COVID-</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>19 to the extent possible. The assigned judge should consult with their Chief Judge regarding personnel required to complete the jury trial in progress.</p> <p>5. Emergency operations for the district court include:</p> <p>(page 4 Protection from Abuse Orders: Issuing protection from abuse emergency orders, K.S.A. 2019 Supp. 60-3105. Issuing protection from stalking orders on an emergency basis, K.S.A. 2019 Supp. 60-31a06.</p> <p>Kansas Department for Children and Families, Acting General Counsel Corliss Scroggins Lawson “Subject: Guidance for Responding to Split Custody Concerns Relating to COVID-19” (Kan. Mar. 30, 2020)</p> <p>Text: Parents of minor children have questions about what they can do if they are concerned</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>about their child possibly being exposed to COVID-19 because of the other parent’s alleged failure to take proper precautions. DCF cannot provide legal advice to any individual. Further, for those parents who are under a court order, only the court can grant relief from parenting arrangements and schedules set by the court. For this reason, the parent must contact an attorney to seek relief from such court-ordered arrangements should the parent determine that an emergency order is needed to protect the child from a “risk of irreparable harm,” which is a very high standard. The best advice is for the parent to try to engage the other parent in a detailed discussion of the concern to see if they can come to a solution that both parents believe is best under the circumstances and reduce it to writing.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>State of Kansas Governor Laure Kelly, “Executive Order No. 20-16 Establishing a statewide “stay home” order in conjunction with the Kansas Essential Function Framework for COVID-19 response efforts” (Kan. Mar. 30, 2020)</p> <p>Text: (page 2) Now, Therefore, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A. 48-924 and K.S.A. 48-925, in order to slow the spread of COVID-19 I hereby direct and order the following:</p> <ol style="list-style-type: none"> 1. To preserve the public health and safety for all Kansans, and to ensure the healthcare system is capable of serving all citizens in need, especially those at high risk and vulnerable to COVID-19, all individuals within the state of Kansas are directed to stay in their homes or residences unless performing an essential activity. An activity is

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				essential if the purpose of the activity is one of the following: d. Caring for children (including daycare or childcare centers), family members, or pets, or caring for a vulnerable person in another location.
KENTUCKY	<p><i>Taylor v. Taylor</i>, 2023 Ky. App. Unpub. LEXIS 301 (Ky. Ct. App. 2023)</p> <p>Facts: Father appeals an order holding him in contempt and directing the child not be vaccinated without mother’s consent. Parties are divorced and share joint custody and equal parenting time. Father contacted mother to get the child vaccinated against COVID. Mother opposed until there is more</p>	<p>24 RS SB 295/GA, 2023-2024 Reg. Session, (Ky. 2024) AN ACT relating to vaccines. Passed Senate 3/26/24 and received in the House.</p> <p>at 3-7: (page 1) Section 1. A new section of KRS Chapter 214 is created to read as follows: Any COVID-19 vaccine shall not be required for any individual for the purposes of:</p>	None found.	<p>Supreme Court of Kentucky “2020-14 Order, In re: Custody and Parenting Time Orders” (Ky. Mar. 27, 2020)</p> <p>Text: (page 1) Specifically, the existing court order shall be considered temporarily modified to suspend parenting time for a period of 14 days for any person who: 1. Tests positive for COVID-19 or shares a household with someone who tests positive for COVID-19; 2. Has been advised that he or she, or someone with whom he or she shares a household, has possibly been exposed to COVID-19; or 3. Has, within the last 14 days, traveled to any area with a CDC Level 2 or 3</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>research. Father asked again advising the vaccine was required for a planned cruise. Mother again opposed and father took the child to get their first dose without the mother's consent. Mother filed a motion since father violated their custody agreement. The court held a hearing and found it not in the best interest of the child for them to receive the remaining doses of the vaccine and found father in contempt for violation of the custody order for getting the child vaccinated without mother's consent. Father then filed a</p>	<p>(1) Student enrollment or participation in any school-sponsored program or extracurricular activity.</p>		<p>Travel Health Notice. Any person experiencing the above-listed circumstances shall, upon discovery, immediately notify the other party(ies).</p> <p>Office of Governor Andy Beshear "State of Emergency Relating to Travel" (Ky. May 6, 2020)</p> <p>Text: (Page 1-2) 1. Travel... This Order allows travel into or out of the Commonwealth of Kentucky, including travel that originates and ends outside of the Commonwealth. However, any individual entering the Commonwealth of Kentucky with the intent to stay is asked to self-quarantine for fourteen (14) days unless traveling: e. To provide care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons; or f. when required by court order.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>motion to set aside the order. Held: Appeal dismissed until a final order is entered on father’s motion.</p>			<p>Supreme Court of Kentucky “2020-65 Amended Order, In Re: Custody and Parenting Time Orders” (Ky. Sep. 15, 2020)</p> <p>Text: (page 1) For purposes of determining a person’s right to possession of and access to a child under a court-ordered custody or parenting time schedule, the existing court order shall control. However, reasonable accommodations shall be made to account for extenuating circumstances related to the COVID-19 emergency.</p>
LOUISIANA	None found.	<p>H.B. 674, 2024 Reg. Sess. (La. 2024)</p> <p>at 2-5: To enact R.S. 17:170(A)(4), relative to student immunization requirements; to provide that no person shall be required to receive a</p>	None found.	<p>Supreme Court of Louisiana “Order” (La. Mar. 16, 2020)</p> <p>Text: (page 1) 2. Except as otherwise provided herein, all civil trials, hearings and court appearances set for any date between the date of this Order and April 13, 2020 are hereby continued to a date to be reset by local order, except for</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>COVID-19 vaccine as a condition of initial enrollment or continuing attendance at a public or nonpublic school; and to provide for related matters.</p>		<p>hearings related to the following: civil protective orders, child in need of care proceedings, emergency child custody matters, proceedings for children removed from their home by emergency court order, proceedings related to emergency interdictions and mental health orders, matters of public health related to this crisis and other emergency matters necessary to protect the health, safety and liberty of individuals as determined by each court.</p> <p>State of Louisiana Executive Department “Proclamation Number 33 JBE 2020: Additional Measures for COVID-19 Stay at Home” (La. Mar. 22, 2020)</p> <p>Text: (page 2) Section 3: To preserve the public health and safety, and to ensure the healthcare system is capable of serving all citizens in need, especially those at high risk and</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				vulnerable to COVID-19, all individuals within the state of Louisiana are under a general stay-at-home order and are directed to stay home unless performing an essential activity. An activity is essential if the purpose of the activity is one of the following: D. Going to and from the home of a family member.
MAINE	None found.	<p>H.P. 365, 130th Maine Legislature, 2021 First Reg. Sess. (Me. 2021) An Act to Prohibit Mandatory COVID-19 Vaccinations for 5 Years to Allow for Safety Testing and Investigations into Reproductive Harm</p> <p>at 12-18: Sec. 1. 22 MRSA §802, sub-§7 is enacted to read: 7. Five-year</p>	None found.	<p>Office of the Governor “An Order Regarding Further Restrictions on Public Contacts and Movement, Schools, Vehicle Travel and Retail Business Operations” (Me. Mar. 31, 2020)</p> <p>(Page 2-3) All persons in Maine are to stay in their homes starting April 2, 2020 unless engaging in an essential activity, including: B. 6. Travel required by a law enforcement officer or court order.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>moratorium on mandatory COVID-19 vaccinations. Notwithstanding any law to the contrary, mandatory vaccinations for coronavirus disease 2019, which is also known as COVID-19, are prohibited for 5 years from the date of a vaccine’s first emergency use authorization by the United States Department of Health and Human Services, Food and Drug Administration in order to allow for safety testing and investigations into reproductive harm.</p>		
MARYLAND	None found.	Maryland Department of Health and Maryland State Department of	<i>Alexander v. Alexander</i> , 252 Md. App. 1 (2021)	The State of Maryland Executive Department “Order of the Governor of the State of Maryland, Number 20-05-06-01, Amending and

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>Education “COVID-19 Guidance for Maryland Schools” (Md. May 17, 2021)</p> <p>Text: (page 2) 4. Do teachers, other school staff, and students need to be vaccinated against COVID-19 to engage in in-person instruction? Evidence to date suggests that when schools effectively implement recommended prevention strategies, especially the consistent and correct use of face coverings and physical distancing, transmission within schools can be limited. This evidence was gathered prior to the widespread</p>	<p>Facts: Father appealed the final judgment of divorce, which was denied. In post-judgment litigation mother obtained sole legal and primary physical custody of the child. Father received parenting time every other weekend from Friday until Monday morning and every Wednesday night for a church youth group. After COVID hit mother emailed father saying she was suspending visitation, due to child’s diabetes, until the CDC lifts the COVID guidelines. Father filed an emergency motion because mother deprived father of Wednesday access and visitation. The court did not grant father make-up time but did order</p>	<p>Restating the Order of March 30, 2020, Prohibiting Large Gatherings and Events and Closing Senior Centers, and All Non-Essential Businesses and Other Establishments, and Additionally Requiring All Persons to Stay at Home” (Md. May 6,2020)</p> <p>Text: (page 3) II. <u>Stay at Home Order</u>: a, All persons living in the State of Maryland are hereby ordered, effective as of 8:00 p.m. on March 30, 2020, to stay in their homes or places of residences (“Homes”) except: i. to conduct or participate in Essential Activities (defined below) or Permitted Outdoor Activities (defined below): b. As used herein, “Essential Activities” means: iii. Caring for a family member, friend, pet, or livestock in another household or location, including, without limitation, transporting a family member, friend, pet, or livestock animal for essential health and safety</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>vaccination of teachers and other school staff; COVID-19 vaccinations are not yet approved for use in children under 12 years of age. Decisions about in-person learning should not be based on the level of vaccination of teachers, other staff, or students.</p>	<p>pick up at 3:30 p.m. until school resumes. Held: The father did not meet his burden of showing the Judge abused their discretion in refusing to grant make-up time for the two months he went without visits due to mother’s concerns for COVID.</p>	<p>activities, and to obtain necessary supplies and services; v. Travel required by a law enforcement officers or court order;</p> <p>Chief Judge Mary Ellen Barbera “In the Court of Appeals of Maryland Administrative Order on Statewide Closing of the Courts to the Public Due to the COVID-19 Emergency” (Md. Mar. 13, 2020)</p> <p>Text: (page 2-3) (b) The following mandatory matters shall continue to be scheduled and heard in keeping with the urgency of those matters consistent with statutory requirements, either in person or remotely pursuant to the Administrative Order on Remote Electronic Participation in Judicial Proceedings, June 18, 2018, with the court to notify all participants necessary to the proceeding: (3) In the Circuit Courts: G. domestic</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				violence petitions, (I) family law emergencies and (J) temporary restraining orders
MASSACHUSETTS	None found.	<p>Massachusetts Department of Children and Families “Annual Report FY2021” (Mass. Dec. 2, 2021)</p> <p>Text: (page iii) The Department continues to respond to the COVID-19 pandemic, having implemented processes to keep staff and children safe. We resumed monthly in-person home visits in April of 2021, created the capacity to administer rapid tests to children coming into care, and provide vaccines</p>	<p>Hashmi v. Omer, 100 Mass. App. Ct. 1102 (2021)</p> <p>Facts: Father appeals from a contempt judgment that granted mother 14 days of make-up parenting time. Mother received sole legal and physical custody under the divorce. Father received custody in a later hearing and mother received parenting time on alternating weekends Friday-Monday. Once COVID hit father began homeschooling the child and filed for modification requesting mother’s parenting time be suspended until COVID was mitigated.</p>	<p>Chief Justice, John D. Casey, “The Commonwealth of Massachusetts, The Trial Court Probate and Family Court Administrative Office Letter” (Mass. Mar. 24, 2020)</p> <p>Text: (page 1) Parenting orders are not stayed during this period of time. In fact, it is important that children spend time with both of their parents and that each parent have the opportunity to engage in family activities, where provided for by court order. In cases where a parent must self-quarantine or is otherwise restricted from having contact with others, both parents should cooperate to allow for parenting time by video conference or telephone.</p> <p>Massachusetts Supreme Judicial Court “Supreme Judicial Court Issues Order</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>for eligible youth in group foster care placements, while eligible youth in family foster home settings continue to receive vaccines at locations in their communities.</p> <p>Margaret R. Cooke, Commissioner, Massachusetts Department of Health “Massachusetts Chapter of American Academy of Pediatrics and Department of Public Health, December 22, 2022 Letter”</p> <p>Text: On December 9, 2022, the Centers for Disease Control and Prevention (CDC) expanded the</p>	<p>Mother filed a petition alleging contempt. The court found COVID did not render father unable to comply with the visitation order.</p> <p>Held: The court did not abuse its discretion in finding father failed to prove an inability to comply with the court order. The portion of the order holding father in contempt is vacated.</p>	<p>Restricting Court Appearances to Emergency Matters” (Mass. Mar. 17, 2020) <https://www.mass.gov/news/supreme-judicial-court-issues-order-restricting-court-appearances-to-emergency-matters></p> <p>Text: The Supreme Judicial Court today ordered that, because of the public health emergency arising from the COVID-19 pandemic, beginning tomorrow (March 18, 2020) and until at least April 6, 2020, the only matters that will be heard in-person in Massachusetts state courthouses are emergency matters that cannot be held by videoconference or telephone. Each of the seven Trial Court departments, in new standing orders to be issued today, will define emergency matters for their departments. As a result of the SJC order, courthouses will be closed to</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>use of updated (bivalent) COVID-19 vaccines for children ages 6 months through 5 years. Now virtually all children across the Commonwealth are eligible to get the updated vaccine. The Department of Public Health and the Massachusetts Chapter of the American Academy of Pediatrics remind you to have your child vaccinated, especially in advance of upcoming holidays. The COVID-19 vaccine has been shown to be safe and effective in protecting against serious illness, hospitalization, and death.</p>		<p>the public except to conduct emergency hearings that cannot be resolved through a videoconference or telephonic hearing. Clerk's offices shall remain open to the public to accept pleadings and other documents in emergency matters only. All trials in both criminal and civil cases scheduled to commence in Massachusetts state courts between today and April 17, 2020, are continued to a date no earlier than April 21, 2020, unless the trial is a civil case where the parties and the court agree that the case can be decided without the need for in-person appearance in court. Where a jury trial has commenced, the trial will end based on the manifest necessity arising from the pandemic and a new trial may commence after the public health emergency ends. Courts, to the best of their ability, will attempt to address matters that can be resolved or</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>The Massachusetts Department of Public Health (DPH) is also alerting residents that flu activity is much higher than usual for this time of year – in the Commonwealth and nationally – and urging residents of all ages to also get vaccinated against influenza. DPH and AAP remind you that COVID and flu shots may be given in the same visit. While families may feel most comfortable getting their youngest children vaccinated by their primary care provider, please note that some retail pharmacies are also able to vaccinate children ages 3 and older. More</p>		<p>advanced without in-person proceedings through communication by telephone, videoconferencing, email, or other comparable means.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>information is available at www.mass.gov/CovidVaccineyoungkids. As a reminder: the COVID vaccine is safe, free for all, and no ID or insurance is needed to be vaccinated. Getting your family vaccinated against COVID and flu is the best way to protect yourself and your loved ones. We appreciate your help to keep our communities safe and healthy.</p>		
MICHIGAN	<p><i>Kitchen v. Kitchen</i>, 2022 Mich. App. Lexis 3373 (Mich. Ct. App. 2022)</p> <p>Facts: Court denied mother’s motion to allow the minor children to receive</p>	<p>M.C.L. §388.1875i (2022) The State School Aid Act of 1979 (Mich. Repealed Oct. 1, 2023)</p> <p>Text: Sec. 275i. (1) If a public university</p>	<p><i>Stoudemire v. Thomas</i>, 344 Mich. App. 34 (2022)</p> <p>Facts: Father appeals the denial of his emergency objection to the recommendation on mother’s motion to</p>	<p>Governor Gretchen Whitmer, “Executive Order 2020-21: Temporary requirement to suspend activities that are not necessary to sustain or protect life” (Mich. Mar. 23, 2020) <https://www.michigan.gov/en/whitmer/news/state-orders-and-</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>COVID booster shots. In lieu of appeal the court reversed the trial court's decision.</p> <p>Held: Motion for immediate relief granted. The trial court gave improper weight to the CDC, pediatrician, and children's need to travel overseas which shows it is in the best interest of the children to receive the booster.</p>	<p>that receives an appropriation in section 236 establishes a mandatory COVID-19 vaccine policy, it shall provide exemptions to that policy to the following students and employees:</p> <p>(a) Any student or employee for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the student's or employee's health or is not appropriate.</p> <p>(b) Any student or employee who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other</p>	<p>modify custody and parenting time. Under a consent agreement parties shared legal and physical custody with an alternating weekly schedule. They were allowed to modify by agreement. When COVID hit mother asked father to permit the child to live primarily with her and father agreed. Approximately a year later mother filed requesting to modify custody based on the change of circumstances that child now primarily lived with her. Father argued he thought the change was temporary and he asked to return to the pre-pandemic schedule which is what prompted mother to file to modify. The court found mother proved a</p>	<p>directives/2020/03/23/executive-order-2020-21></p> <p>Text: To suppress the spread of COVID-19, to prevent the state's health care system from being overwhelmed, to allow time for the production of critical test kits, ventilators, and personal protective equipment, and to avoid needless deaths, it is reasonable and necessary to direct residents to remain at home or in their place of residence to the maximum extent feasible.</p> <p>This order takes effect on March 24, 2020 at 12:01 am, and continues through April 13, 2020 at 11:59 pm.</p> <p>Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:</p> <p>7. Exceptions:</p> <p>(b) Individuals may also travel:</p> <ol style="list-style-type: none"> 1. To return to a home or place of residence from

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>consistently held objection to immunization.</p> <p>(2) It must be presumed that a student or employee who requests an exemption under subsection (1) is entitled to that exemption. The public university shall grant that student's or employee's request unless it determines by clear and convincing evidence that the student or employee is not entitled to that exemption. A public university shall not deny an exemption solely because the student or employee previously received another vaccine.</p> <p>(3) A public university shall not</p>	<p>change of circumstances and it was in the child's best interest to modify custody based on the prior 17 months.</p> <p>Held: The established custodial environment of alternating weeks was not relinquished. Father agreeing to change the order for the child's health and safety is not sufficient to warrant a change in circumstances.</p>	<p>outside this state.</p> <ol style="list-style-type: none"> 2. To leave this state for a home or residence elsewhere. 3. To travel between two residences in this state. 4. As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement. <p>Third Judicial Circuit of Michigan “State of Emergency – Court Protocols (Family Domestic Relations – CAYMC)” (Mich. Mar. 19, 2020)</p> <p>Text: (page 1) Pursuant to Supreme Court Administrative Order 2020-2 (File No. 2020-8), Chief Judge Timothy M. Kenny orders that the Third Judicial Circuit of Michigan (Third Circuit</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>deny a student's or employee's request for an exemption until it has explored every reasonable accommodation. An accommodation more burdensome or stringent than relevant state or federal guidelines is presumptively unreasonable.</p> <p>(4) If a public university denies a student's or employee's request for an exemption, the public university shall issue a written report fully explaining its reasons for the denial. That report must describe all reasonable accommodations the public university offered the student or employee and the</p>		<p>Court) shall remain open for only the essential services as detailed in this Order.</p> <p>All divisions of the courts are ordered to limit access to courtrooms and other spaces to no more than 10 persons, including staff, and to practice social distancing and limit court activity to only essential functions. The Family Division-Domestic Relations shall provide the following essential operations:</p> <p>Family Domestic Relations Proceedings:</p> <p>Cases heard at either the Coleman A. Young Municipal Center (CA YMC) or Penobscot Building</p> <ul style="list-style-type: none"> • The review and determination of requests for personal protection orders (PPOs), including hearings on denied PPOs; • Review and determination of emergency requests to extend a PPO; • Initial hearing for in-custody respondent arrested for alleged

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>student's or employee's response.</p> <p>(5) Every public university shall submit a written report regarding its actions taken under this section no later than March 15 of each year to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director. This annual report must include the following information, which may be obtained from any reliable source that complies with applicable laws regarding student privacy:</p> <p>(a) The number of students and employees who have</p>		<p>violation of PPO to allow court to address issue of bond;</p> <ul style="list-style-type: none"> • Review and determine requests for ex parte relief in domestic relations proceedings necessary for the safety and well-being of a litigant and/or children under MCR 3.207; • Waiver for parental consent; • Approving and/or Hearing Emergency Hearings as are deemed necessary by the sitting Emergency Judge”

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>requested an exemption from the public university's COVID-19 vaccine policy.</p> <p>(b) The number of students and employees who have been granted an exemption.</p> <p>(c) The number of students and employees in noncompliance with the public university's COVID-19 vaccine policy.</p> <p>(6) No provision of this section is to be construed as requiring a public university to violate any federal law.</p>		
MINNESOTA	<i>Huys v. Huys</i>, 2022 Minn. Dist. Lexis 9196 (Minn. Carver Cty. Dist. Ct. 2022)	None found.	<i>In re Johnson</i>, 2022 Minn. App. Unpub. Lexis 110 (Minn. Ct. App. 2022)	State of Minnesota Executive Department, Governor Tim Walz “Emergency Executive Order 20-20, Directing Minnesotans to Stay at Home” (Minn. Mar. 25, 2020)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Order: The parents shall speak with the Nurse and follow her recommendation on whether the children should receive the COVID-19 vaccine.</p> <p><i>In re Waldron, 2023 Minn. App. Unpub. Lexis 18 (Minn. Ct. App. 2023)</i></p> <p>Facts: Mother appeals a denial of hearing. Parties first shared joint legal and residential custody. In 2019 father received sole legal and residential custody after mother threatened to harm herself and the child. In January 2022 mother filed requesting sole physical and legal custody, for father to vaccinate the child</p>		<p>Facts: Parties share joint legal and physical custody. Father temporarily had sole legal and residential. At that time father enrolled the child in school. Joint custody was then restored. Mother did not believe child should attend a physical school due to COVID and enrolled the child in an online learning school. Father filed requesting sole legal and physical custody again and for the child to attend the physical school. The court granted father temporary sole legal custody and that the child attend the physical school. Mother had parenting time on weekends.</p> <p>Held: The court properly considered the child’s best interest</p>	<p>Text: (page 4) f. Care of others. Individuals may care for a family member, friend, or pet in another household, and may transport family members, friends, or pets as allowed by this Executive Order, including the transport of children pursuant to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services (“CHIPS”) proceeding.</p> <p>In the Supreme Court of the State of Minnesota “ADM20-8001, Continuing Operations of the Courts of the State of Minnesota Under a Statewide Peacetime Declaration of Emergency” (Minn. Mar. 20, 2020)</p> <p>Text: (page 5) 9. Effective as of March 23, 2020, hearings shall be held in the courtroom on an emergency basis in the following case types: housing/eviction matters when</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>for COVID-19, and to determine if father endangered the child by not vaccinating them against COVID. The court found that father as the sole legal custodian had the authority to make the decision.</p> <p>Held: Mother failed to make a prima facie showing that father’s choice not to vaccinate endangered the child.</p>		<p>including mother’s actions to the contrary when she picked the child up for parenting time when she tested positive for COVID. The court properly considered the child’s best interest in modifying custody.</p>	<p>there is a showing of individual or public health or safety at risk; civil commitment; emergency change-of-custody requests; guardianship; and orders for protection (OFP). The parties and the attorneys may appear remotely. In all other housing/eviction matters, the presiding judge is authorized to conduct the proceeding remotely or based on the parties' written submissions.</p> <p>10. Hearings shall be conducted in the courtroom for any case type in which the request for relief presents an immediate liberty concern, or when public or personal safety concerns are paramount. Hearings shall also be conducted in the courtroom for garnishment exemption hearings requested under Minn. Stat. § 571.914, subd. 1 (2018).</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
MISSISSIPPI	None found.	<p>H.B. 1509, Reg. Sess. 2022 (Miss. 2022)</p> <p>at 46-49: Section 1 (3) Children attending any school, kindergarten or similar type of facility intended for the instruction of children, either public or private, shall not be required to receive a vaccine for COVID-19 as a condition of attendance.</p>	None found.	<p>Office of Governor “Executive Order No. 1466” (Miss. Apr. 1, 2020)</p> <p>Text: (page 1) 1. Shelter in Place b. Shelter in Place ii. For individuals whose residences are unsafe or become unsafe (for example, because of domestic violence, lack of sanitation or utilities) they may, and are encouraged to, seek alternate locations. Local law enforcement and other officials shall assist such individuals to secure such alternative locations. (page 3) h. Essential travel vi. Travel required law enforcement or court order, including to transport children pursuant to a custody agreement.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
MISSOURI	None found.	<p>S.B. 201, 102 General Assembly, 2023 First Reg. Sess. (Mo. 2023)</p> <p>at 64-70: 7. No student shall be required, as a condition of school attendance or participation in school-sponsored extracurricular activities, to be immunized against COVID-19. No school shall require students to undergo COVID-19 diagnostic testing as an alternative to receiving a COVID-19 vaccination. This subsection shall expire on December 31, 2028. (Not added to Mo. Rev. Stat. 167.181)</p>	None found.	<p>Supreme Court of Missouri “In re Response to Coronavirus Disease (Covid-19) Pandemic” (Mo. Apr. 1, 2020)</p> <p>at 2-3: The suspension of in-person proceedings is subject to the following exceptions: Proceedings pursuant to chapter 455 pertaining to orders of protection; Proceedings related to emergency child custody orders; Proceedings related to petitions for temporary restraining orders or other forms of temporary injunctive relief;</p> <p>Missouri Governor, Michael L. Parson Office of Communications ““Stay Home Missouri” Order Guidance and Frequently Asked Questions (Mo. Apr. 6, 2020)</p> <p>Text: (page 1) This Order directs all Missourians to avoid</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>leaving their residences unless necessary and to practice social distancing when they need to travel outside their homes to work, access foods, prescriptions, health care, and other necessities, or to engage in an outdoor activity. This Order does not require all businesses statewide to close or cease operation. (Does not specifically address travel for purpose of following custody/visitation orders.)</p>
MONTANA	None found.	None found.	None found.	<p>Office of the Governor State of Montana “Directive Implementing Executive Orders 2-2020 and 3-2020 providing measures to stay at home and designating certain essential functions” (Mont. Mar. 26, 2020)</p> <p>Text: (page 8-9) 14. Essential travel. For the purpose of this Directive, Essential Travel includes travel</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				for any of the following purposes: e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
NEBRASKA	<p><u>Gurnsey v. Gurnsey</u>, 2023 Neb. App. LEXIS 247 (Neb. Ct. App. 2023)</p> <p>Facts: Father appeals the mother receiving legal and physical custody of their three minor children. Mother testified that father opposed vaccinating the children against COVID-19, while mother deferred to the children’s doctors. The trial court found the parents to be opposed on all</p>	None found.	<p><u>Krepel v. Donnelly</u>, 2022 Neb. App. LEXIS 256 (Neb. Ct. App. 2022)</p> <p>Facts: Parties shared joint legal and physical custody with mother having 8 days followed by father having 6 days with the child. Mother has final say in all decision making. In December 2020 father filed for primary physical custody based on a material change in circumstances. Mother filed a counterclaim requesting permission to relocate to Arizona, which she later</p>	<p>In the District Court of Douglas County, Nebraska “In the Matter of the Administrative Court: Order in Response to COVID-19 Pandemic” (Neb. Mar. 20, 2020)</p> <p>Text: (Page 2) 6. Protection Order Hearings: Protection order hearings shall occur in person, attended only by essential persons, or by video conference, on the record, at times and dates set by the court. (page 3) 11. Hearings: All hearings, both civil and criminal, not specifically addressed in this order which can be done by teleconference or video conference, may be</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>matters making it difficult for them to coparent. Specifically, their disagreement over medical treatment and vaccines caused the court to find it not in the children’s best interest for joint custody.</p> <p>Held: The district court did not abuse its discretion in awarding mother sole custody given the communication issues and decision making differences between the parties.</p>		<p>withdrew. During COVID the parties agreed to modify parenting time and were exchanging the child roughly every 14 days. In November of 2020 mother asked to go back to the original arrangement. The court found father failed to prove a material change in circumstances.</p> <p>Held: The parenting time modification due to COVID was not a material change in circumstances. It was a result of the unique experiences of the pandemic and neither party introduced evidence that they intended the change to be permanent. Affirm denial of modification.</p>	<p>conducted in that manner at the direction of the court.</p>
NEVADA	<i>Brooke Westlake Kelley v. Kelley, 535</i>	Nevada Health Response “NV COVID-19	None found.	State of Nevada Executive Department “Declaration of Emergency: Directive 010:

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>P.3d 1147 (Nev. 2023)</p> <p>Facts: Parents are divorced with joint-legal custody. Father wanted to vaccinate the children against COVID-19 but mother disagreed. Father filed to compel mother to allow the children to be vaccinated. The pediatrician recommended the 11-year-old receive the vaccine but the 3-year-old was too young to be eligible at the time. The court ruled it is in the 11-year-old's best interest to receive the vaccine. The order granted father sole legal custody to obtain the COVID vaccine. Mother appealed</p>	<p>Playbook Brief: Vaccinating Children ages 5-11 years” (Nev. Nov. 23, 2021)</p> <p>Text: (page 1) On November 2, 2021, the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP) recommended use of the Pfizer-BioNTech 10mcg COVID-19 vaccine in children ages 5-11 years in the United States. This comes after the U.S. Food and Drug Administration (FDA) expanded its Emergency Use Authorization (EUA) for the Pfizer-BioNTech 10mcg COVID-19 vaccine to include</p>		<p>Stay at Home Order” (Nev. Mar. 31, 2020)</p> <p>Text: (page 1) With limited exceptions identified below, all Nevadans are ordered to stay in their residences. Gatherings of individuals outside the home is prohibited, subject to the same exceptions. (Page 2) Section 3: Individuals may leave their residence to provide services, perform work necessary, or obtain services from Essential Healthcare options (as defined by Section 1(a) of the March 20, 2020 Emergency Regulations) on behalf of themselves, pets, or those in their household.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Held: A parent’s right to care for their child is not infringed upon when a court uses the best interest standard to settle disputes. When parents with court-ordered joint legal custody disagree on medical decisions, the court will break the tie by determining what is in the best interest of the child.</p> <p>Standard: We adopt non exhaustive factors for district courts to consider in making such determinations: (1) the seriousness of the harm the child is suffering or the substantial likelihood that the child will suffer serious harm;</p>	<p>this age group on Friday, October 29, 2021. Previously the Pfizer vaccine was authorized for those ages 12 years and older in a higher dosage.</p> <p>Additionally, the American Academy of Pediatrics (AAP) issued a policy statement recommending COVID-19 vaccination for “all children and adolescents 5 years of age and older who do not have contraindications using a COVID-19 vaccine authorized for use for their age,” including children with previous COVID-19 infection and those with underlying health conditions.</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>(2) the evaluation or recommendation by a medical professional;</p> <p>(3) the risks involved in medically treating the child; and</p> <p>(4) if the child is of a sufficient age and capacity to form an intelligent preference, the expressed preference of the child.</p>	<p>The AAP’s statement, coupled with the recommendations from CDC, support administration of the Pfizer-BioNTech 10mcg two-dose series in children ages 5-11 years. The AAP and CDC also support coadministration of routine childhood immunizations, including seasonal influenza vaccine, with the COVID-19 vaccine to help children catch up on any missed vaccinations (based on the CDC/AAP Recommended Child and Adolescent Immunization Schedule) caused by the ongoing pandemic. The Nevada State</p>		

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		<p>Immunization Program encourages all vaccinating providers to use patient visits as an opportunity to promote and provide all vaccines and not miss an opportunity to protect children from all vaccine-preventable diseases</p>		
NEW HAMPSHIRE	None found.	<p>H.B. 220, 2021 Reg. Sess., (N.H. 2020) An ACT relative to medical freedom in immunizations and establishing a committee to examine the policy of medical intervention including immunizations.</p> <p>Text: I. Every person has the natural, essential, and inherent right to</p>	None found.	<p>United States Department of State “NOTICE: New Hampshire “Stay Home” Order” (N.H. Mar. 29, 2020)</p> <p>Text: (page 1) Beginning at 11:59 PM on March 27, 2020, New Hampshire residents shall stay at home or in their place of residence with the following exceptions: Leaving home to visit a spouse; parent or child, Leaving home to provide care for another person</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>bodily integrity, free from any threat or compulsion by government to accept an immunization. Accordingly, no person may be compelled to receive an immunization for COVID-19 in order to secure, receive, or access any public facility, any public benefit, or any public service from the state of New Hampshire, or any political subdivision thereof, including but not limited to counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities.”</p>		<p>Supreme Court of New Hampshire “Order Suspending In-Person Court Proceedings” (N.H. Mar. 16, 2020)</p> <p>Text: (page 1) 4. Exceptions to suspension of in-person court proceeding include but are not limited to: Requests for orders of protection for domestic violence under RSA 173-B, stalking under RSA 633:3-a and juvenile abuse under RSA 169-C:7-a, and hearings on such orders. Requests for child-related emergency orders in divorce/parenting cases under RSA 461-A and hearings on any emergency relief ordered.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
<p>NEW JERSEY</p>	<p><i>Scott v. Scott, 2023 N.J. Super. Unpub. LEXIS 644 (N.J. Super. Ct. App. Div. Apr. 28, 2023)</i></p> <p>Facts: Mother appeals the decision denying her application to administer the covid vaccine to her minor child over father’s objection. Parties entered into an agreement for joint legal and physical custody of the children. Within weeks of entering the agreement mother filed an OTSC for the vaccine. Trial court found plaintiff failed to meet her burden of proof that the vaccine is in the children’s best interest. Neither</p>	<p>None found.</p>	<p>None found.</p>	<p>Governor of New Jersey Philip D. Murphy “Executive Order No. 107” (N.J. Mar. 21, 2020)</p> <p>Text: (page 5) 2. All New Jersey residents shall remain home or at their place of residence unless they are...4) visiting family or other individuals with whom the resident has a close personal relationship, such as those for whom the individual is a caretaker or romantic partner; 9) leaving at the direction of law enforcement or other government agency</p> <p>Supreme court of New Jersey “Omnibus Order on COVID-19 Issues” (N.J. Mar. 27, 2020)</p> <p>Text: (page 9) (4) FAMILY b. The time periods for dismissal of family cases for lack of prosecution will be tolled for the period from March 16 through April 26,</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>party took any precautions to prevent infection before the vaccine.</p> <p>Held: The judge applied the best interest factors, noted all children previously contracted Covid and recovered, and parties agree children can do everything without restrictions. There is not a different standard for medical best interest.</p>			<p>2020; and in addition, automated lack of prosecution dismissal processes for family matters will be suspended through April 26, 2020; (page 11) (7) ALL COURTS</p> <p>b. To the extent practicable, all court matters including hearings, conferences, and arguments, will be conducted by video or phone conferencing, and in-person appearances will be permitted only in emergency situations;</p>
NEW MEXICO	None found.	<p>New Mexico Department of Health “New Mexico 2023-2024 School Entry Immunization Requirements” (N.M. Mar. 2023)</p> <p>Text: At this time, Influenza, COVID-</p>	None found.	<p>Public Health Order New Mexico Department of Health Cabinet Secretary Kathyleen M. Kunkel “Public Health Emergency Order Closing All Businesses and Non-Profit Entities Except for those Deemed Essential and Providing Additional Restrictions on Mass</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>19, and HPV vaccines are not required for school entry but will continue to be strongly recommended as is considered best practice.</p>		<p>Gatherings Due to COVID-19” (N.M. Mar. 23, 2020)</p> <p>Text: (page 5) I FURTHER ADVISE the public to take the following preventative precautions: New Mexico citizens should stay at home and undertake only those outings absolutely necessary for their health, safety, or welfare.</p> <p>(Doest not specify child custody or visitation orders.)</p>
<p>NEW YORK</p>	<p><i>Matter of Athena Y. (Ashleigh Z.)</i>, 201 A.D.3d 113 (3rd Dept 2021)</p> <p>Facts: Petitioner became involved due to neglect and effected an emergency removal of the four children. The children went to foster care. The two oldest children (13</p>	<p>S.B. 3041, 2021-2022 Regular Session (N.Y. 2021) An Act to amend the public health law, in relation to the administration of vaccines to children who are at least fourteen years of age</p> <p>at 3-6: §2167-a. Administering a</p>	<p><i>Matter of Celinette H.H. v. Michelle R.</i>, 224 A.D.3d 410 (1st Dept. 2024)</p> <p>Facts: Mother filed a writ of habeas corpus for the father and grandmother to bring the children back to NY. The court dismissed the petition for lack of jurisdiction after the children were</p>	<p>Chief Administrative Judge Lawrence K. Marks “Updated Protocols” (N.Y. Mar. 15, 2020)</p> <p>Text: (page 1) Effective 5 p.m. on Monday, March 16, we will be postponing all non-essential functions of the courts until further notice. All essential functions will continue, as described below. (page 2) Family court: Essential matters as the court may allow,</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>and 15) wanted to receive the COVID vaccine while in foster care. Mother did not consent. The petitioner and father supported the children receiving the vaccination. The family court determined the children could decide whether or not they want the vaccine. Mother appealed.</p> <p>Held: Parents retain the right to make decisions for their children until their parental rights are terminated. When a child is in foster care and a parents objects to a vaccine, the agency should seek court approval. The court gave proper notice but did not hold a hearing.</p>	<p>vaccine to a minor; consent. 1. A health care practitioner may administer a vaccine to a minor who is at least fourteen years of age if the minor has the capacity to consent an provides informed consent to the administering of the vaccine.</p> <p>A.B. 6454, 2023-2024 Reg. Sess. (N.Y. 2023) An Act to amend the public health law, in relation to a vaccine bill of rights to protect New York citizens against unconstitutional and medically irresponsible COVID-19 vaccine mandate</p>	<p>outside New York for over six months.</p> <p>Held: The family court should have converted the writ to a custody petition. Due to the COVID-19 moratorium, mother could not filed a custody petition. She properly filed a writ. Once the court lifted the moratorium the children were out of the jurisdiction for six months. Reversed and remanded to family court.</p> <p>Matter of Jospheh XX. V. Jah-Rai YY., 226 A.D.3d 49 (3rd Dept. 2024)</p> <p>Facts: Parties share one child. In July 2020 the parties consented to joint legal custody and equal parenting time. Father filed two</p>	<p>e.g., issued related to child protection proceedings, juvenile delinquency proceedings, family offenses, and support orders.</p> <p>New York State Unified Court System, Hon. Lawrence K. Marks Chief Administrative Judge “Virtual Court Operations to Commence in NYC Mid-week: New York State Courts Remain open for Business, Maintaining All Essential and Emergency Proceedings” (N.Y. Mar. 22, 2020)</p> <p>Text: (page 2) NYC Family Court: Effective Thursday, March 26, 2020—in order to mitigate and contain the ongoing spread of coronavirus while at the same time continuing to provide critical emergency relief to the children and families the court serves—the New York City Family Court will hear by</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Remanded for a hearing.</p> <p><i>Matter of A.L. v. V.T.L.</i>, 74 Misc. 3d 589 (Fam. Ct., Rockland County, 2022 Cornell, J.)</p> <p>Facts: Father petitioned to postpone the minor child from receiving the COVID vaccine. Under the final judgment of divorce parties have joint legal custody and mother has final decision-making authority subject to father filing a petition.</p> <p>Held: The father failed to provide any evidence that it is in the best interest of the child to modify mother’s final decision-making</p>	<p>at 41-54: §2184. Novel coronavirus/COVID -19; immunization. 1. No immunization used for the purpose of inducing immunity against COVID-19 in humans in this state shall be made a mandatory immunization. No person shall be required to receive such vaccine. No child under the age of 18 shall be required to receive such vaccine against COVID-19 unless a person in a parental relation to such child requests and consents to have the child vaccinated. For the purpose of this subdivision the term “person in parental relation to a child”</p>	<p>violation petitions for mother failing to bring the child for his scheduled parenting time. Mother filed a response that father exposed the child to COVID without informing her by bringing the child to a beach and religious services. The court found mother willfully violated the prior order and a change in circumstances. The court ordered the parties to attend coparenting counseling and prohibiting engaging the child in religion until they reached an agreement. If they could not agree after 20 sessions either party could refile to modify. Both parents appealed.</p> <p>Held: Appellate court disagrees that mother</p>	<p>remote video appearances and/or by telephone the following matters Child-protective intake cases, Newly-filed juvenile delinquency intake cases involving remand applications, Emergency family offense petitions Writ application when there is a court order for custody or parenting time</p> <p>Chief Administrative Judge Lawrence K. Marks “Next Steps” (N.Y. Apr. 7, 2020)</p> <p>Text: (page 2) Going forward, the existing prohibition on the filing of new non-essential matters will continue. However, although our planning is ongoing, starting next Monday, April 13, we will take certain preliminary steps to open up access — remote access — to the courts for non-essential pending cases. This means that judges should review their case</p>

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	<p>authority. Father consented to the vaccination of the older child. “This court declines to inject its own views on the wisdom of vaccinations for COVID-19 into this proceeding. Although the level of misinformation, disinformation, and vitriol around this issue is truly astounding, the court here is only concerned with determining the appropriate mechanism for decision-making in this child's best interest.”</p>	<p>shall have the same meaning as set forth in section twenty-one hundred sixty-four of this article. Prior to administering the immunization every health care providers or practitioner shall provide a list of ingredients contained in the vaccine as provided by the manufacturer product insert and all potential side effects as indicated by industry studies.</p>	<p>willfully violate the order because the record supports her assertion that she withheld parenting time due to concerns about COVID. The court did properly find the father is entitled to make up time.</p>	<p>inventories to identify cases in which court conferences can be helpful in advancing the progress of the case, including achieving a resolution of the case. Judges can also schedule conferences at the request of the attorneys, and can be available during normal court hours to address discovery disputes and other ad hoc concerns. The conferences will need to be conducted remotely, by Skype or by telephone. Judges’ personal staff will be able to assist judges remotely, as needed.</p> <p>Another important activity that will resume now is for judges to decide fully submitted motions. This is an ideal time for individual judges to take this opportunity to resolve any backlogs of undecided motions and other matters in their case inventories. We will be activating law departments in those counties that have them, to assist you in drafting decisions.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
<p>NORTH CAROLINA</p>	<p>Coggin v. Denise Marie Brennan NOW Denise Marie Pauls, 901 S.E.2d 32 (N.C. App. 2024)</p> <p>Facts: Mother appeals the order modifying custody. Parents shared joint legal custody. If they cannot agree they must use their agreed upon parenting coordinator. Father wanted to vaccinate child against COVID-19, mother disagreed. The parenting coordinator advised the parents to speak to their pediatrician. Mother filed a TRO requesting father be barred from vaccinating the child and requested a modification of</p>	<p>H.B. 98, Reg. Sess. 2023, (N.C. 2023) An Act to Provide Eligible Patients the Right to Try Individualized Investigational Drugs, Biological Products, and Devices to Treat Life-Threatening or Severely Debilitating Illnesses.</p> <p>Text: (page 3) § 90-325.35. No private right of action against manufacturers of individualized investigational drugs, biological products, or devices. No private right of action may be brought against a manufacturer of an individualized</p>	<p>None found.</p>	<p>Supreme Court of North Carolina Chief Justice Cheri Beasley “Order of the Chief Justice of the Supreme Court of North Carolina” (N.C. Mar. 13, 2020)</p> <p>Text: (page 1-2) Emergency Directive I order that all superior court and district court proceedings be scheduled or rescheduled for a date no sooner than 30 days from the issuance of this order, unless:</p> <ol style="list-style-type: none"> 1. The proceedings will be conducted remotely; 3. The proceeding is for the purpose of obtaining emergency relief (e.g., a domestic violence protection order, temporary restraining order, juvenile custody order, judicial consent to juvenile medical treatment order, civil commitment order, etc.) <p>State of North Carolina Governor Roy Cooper</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>custody. The parenting coordinator decided father could make the decision. Father also filed requesting a change in custody. Mothe failed to respond to the parenting coordinator for a year. The court found a change in circumstances and gave the father decision-making authority for legal custody.</p> <p>Held: The court properly found a substantial change in circumstances based on mother’s lack of communication with both father and the parenting coordinator for over a year. Decision affirmed.</p>	<p>investigational drug, biological product, or device, or against any other person or entity involved in the care of an eligible patient using an individualized investigational drug, biological product, or device, for any harm caused to the eligible patient resulting from use of the individualized investigational drug, biological product, or device as long as the manufacturer or other person or entity has made a good-faith effort to comply with the provisions of this Part and has exercised reasonable care in actions undertaken pursuant to this Part</p>		<p>“Executive Order No. 121” (N.C. Mar. 27, 2020)</p> <p>Text: (page 3-4) 3. Leaving the home and travel for Essential Activities is permitted. For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:</p> <p>viii. Place of residence. To return to or travel between one’s place or places of residence for purposes including, but not limited to, child custody or visitation arrangements.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>H.B. 98, 2023 Reg. Session (N.C. 2023) An Act Prohibiting State Agencies, Local Governments, and Political Subdivisions of the State from Discriminating Against Persons Based on Their Refusal to Provide Proof of a COVID-19 Vaccination</p> <p>at 27- 34 (page 1): § 115C-377.1. Prohibited health requirements. (a) Governing bodies of public school units shall not adopt any policies regarding the use of face coverings. (b) Governing bodies of public school units shall not</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>quarantine healthy students.</p> <p>(c) If a public school unit violates this section, the student subject to the violation or that student's parent may bring a civil action against the governing body of the public school unit. A student or parent that prevails on a claim for a violation of this section shall be entitled to reasonable attorneys' fees and court costs.</p> <p>at 41-51 (page 2): § 130A-158.3.</p> <p>COVID-19 vaccination; requirement prohibited.</p> <p>Notwithstanding any provision of this Chapter or Chapter 166A of the General</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>Statutes to the contrary, no State or local public health agency or public health official may require any person, including an applicant for employment or an employee, to provide proof of a COVID-19 vaccination or to submit to a COVID-19 vaccination or series of COVID-19 vaccinations for any purpose. For purposes of this section, the following definitions apply:</p> <p>(1) Applicant for employment. – Any person who seeks to be permitted, required, or directed by a State or local public health agency, or any person</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>employed by a State or local public health agency, to engage in employment in consideration of direct or indirect gain or profit.</p> <p>(2) COVID-19. – The coronavirus disease 2019</p> <p>at 1-12 (page 3): (3) Employee. – Any individual employed by a State or local public health agency.</p> <p>(4) State or local public health agency. – Includes the following:</p> <ul style="list-style-type: none"> a. The Department or any of its divisions. b. The Commission for Public Health or any district created by the Commission pursuant to subsection (d) of G.S. 130A-29. 		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>c. A local health department as defined in subdivision (5) of G.S. 130A-2. (5) State or local public health official. – Includes the following: a. The Secretary or a designee. b. The State Health Director or a designee. c. The head of any State or local public health agency or a designee."</p>		
NORTH DAKOTA	None found.	None found.	None found.	<p>North Dakota Governor Doug Burgum “Executive Order 2020-10.1” (N.D. Mar. 30, 2020)</p> <p>Text: (page 1) 1. All public and non-public K-12 schools are closed to students until further notice; provided, however, certain school districts may choose to open facilities</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>through the month of May, for the limited purpose of providing child care services to children in grades K=5 only, for K-12 teacher and other health, safety and lifeline worker households, as identified by the Department of Human Services. Any school district willing to open a school facility or discreet portion of a facility, to offer limited childcare services as described above, must conform to the revised guidelines (Addressing Childcare Needs in North Dakota) issued by Department of Human Services.</p> <p>State of North Dakota Courts “Order 25. Coronavirus Pandemic” (N.D. Mar. 17, 2020) <https://www.ndcourts.gov/legal-resources/rules/ndsupctadminorder/25-3></p> <p>Text: [¶5] After consideration, it is hereby ORDERED:</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>1. Civil jury trials not already in progress are suspended through April 24, 2020.</p> <p>2. Criminal jury trials not already in progress are suspended through April 24, 2020.</p> <p>3. Civil and criminal bench trials and hearings are not suspended. However, presiding judges are given discretion until April 24, 2020, to cancel bench trials or hearings.</p> <p>6. Continuances and extension requests related to COVID-19 should be presumptively granted. This subsection does not apply to mandatory hearings in juvenile holds, juvenile detention, mental health, protection orders, interim family law orders, shelter care, and initial appearances when defendant is detained, or any other hearing required by the district court or statute.</p>
NORTHERN MARIANA ISLANDS	None found.	None found.	None found.	In the United States District Court for the Northern Mariana Islands “In the Matter of

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Courthouse Operations in Response to the Coronavirus (COVID-19) Outbreak, General Order No. 20-00003” (C.N.M.I. Mar. 22, 2020)</p> <p>Text: (page 1) I. Court Closure: Physical access to the District Court, including the Clerk’s Office and the Office of Pretrial and Probation, will be temporarily closed to the public from March 23, 2020 through April 3, 2020 unless otherwise stated below.</p> <p>(page 2) II. Limited Court Proceedings:</p> <ol style="list-style-type: none"> 1. All civil and criminal jury selections and jury trials scheduled before April 26, 2020 are continued pending further order of the Court. <p>(page 3) III. Filings and Payments:</p> <ol style="list-style-type: none"> 1. All business with the Clerk’s Office should be conducted by telephone and email from 8:00 p.m. to 5:00 p.m. on Monday through Friday, except legal holidays.

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
OHIO	None found.	<p>Sub. H. B. No. 248, 134th General Assembly, Reg. Sess. 2021-2022 (Ohio 2021)</p> <p>at 75-82: (1) No person, public official or employee, public agency, state agency, political subdivision, school, child day-care center, nursing home, residential care facility, health care provider, insurer, institution, or employer shall mandate, require, or otherwise request an individual to receive a vaccine, except as provided in sections 3313.671 and 5104.014 of the Revised Code. In the</p>	None found.	<p>Court of Common Please Division of Domestic Relations Hamilton County, Ohio “In re: Hamilton County Court of Domestic Relations Operations Under Exigent Circumstances Created by COVID-19” (Ohio Mar. 14, 2020)</p> <p>Text: (page 1) All hearings other than Domestic Violence Protection petitions pursuant to O.R.C. Section 3113.31 are hereby suspended for thirty (30) days until further order of the Court, commencing the week of March 16, 2020.</p> <p>The Supreme Court of Ohio “Guidance to Local Courts COVID-19 Public Health Emergency” (Ohio Mar. 20, 2020)</p> <p>Text: (page 1) EFFORTS TO MINIMIZE PHYSICAL APPEARANCES AT COURT</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>case of those exceptions, all of the following apply</p>		<ul style="list-style-type: none"> • Sua sponte granting of continuances for non-essential court appearances (an essential proceeding may be defined as one in which relief is necessary to protect a person’s health, safety, housing, or to prevent some other imminent, serious harm that cannot be remedied if allowed to occur); or, in the alternative, rescheduling of non-essential court appearances as phone or video conferences. • Temporarily continue eviction filings, pending eviction proceedings, scheduled move-outs, and the execution of foreclosure judgements (except in the instances where allegations of domestic violence are involved). Hamilton County Domestic Relations Court COVID-19 Statement 9 (3/13/2020) (page 2) COMMUNICATION: Provide public notification that hearings are available for emergency actions, such as civil

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				protection orders, restraining orders, temporary orders, medical emergency filings, shelter care hearings or preliminary protective hearings for children alleged to be abused, neglected or dependent, adult protective services, emergency guardianship, and proceedings for a mentally ill person, etc.
OKLAHOMA	<p><i>Ritter v. State</i>, 2022 OK 73</p> <p>Facts: Doctors, parents, and the Oklahoma State Medical Associate brought an action against the State of Oklahoma and the Governor for the bill that restricts school districts from creating mask or vaccine mandates unless in a state of emergency. The District Court</p>	<p>Okla. Stat. tit. 70 § 1210.189 (2024) Restrictions on requiring vaccinations – vaccine passport – mask mandate</p> <p>Text: A. A board of education of a public school district or a technology center school district, the board of regents of an institution within The Oklahoma State System of Higher Education, the</p>	None found.	<p>J. Kevin Stitt Office of the Governor State of Oklahoma “Executive Department Executive Order 2020-08” (Okla. Mar. 17, 2020)</p> <p>Text: (page 1) Therefore, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power vested in my by Section 2 of Article VI of the Oklahoma Constitution, hereby recommend Oklahomans follow the President’s Coronavirus Guidelines, as more particularly described below:</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>granted the motion with respect to the mask mandate. The State appealed.</p> <p>Held: It is impermissible for the Governor to excise legislative authority over school boards. The invalid portion of the statute regarding the Governor declaring a state of emergency will be stricken.</p>	<p>governing board of a private postsecondary educational institution, the Oklahoma State Regents for Higher Education, the State Board of Education or the State Board of Career and Technology Education shall not:</p> <ol style="list-style-type: none"> 1. Require a vaccination against Coronavirus disease 2019 (COVID-19) as a condition of admittance to or attendance of the school or institution; 2. Require a vaccine passport as a condition of admittance to or attendance of the school or institution; or 3. Implement a mask mandate for students 		<ol style="list-style-type: none"> 2. If you feel sick, stay home and contact your medical provider. Do not go to work. 3. If your children are sick, keep them at home and contact their medical provider. <p>(page 2) 10. Avoid discretionary travel, shopping trips, and social visits.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>who have not been vaccinated against COVID-19.</p> <p>B. As used in this section, 'vaccine passport' means documentation that an individual has been vaccinated against COVID-19.</p> <p>C. Nothing in this section shall be construed to apply to any public or private healthcare setting.</p>		
OREGON	None found.	Office of the Secretary of State "Permanent Administrative Order: PH 10-2022: Chapter 333, Oregon Health Authority, Public Health Division: Masking requirements in Schools; Vaccination Requirements for	None found.	Office of the Governor State of Oregon "Executive Order No. 20-12: Stay Home, Save Lives: Ordering Oregonians to Stay at Home, Closing Specified Retail Businesses, Requiring Social Distancing Measures for Other Public and Private Facilities, and Imposing Requirements for Outdoor Areas and Licensed Childcare Facilities" (Or. Mar. 23, 2020)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>Teachers and School Staff. (Or. Jan. 28, 2022)</p> <p>Text: (page 1) (4) Schools must ensure that all individuals, including but not limited to staff, students, contractors and visitors, wear a mask or face covering, except as provided in sections (5) and (6) of this rule, when in an indoor setting.</p> <p>(page 6) 3) After October 18, 2021:</p> <p>(a) Teachers, school staff and volunteers may not teach, work, learn, study, assist, observe, or volunteer at a school unless they are fully vaccinated or have provided documentation of a medical or religious</p>		<p>Text: (Page 7-8) Outdoor Recreation and Travel:</p> <p>22. Individuals are directed to minimize travel, other than essential travel to or from a home, residence, or workplace; for obtaining or providing food, shelter, essential consumer needs, education, health care, or emergency services; for essential business and government services; for the care of family members, household members, elderly persons, minors, dependents, persons with disabilities, or other vulnerable persons, pets, or livestock; travel as directed by government officials, law enforcement, or courts; and other essential travel consistent with the directives of my Executive Orders and guidance from the Oregon Health Authority.</p> <p>American Academy of Matrimonial Lawyers and the Association of Family and Conciliation Courts “Oregon</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>exception and the exception has been approved or accepted.</p> <p>(9) Nothing in this rule is intended to prohibit schools or school-based programs from:</p> <p>(b) Having more restrictive or additional requirements, including but not limited to requiring teachers, school staff and volunteers, and school-based program staff and volunteers to have documentation of an additional or booster dose of a COVID-19 vaccine if that is recommended by the U.S. Centers for Disease Control and Prevention.</p>		<p>Statewide Family Law Advisory Committee (SFLAC) Recommendations for Oregon Courts: Information for Parents sharing Custody or Parenting Time of Children During the Covid-19 Pandemic”</p> <p>Text: (page 1) Court Clarification: Unless the parties agree otherwise:</p> <p>2. Denial of Parenting Time: COVID-19 is not a reason to deny parenting time. Unless otherwise ordered by the court, parents are considered fit to care for their children and make decisions regarding the day-to-day aspects of parenting while the children are in their care. This day-to-day care includes following the Oregon Health Authority and your County Public Health directives regarding social distancing and sanitation-related measures (such as frequent handwashing).</p> <p>(page 2) 5. Governor’s Executive Orders regarding Travel: The Governor has</p>

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		<p>Office of the Secretary of State “Temporary Administrative Order: PH-29-2023: Chapter 333: Oregon Health Authority, Public Health Division: Suspension of COVID-19 vaccination requirements for teachers and school staff. (Or. May 10, 2023)</p> <p>Text: (page 2) SUSPEND: 333-019-1030 RULE TITLE: COVID-19 Vaccination Requirements for Teachers and School Staff RULE SUMMARY: OAR 333-019-1030 currently requires teachers and school</p>		<p>issued executive orders that restrict travel except for essential activities, which generally include caring for minors, dependents and/or family members. Therefore, unless otherwise directed by the Governor or other executive order, the parties should continue to follow the parenting plan as written while such orders are in effect.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>staff, absent a medical or religious exception, to receive a primary COVID-19 vaccination series; and employers of such persons to take reasonable steps to prevent COVID-19 infection of and transmission from those unvaccinated. This rule is now being suspended effective June 17, 2023, a date which aligns closely with the end of the 2022-2023 school year, because immunity from the primary series is known to wane over time, such that 2 booster vaccinations have since been recommended for most persons. Moreover, the virus</p>		

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		<p>that causes COVID-19 has mutated such that the original series provides little long-term protection against infection by currently circulating strains. Finally, at this point most people have been infected by the virus (94% by one estimate), giving survivors a degree of immunity at least equivalent to that provided by the original vaccination series for some period of time. Although the Oregon Health Authority (OHA) is suspending this rule, even in persons previously infected, vaccination with the most up-to-date formulations further reduces the</p>		

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		likelihood of severe disease, and OHA continues to strongly recommend their use.		
PENNSYLVANIA	<p><i>L.L.B. v. T.R.B.</i>, 283 A.3d 859 (Pa. Super 2022)</p> <p>Facts: Father appeals the order that allows mother to vaccinate the parties minor child. Mother has primary physical custody and the parties share legal custody. Mother asked for permission to vaccinate their child based on the recommendation of the pediatrician and school. After trial the court granted mother’s request. Father filed an appeal because the court failed to</p>	<p>S.B. 471, 2021 Reg. Session (Pa. 2021) Prohibiting the mandatory COVID-19 vaccination of Pennsylvania residents by the Commonwealth, political subdivisions or as a condition of employment.</p> <p>at 17-22: (3) A State agency or political subdivision, or an agent thereof, may not take an action which would result in an individual being required to submit to a COVID-19</p>	None found.	<p>The Unified Judicial System of Pennsylvania “FAQ” https://www.pacourts.us/ujs-coronavirus-information/faq</p> <p>Text: Frequently Asked Questions: Custody and Support: Nothing in the Governor’s stay-at-home order or the Pennsylvania Supreme Court’s emergency orders alters judicial authority regarding child custody under the Domestic Relations Code. However, under the statewide judicial emergency order, the President Judge of each judicial district has authority to modify any court order, <i>see</i> Pa.R.J.A. No. 1952(B)(2)(h), including orders respecting child custody. In so doing, the President Judge must act in accordance with the</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>enumerate on the child’s best interest in their decision. Held: The appellate court previously determined there are seven forms of custody where the court must consider the 16 best interest factors. For ancillary issues it is not required to do so. The facts and evidence also support the finding that there is no indication child will have an adverse reaction to the vaccine.</p>	<p>vaccination, including as a condition of employment, access to education, the ability to travel, entry to a public place or contracting with a State agency or political subdivision.</p>		<p>Domestic Relations Code’s general governing principle of “the best interest of the child.” <i>See</i> 23 Pa.C.S. § 5338(a) (“court may modify a custody order to serve the best interest of the child”). A party who is subject to a general child custody order issued by the President Judge pursuant to her emergency powers may petition the Court of Common Pleas to modify the order as it applies to the particular child in question.</p> <p>Commonwealth of Pennsylvania The Governor “Gov. Wolf Puts Statewide COVID-19 Mitigation Efforts in Effect, Stresses Need for Every Pennsylvanian to Take Action to Stop the Spread” (Pa. Mar. 16, 2020)</p> <p>Text: (page 1) Statewide Mitigation Efforts beginning at 12:01 a.m., Tuesday March 17 include: Freedom of travel will remain, but all Pennsylvanians are</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>asked to refrain from non-essential travel.</p> <p>(Page 2) All child care centers licensed by the commonwealth close as of Tuesday, March 17 and will be re-evaluated at the conclusion of the 14-day statewide closures. Philadelphia County families should check with their child care facilities to determine status of business operations.</p>
PUERTO RICO	None found.	<p>Governor of Puerto Rico “Administrative Order No. 2021-509”</p> <p>Summary: (page 4-5) All students ages 12 and older must be vaccinated against COVID-19 to attend school in-person.</p>	None found.	<p>Plan de Emergencia COVID-19 “Timeline of Operations during the COVID-19 Pandemic”</p> <p>Text: March 2020: March 15: It was announced that all court operations would cease, and all hearings suspended from Monday, March 16, 2020 to Monday, March 30, 2020. During this period, only pressing matters, such as probable cause hearings (Rule 6), protection orders, changes of jurisdiction for child custody, urgent family and child issues,</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>and involuntary commitment orders under Mental Health Law, among others, would be heard. Special service hours were implemented in Investigation Rooms by means of duty judges.</p> <p>United States Department of State “Notice: Puerto Rico “Stay Home” Order (P.R. Mar. 26, 2020)</p> <p>Text: (page 1) The Governor’s order only permits travel or walking along public roads from 5:00AM to 9:00PM when: (page 2) To provide assistance, care, transportation of senior citizens, children, dependents, people with disabilities or people who require any type of medical or professional attention.</p>
RHODE ISLAND	<p><i>Nagel v. Nagel</i>, 292 A.3d 1198 (2023)</p> <p>Facts: Father appeals the court’s</p>	None found.	None found.	<p>Rhode Island Family Court “Administrative Order No. 2020-02 Continuation of Suspension of Family Court Calendars from March 23rd</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>decision to allow mother to vaccinate the two minor children for Covid based on the pediatrician's recommendation. The final judgment of divorce gave joint legal custody and primary physical custody to mother. Plaintiff filed post-judgment requesting permission to vaccinate the children for Covid and full decision-making authority over medical care. Each party submitted deposition transcripts from an expert. The trial court found the parties never objected to a recommendation of the pediatrician before and permitted</p>			<p>through May 17, 2020 and Remote Hearings” (R.I. Apr. 15, 2020)</p> <p>Text: (page 1) 1. Suspension of Calendars The suspension of Family Court calendars and appointments effectuated by Administrative Order No. 2020-01, is hereby extended through May 17, 2020 with the exceptions of the following emergency/essential matters: Restraining order hearings; all emergency motions; ex parte motions; Any of the above- excepted matters shall be heard either remotely (by telephone, videoconference using the Webex platform or similar means where available and publicly accessible) or in the appropriate judicial building as directed by current or future Executive Order of the Rhode Island Supreme Court or Administrative Order of the Family Court.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>the children to receive the covid vaccine. The court found father's opposition was not unreasonable so he was not held in contempt. The court denied mother's request for medical decision-making authority. The court ultimately found it was in the children's best interest to give mother permission for the vaccine while continuing to follow the recommendations of the pediatrician and keeping father updated. The trial court gave more weight to the pediatrician than father's expert because the pediatrician knows the children.</p>			<p>(page 2) 2. Non-emergency/Non-essential Matters With the exception of the emergency and essential matters specifically identified above and such other matters as the Chief Judge may specifically assign, no in-person hearing shall take place in any judicial building until further notice. If a judicial officer is able to conduct a conference or a hearing involving non-emergency/matters remotely, the judicial officer is authorized to do so where appropriate, provided all parties agree to the remote conference or hearing and the method under which the conference or hearing will proceed in accordance with the following. (page 5) 4. Outstanding Orders With the exception of ex parte orders for protection and temporary orders for protection, all outstanding orders including final judgments for orders for</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>Held: The trial court did not improperly exercise its discretion in determining it is in the children’s best interest to give mother the decision-making authority to follow the advice of the pediatrician with regards to the Covid vaccine. The court properly applied the eight-factor best interest test to the decision.</p>			<p>protection which by their own terms would have expired on a day scheduled to be heard between March 17, 2020 and May 17, 2020 are automatically continued in full force and effect until the matter is rescheduled and heard, unless otherwise ordered by the court.</p> <p>State of Rhode Island Governor Gina M. Raimondo “Ninety-fifth Supplemental Emergency Declaration – Rhode Island on Pause” (R.I. Nov. 30, 2020)</p> <p>Text: (page 3) Stay at Home Advisory 2. All Rhode Island residents are advised to stay home from 10:00 p.m. to 5:00 a.m. Sunday through Thursday unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.); Friday and Saturday all Rhode Island residents are advised to stay home from</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>10:30 p.m. to 5 :00 a.m. unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.). Rhode Island residents may still go outside to exercise and get fresh air; however, they must practice physical distancing while outside, wear a mask or cloth face covering in accordance with Executive Order 20-94 and any of its successors and related regulations and avoid touching surfaces frequently touched by others.</p> <p>(page 11) Child-Care Services to Continue in Small, Stable Groups</p> <p>46. Child-care services shall continue in small, stable groups pursuant to emergency regulations promulgated by the Rhode Island Department of Human Services.</p>
SOUTH CAROLINA	None found.	None found.	None found.	The Supreme Court of South Carolina “Order” (S.C. Mar. 18, 2020)

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p data-bbox="1478 310 1894 412"><https://www.sccourts.org/media/courtOrders/HTMLFiles/2020-03-18-04.htm></p> <p data-bbox="1478 456 1894 1068">Text: Pursuant to provisions of Article V, Section 4 of the South Carolina Constitution, IT IS ORDERED that until subsequent order by the Chief Justice, Family Courts statewide shall only hear emergency matters including, but not limited to hearings for the following matters: DSS Emergency Protective Custody, Juvenile Detention – including hearings for juveniles who are being held at evaluation centers, Bench Warrants, and Petitions for Orders of Protection from Domestic Abuse.</p> <p data-bbox="1478 1076 1894 1292">IT IS FURTHER ORDERED that only attorneys, their clients, and necessary witnesses will be allowed to appear for these emergency hearings.</p> <p data-bbox="1478 1333 1894 1398">This Order supersedes my prior Order dated March 16, 2020.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>The Supreme Court of South Carolina “Re: Family Court Schedule and Judicial Travel Order” (S.C. Mar. 18, 2020) https://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=2467</p> <p>Text: Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution and S.C. Code Ann. §§ 63-3-320; - 340 (2010), IT IS ORDERED that all Family Court Judges shall return to their home circuits and follow the directives as outlined in my Trial Courts Coronavirus Memorandum dated March 16, 2020. Unless otherwise ordered, only emergency hearings shall be held pursuant to my Statewide Family Court Order dated March 18, 2020. IT IS FURTHER ORDERED that each Chief Judge for Administrative Purposes shall prepare weekly schedules for their circuit’s emergency</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>hearings through May 1, 2020 and shall forward such schedules to Court Administration. In the event that the circuit does not have an adequate number of judges to cover emergency hearings due to previously-scheduled leave or illness, the Chief Judge for Administrative Purposes shall notify Judges' Scheduling at Court Administration so that another judge can be assigned as deemed necessary.</p> <p>Until further ordered, all Family Court Judges shall only preside over hearings in their home circuit beginning March 23, 2020 unless they receive an Order assigning them to a county outside of their circuit. All previously scheduled terms of court from March 23, 2020 through May 1, 2020 are hereby canceled, and all judges who are not assigned to vacation, official leave or an Administrative Week shall be assigned to chambers.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>State of South Carolina Executive Department “Executive Order No. 2020-21” (S.C. Apr. 6, 2020)</p> <p>Text: (page 6-7) Section 1 Home or Work Order B. I hereby order and direct that effective Tuesday, April 7, 2020, at 5:00 p.m., any and all residents and visitors of the State of South Carolina are required to limit social interaction, practice “social distancing” in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and slow the spread of, COVID-19, and shall limit their movements outside of their home, place of residence, or current place of above (collectively “Residence”), except as allowed by this Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations, as set forth below and as such terms are further defined herein.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>C. For purposes of this Order, Residence shall mean and include single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of occupancy. In the event of an emergency, or if a Residence is or becomes unsafe for any reason, individuals are authorized to leave their Residence and are permitted and encouraged to obtain shelter in a safe and secure alternate location. Individuals experiencing homelessness are urged to contact the appropriate governmental and other entities for assistance in identifying and obtaining safe shelter.</p> <p>(page 8) E. For purposes of this Order, Essential Activities shall mean and include as follows: 1. Caring for or visiting a family members in another Residence or transporting or travelling with a family member, provided</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>such activity is conducted with appropriate consideration of, and adherence to, guidance issued by state and federal public health and safety officials, to include the CDC, with regard to “social distancing.”</p> <p>7. Travelling as required by law, to include attending any court proceedings and transporting children as required by court order or custody agreement.</p> <p>The Supreme Court of South Carolina “Re: Suspension of Family Court Benchmark Administrative Order” (S.C. Jan. 15, 2021) https://www.einpresswire.com/article/534597303/suspension-of-family-court-benchmark-administrative-order</p> <p>Text: Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution, I find that the ongoing increase in COVID-19 cases throughout South Carolina, which has</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>necessitated the suspension of in-person proceedings in non-emergency matters in the family court, requires that the provision of the July 24, 2020 Administrative Order requiring that domestic relations and juvenile cases in the State of South Carolina be disposed of within 365 days of their filing must be suspended. Pending further order, matters shall not be dismissed on the basis that no request for a final hearing has been received.</p>
<p>SOUTH DAKOTA</p>	<p>None found.</p>	<p>State of South Dakota Office of the Governor “Executive Order 2021-08” (S.D. Apr. 20, 2021)</p> <p>Text: (page 2) Now, Therefore, I, Kristi Noem, Governor of the State of South Dakota, by the</p>	<p>None found.</p>	<p>State of South Dakota Office of the Governor “Executive Order 2020-20” (S.D. Apr. 28, 2020)</p> <p>Text: (page 1-2) Section 1 Back to Normal Plan. Every South Dakotan shall implement and follow South Dakota’s “Back to Normal Plan,” or the “Plan,” dated April 28, 2020 and attached to this Executive</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>authority vested in me by the Constitution and the Laws of the State, including but not limited to SDCL 34-48A, do hereby Order and Direct the following:</p> <p>1. No state agency, department, board, commission, or other executive branch entity or official under the direct control of the Governor shall require a private business to mandate a COVID-19 vaccine passport as described above, or any similar proof-of-COVID-19-vaccination, in order to enter government premises, receive a government benefit, license, or to do</p>		<p>Order, or a later updated version of the Plan. The plan details the expectations for individuals, businesses, schools, health care providers, and local governments to return to normal business and social interactions while accounting for the inherent uncertainties of this pandemic. The plan may be amended to respond to changing circumstances after consultation with the Medical Review Task Force and a thorough understanding of the data, facts, and science that inform this Plan. The most current version shall be followed and can be found at covid.sd.gov.</p> <p>(Page 6) Q: Does this mean I know [sic] longer have to “stay at home”?</p> <p>A: South Dakota never issued a “stay at home” or “shelter in place” order. South Dakotans are encouraged to use common sense and practice good hygiene and reasonable physical distancing.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		business with the government.		<p>The South Dakota Network Against Family Violence & Sexual Assault “Supervised Visitations and Safe Child Exchanges During COVID-19” (S.D. Mar. 25, 2020)</p> <p>Summary: A compilation of how other states are handling visitation issues.</p>
TENNESSEE	None found.	<p>Tenn. Code Ann. §14-4-103 (Tenn. 2024) “Mature Minor Doctrine”</p> <p>Text: A healthcare provider shall not provide a patient who is a minor with a COVID-19 vaccine without first obtaining written consent from the minor patient's</p>	<p><i>Edwards v. Edwards</i>, 2023 Tenn. App. LEXIS 266</p> <p>Facts: Mother appeals a modification of the permanent parenting plan to co-parenting after the parties lived by an alternate schedule for 16 months during COVID. Under their divorce, the parties agreed to</p>	<p>Governor Bill Lee “State of Tennessee Executive Order No. 22: An order directing Tennesseans to stay home unless engaging in essential activities to limit their exposure to and spread of COVID-19” (Tenn. Mar. 30, 2020)</p> <p>Text: (page 5) 9. Essential travel. For purposes of this Order, Essential Travel means: f. Travel required by law, law</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		parent or legal guardian.	<p>mother being the primary residential parent with father having parenting time alternating weekends Thursday-Monday and every other Thursday-Friday. Father filed to modify the parenting plan due to a change in circumstances because the parents followed the week off, week on schedule of Summer once COVID hit. Father also alleged that mother plans to move over 50 miles away. Mother responded alleging the change was only due to distance learning, she notified father of her intent to move, but already changed her mind. The trial court found a substantial change in circumstances and a schedule of 50-50</p>	<p>enforcement, or court order, including to transport children pursuant to a custody agreement.</p> <p>In the Supreme Court of Tennessee at Nashville “In Re: COVID-19 Pandemic: No. ADM2020-00428: Order Suspending In-Person Court Appearances” (Tenn. Mar. 13, 2020)</p> <p>Text: (page 1) Exceptions to this suspension of in-person court proceedings include, but are not limited to: Civil and criminal jury trials that are in progress as of March 13, 2020. Proceedings related to relief from abuse, including but not limited to orders of protection. Proceedings related to emergency child custody orders.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>parenting time to be in the child’s best interest. Held: The COVID-19 pandemic, distance learning, and the change to the family’s routine are a material change in circumstances. The court did not abuse its discretion in finding this change to be in the child’s best interest. Affirmed.</p>	
TEXAS	None found.	<p>Tex. Health & Safety Code §81B.003 “Prohibited Vaccine Mandate” (Tex. 2023)</p> <p>Text: (a) Except as provided by Subsection (b), a governmental entity may not implement, order, or otherwise impose a mandate requiring a person to</p>	<p><i>In re T.R.L.</i>, 654 S.W.3d 16 (Tex. App. – Houston [14th Dist.] 2022, no pet.)</p> <p>Facts: Mother appeals the modification of conservatorship of the minor child. At trial parents were appointed joint managing conservators of the child with mother having the exclusive right to designate the primary residence of</p>	<p>Governor of the State of Texas “Executive Order No. GA-14 relating to statewide continuity of essential services and activities during the COVID-19 disaster” (Tex. Mar. 31, 2020)</p> <p>Text: (page 2) In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>be vaccinated against COVID-19. (b) The prohibition under Subsection (a) applies only to the extent the prohibition does not conflict with the final rule adopted by the Centers for Medicare and Medicaid Services and published at <u>86 Fed. Reg. 61555</u> (November 5, 2021).</p> <p>Tex. Health & Safety Code §81B.004 “Prohibited Closure Mandate for Private Businesses and Schools” (Tex. 2023)</p> <p>Text: A governmental entity may not implement, order, or otherwise</p>	<p>the child. Mother allowed father to have the child whenever he asked. During April 2020 the parties agreed to a week-to-week schedule during the COVID pandemic. In September 2020 the child was with father during the week and mother on the weekends because mother had to return to work. During the pandemic only father took the child to doctor’s appointments. Father filed a petition to modify so he is the conservator and exclusive right to designate the primary residence of the child. Mother asked to return to the pre-pandemic schedule after father filed. The trial court found mother voluntarily relinquished</p>	<p>provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.</p> <p>(Does not specifically address child custody exchanges).</p> <p>In the Supreme Court of Texas “Misc. Docket No. 20-9050: Seventh Emergency Order Regarding the COVID-19 State of Disaster” (March 24, 2020)</p> <p>Text: (page 1) 3. This order applies to and clarifies possession schedules in Suits Affecting the Parent-Child Relationship. For purposes of determining a person’s right to possession of and access to a child under a court-ordered possession schedule, the existing trial court order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in place order or</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>impose a mandate requiring the closure of a private business, public school, open-enrollment charter school, or private school to prevent the spread of COVID-19.</p>	<p>primary care of the child and appointed parties as joint managing conservators with father having exclusive rights to designate the primary residence of the child. Held: The facts are sufficient to show that mother relinquished possession of the child. Mother delegated the care of the child to father and the maternal grandmother. COVID altered the lives of many people but did not force a change in circumstances.</p>	<p>other order restricting movement issued by a governmental entity that arises from an epidemic or pandemic, including what is commonly referred to as the COVID-19 pandemic.</p>
<p>UNITED STATES VIRGIN ISLANDS</p>	<p>None found.</p>	<p>None found.</p>	<p>None found.</p>	<p>In the Supreme Court of the Virgin Islands “In Re: Additional Precautionary Measures in Response to Coronavirus Disease 2019 (COVID-19) Admin Order. No. 2020-0002” (U.S.V.I. Mar. 18, 2020)</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Text: (page 2-3) 1. All previously-scheduled court proceedings, whether civil or criminal, scheduled to commence on or before April 1, 2020, before any judicial officer in any Judicial Branch facility, shall be continued without date, and no new proceedings scheduled, with the following exceptions:</p> <ul style="list-style-type: none"> • The Superior Court may continue to hold in-person Advice of Rights, as well as in-person hearings in Stalking and Domestic Violence matters; provided, however, that the Presiding Judge of the Superior Court may place limitations on which days and times that such proceedings will occur. • Each judicial officer may, in his or her discretion upon motion of a party, choose to conduct a proceeding through remote communication, i.e. video or telephone

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				<p>conference. Parties are urged not to file, and judicial officers urged not to grant, such motions unless it is an emergency matter that cannot be decided based on written filings without a hearing. In such a case, the IT Division and the Judicial Branch Administrative Office shall assist the judicial officer, the parties, and court personnel in scheduling and conducting the remote proceeding. Judicial officers shall continue to perform all other judicial duties, including ruling on motions previously argued or which do not require a hearing.</p> <p>The United States Virgin Island Office of the Governor “Supplemental Executive Order and Proclamation by the Governor of the United States Virgin Islands Establishing Prohibitions and Restrictions to Movement,</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Gatherings, and Operations of Businesses, Government and Schools, and Suspending Certain VI Code Sections to Limit the Spread of COVID-19” (U.S.V.I. Mar. 23, 2020)</p> <p>Text: (page 3) B. Additional Prohibitions of Movement, Gatherings, and Operations: ii. Beginning Wednesday March 24, 2020, a Stay-at-home order shall be in effect. (Does not specify travel for custody/visitation exchanges.)</p>
UTAH	None found.	None found.	None found.	<p>Governor Gary R. Herbert “Governor Directive to the State of Utah: The Governor’s Coronavirus Directive for Utah “Stay Safe, Stay Home”” (Utah Apr. 17, 2020)</p> <p>Text: (page 2) 7. Travel b. “Essential Travel” means travel to: i. safely relocate from an unsafe home or residence, including by an individual who has suffered or is at risk of domestic</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>violence or for whom the safety, sanitation, or essential operations of the home or residence cannot be maintained.</p> <p>iii. care for a family member or friend in the same household or another household, including transporting family members or friends.</p> <p>iv. transport a child according to existing parenting time schedules or other visitation schedules.</p>
VERMONT	None found.	<p>No policies found.</p> <p>State of Vermont Office of Governor Phil Scott “Novel Coronavirus (COVID-19): Vermont State Response & Resources (Vt. June 14, 2021) <https://governor.vermont.gov/covid19/response ></p>	None found.	<p>State of Vermont Executive Department “Addendum 6 to Executive Order 01-20 [Stay Home/Stay Safe]” (Vt. Mar. 24, 2020)</p> <p>Text: (page 2) 1. To preserve the public health and safety, to ensure the healthcare delivery system is capable of serving all, and to help protect those at the highest risk and vulnerability, Vermonters are directed to stay at home or in their place of residence, leaving only for essential reasons such as:</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>Text: On May 21, Governor Scott announced that when 80% of Vermont’s eligible population (those 12 and older) have received at least one does of the COVID-19 vaccine, the state will move to the final step of the Vermont Forward plan, which means he will remove all remaining COVID-19 restrictions.</p> <p><u>On June 14 we reached our goal of vaccinating 80% of eligible Vermonters.</u></p> <p>If you haven’t yet received your COVID-19 vaccine, you can help Vermont reach this important goal. Getting your vaccine has never been easier, and we</p>		<p>personal safety; groceries or medicine; curbside pick-up of goods, meals or beverages; medical care; exercise; care of others; and work, as set forth further below. Vermonters shall significantly restrict normal activities outside the home or place of residence, consistent with CDC guidance, to help stop the spread of the virus.</p> <p>Vermont Supreme Court “Declaration of Judicial Emergency and Change to Court Procedures” (Vt. Mar. 16, 2020)</p> <p>Text: (page 1-2) Suspension of non-emergency Superior Court hearings: Effective March 17, and notwithstanding any rule or timeline inconsistent with the guidance, all nonemergency Superior Court hearings, whether evidentiary or nonevidentiary, will be postponed. This includes jury trial and hearings that have</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>continue to find ways to make it more accessible to Vermonters across the state. Register for an appointment <u>or</u> find upcoming walk-in clinics at healthvermont.gov/myvaccine.</p>		<p>already been scheduled, except as provided below.</p> <p>a. The courts will schedule and hear only the following matters: Emergency motions to suspend parent-child contact in domestic cases. Final hearings in stalking and relief from abuse proceedings, and hearings seeking a final order after denial of an ex parte request.</p>
VIRGINIA	None found.	None found.	<p><i>Gulley v. Brinkley</i>, 2022 Va. App. LEXIS 39</p> <p>Facts: Father appeals after the court struck his petition to modify their custody agreement. As part of the divorce parties share joint legal custody and shared physical with a 2-3-2 schedule. During COVID father proposed the children stay with him since his</p>	<p>Commonwealth of Virginia Office of the Governor “Executive Order Number 55: Temporary Stay at Home Order Due to Novel Coronavirus (COVID-19)” (Va. Mar. 30, 2020)</p> <p>Text: (page 1) 1. All individuals in Virginia shall remain at their place of residence, except as provided below by this Order and Executive Order 53. To the extent individuals use shared or outdoor spaces, whether on land or on water, they must at all times maintain social distancing</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>mother can care for the children so both parents can continue to work. Mother agreed until COVID was over. Mother then agreed to the children moving with the grandmother for the 2020-2021 school year since schools remained closed. Father then filed to modify physical custody so he can move closer to his mother permanently. The court found after trial there was not a material change in circumstances and it was a temporary agreement until the pandemic was over. The court further found even if they found a change it was not in the children's best interest. Held: The court applied the proper legal standard in finding that</p>	<p>of at least six feet from any other person, with the exception of family or household members or caretakers. Individuals may leave their residences for the purpose of: D. traveling required by court order or to facilitate child custody, visitation, or child care.</p> <p>Supreme Court of Virginia's Pandemic Flu Preparedness Commission "Pandemic Influenza Bench Book for Virginia's Court System" (Va. Revised July 2017)</p> <p>Text: (page 65) d. Emergency Protective Orders in Cases of Family Abuse and Stalking • Va. Code § 16.1-253.4. Emergency protective orders authorized in certain cases; penalty. In a case of family abuse, this section allows law enforcement to request an emergency protection order (EPO) or an extension of an</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>the unusual facts of COVID do not show a material change in circumstances. The restrictions were beginning to be lifted so the children no longer needed to remain with their grandparents.</p>	<p>EPO orally, in person or by electronic means, and allows the judge or magistrate to issue an oral emergency protective order.</p> <ul style="list-style-type: none"> • Va. Code § 19.2-152.8. Emergency protective orders authorized. This section allows law enforcement to request an EPO or an extension of an EPO orally, in person or by electronic means, and allows the judge or magistrate to issue an oral emergency protective order. <p>(page 68) b. Civil</p> <ul style="list-style-type: none"> • Va. Code § 16.1-276.3. Use of telephonic communication systems or electronic video and audio communication systems to conduct hearing. This section allows a juvenile and domestic relations district court to conduct any civil proceeding, in which a party or witness is incarcerated or when otherwise authorized by the court, using telephonic communication or electronic audio and video communication system to

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				provide for the appearance of any parties and witnesses.
WASHINGTON	<p><i>Balevski v. Danilov</i>, 2024 Wash. App. LEXIS 55</p> <p>Facts: Mother has sole decision-making for non-emergency medical decision, except for major decisions like surgery or uninsured care. Father requested arbitration for the COVID vaccine to be a joint decision. The court determined the vaccine is a major decision and required joint decision making. The court then determined it was in</p>	<p>State of Washington Office of the Governor “Proclamation by the Governor Amending Proclamations 20-05 and 20-14: 21-14.1 COVID-19 Vaccination Requirement” (Wash. Aug. 20, 2021)</p> <p>Text: (page 4) WHEREAS, the sharp increase in COVID-19 cases and hospitalizations, primarily among unvaccinated populations but also in breakthrough</p>	None found.	<p>State of Washington Office of the Governor “Proclamation by the Governor Amending Proclamation 20-05: 20-25: Stay Home- Stay Healthy” (Wash. Mar. 23, 2020)</p> <p>Text: (page 3) 1. All people in Washington State shall immediately cease leaving their home or place of residence except: (1) to conduct or participate in (1) to conduct or participate in essential activities, and/or (2) for employment in essential business services. This prohibition shall remain in effect until midnight on April 6, 2020, unless extended beyond that date.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>the child’s best interest to receive the vaccine. Held: The court properly found the COVID vaccine is a major medical decision. The court also properly found it to be in the child’s best interest to receive the vaccination.</p>	<p>infections in some fully vaccinated individuals, makes it vital to expand the vaccination requirement to workers in educational settings;</p> <p>NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05, as amended, remains</p>		<p>a. Essential activities permitted under this Proclamation are limited to the following: 3) Caring for a family member, friend, or pet in another household or residence, and to transport a family member, friend or their pet for essential health and safety activities, and obtain necessary supplies and services.</p> <p>c. This prohibition shall not apply to individuals whose home or residences are unsafe or become unsafe, such as victims of domestic violence. These individuals are permitted and urged to leave their homes or residences and stay at a safe alternate location.</p> <p>The Supreme Court of Washington “In the Matter of Statewide Response by Washington State Courts to the COVID-19 Public Health Emergency: Amended Order No. 25700-B-607” (Wash. Mar. 20,2020)</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>in effect, and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), and (3), I hereby amend and supersede the prohibitions in 20-14 as set out below, subject to the conditions, exceptions, and circumstances also set forth below, for the following activities:</p> <p>1. Prohibitions. This order prohibits the following:</p> <p>a. Any Worker from engaging in work for a State Agency after October 18, 2021 if the Worker has not been fully vaccinated against COVID-19;</p>		<p>Text: (page 3) 2. All non-emergency civil matters shall be continued until after April 24, 2020, except those motions, actions on agreed orders, conferences or other proceedings that can appropriately be conducted by telephone, video or other means that does not require in-person attendance.</p> <p>3. All emergency matters, including civil protection and restraining order matters, that must be heard before April 24, 2020, must be heard by telephone, video, or other means that does not require in-person attendance, unless impossible. Where court matters must be heard in person, social distancing and other public health measures must be strictly observed. Telephonic, video or other hearings required to be public must be recorded, with the recording preserved for the record.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>b. Any State Agency from permitting any Worker to engage in work for the agency after October 18, 2021 if the Worker has not been fully vaccinated against COVID-19 and provided proof thereof as required below;</p> <p>c. Any Worker from engaging in work for the operator of an Educational Setting after October 18, 2021 if the Worker has not been fully vaccinated against COVID-19;</p> <p>d. Any operator of an Educational Setting from permitting a Worker to engage in work for the operator after October 18, 2021 if</p>		<p>(page 4) 6. Courts may enter ex parte no contact orders pursuant to RCW 10.99.040, RCW 10.99.045, RCW 10.14.040, RCW 7.90.150, RCW 9A.46.085, and/or RCW 9A.46.040, when an information, citation, or complaint is filed with the court and the court finds that probable cause is present for a sex offense, domestic violence offense, stalking offense, or harassment offense. Ex parte orders may be served upon the defendant by mail. This provision does not relieve the prosecution of proving a knowing violation of such an ex parte order in any prosecution for violating the order. Good cause exists for courts to extend ex parte orders beyond the initial period until a hearing can be held.</p> <p>(page 7-8) 14. The Court recognizes that there are procedural issue in juvenile, dependency, involuntary commitment, child support, and</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>the Worker has not been fully vaccinated against COVID-19 and provided proof thereof as required below;</p> <p>(page 8) 5. Public and Private Entities and Employers May Exceed These Requirements:</p> <p>Nothing in this order prohibits State Agencies, operators of Educational Settings, and operators of Health Care Settings from implementing requirements that exceed the requirements of this Order.</p> <p>(page 11) e. “Educational Setting” includes:</p> <ul style="list-style-type: none"> • All public and private universities, 		<p>other matters that may not be encompassed in this Order. Nothing in this Order limits other interested parties in submitting similar orders tailored to the unique circumstances of those matters and any other matters not contemplated by this Order; however, parties are strongly encouraged to contemplate the issues addressed in this order. Nothing in this order prevents courts from following specific emergency plans for such matters, including for Involuntary Treatment Act and dependency matters.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
		<p>colleges, community colleges, and technical colleges and private career/vocational schools subject to licensure by the Workforce Training & Education Coordinating Board;</p> <ul style="list-style-type: none"> • All public schools, public school districts, charter schools, private schools, educational service districts, the Washington School for the Deaf, the Washington State School for the Blind, and the Washington Youth Academy; and • All early learning and child care programs serving groups of children from 		

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		<p>multiple households, including, but not limited to, Early Childhood Education and Assistance Programs, Family Home Child Care, Child Care Centers, Outdoor, Nature-based Child Care, School-aged Child Care, license-exempt preschools, and license-exempt youth development programs (e.g., municipal parks & recreation programs, YMCA, Boys & Girls Clubs).</p> <p>e. “Fully Vaccinated against COVID-19”: A person is fully vaccinated against COVID-19 two weeks after they have received the</p>		

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		<p>second dose in a two-dose series of a COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna) or a single-dose COVID-19 vaccine (e.g., Johnson & Johnson (J&J)/Janssen) authorized for emergency use, licensed, or otherwise approved by the FDA or listed for emergency use or otherwise approved by the World Health Organization.</p>		
<p>WEST VIRGINIA</p>	<p><i>Matthew K. v. Leigh Ann. S.</i>, 2023 W. Va. App. LEXIS 308</p> <p>Facts: Father appeals the court order that found he failed to meet his</p>	<p>None found.</p>	<p>None found.</p>	<p>State of West Virginia Executive Department at Charleston State of West Virginia Executive Order No. 5-20 (W. Va. Mar. 19, 2020)</p> <p>Text: (page 2) Now, Therefore, I, Jim Justice, by virtue of the authority vested in me as the</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	<p>burden that the COVID-19 vaccine was in the child’s best interest. Under their divorce parties share 50-50 residential custody and shared decision-making. Father filed a contempt petition for multiple reasons. The basis of the appeal is father’s desire for the child to receive the COVID vaccine. After a hearing the court found father did not prove the vaccine was in the child’s best interest so child is not required to get the vaccine.</p> <p>Held: The court properly made the decision based on the child’s best interest while putting the burden of</p>			<p>Governor of the State of West Virginia do hereby DECLARE that counties have the authority and flexibility to evaluate courthouse services and staffing and to make decisions that are in the best interest of each respective county, as each respective county may determine. Counties have the authority under state law to issue orders and guidance and to take other actions to effectuate the order and guidance of county commissioners, in consultation with circuit court judges where appropriate.</p> <p>State of West Virginia Executive Department at Charleston “State of West Virginia Executive Order No. 9-20” (W. Va. Mar. 23, 2020)</p> <p>Text: (page 2) 1. Stay at home or your place of residence. To preserve public health and safety, and to ensure the healthcare system in West</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
	proof on father since there was no evidence beyond the GAL's limited opinion testimony to support the child receiving the vaccine.			Virginia is capable of serving all citizens in need, especially those at high risk and vulnerable to COVID-19, all individuals within the State of West Virginia are under a general stay-at-home order and are directed to stay at home or their place of residence unless performing an essential activity. An activity is essential if the purpose of the activity is one of the following: (age 3) e. Going to and from the home of another individual who, under the terms of a parenting plan or similar agreement, is entitled to visitation with or the care of a child.
WISCONSIN	None found.	None found.	None found.	<p>Supreme Court of Wisconsin “In Re the Matter of Remote Hearings During the COVID-19 Pandemic” (Wis. Mar. 22, 2020)</p> <p>Text: (page 1) NOW THEREFORE, IT IS HEREBY ORDERED that the courts of</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>the State of Wisconsin remain open. Nevertheless, all in-person proceedings in all appellate and circuit courts are hereby suspended through Thursday, April 30, 2020. This suspension may be extended or modified by court order as circumstances may warrant. All judges, court commissioners and court clerks are required to utilize available technologies – including e-mail, teleconferencing, and video conferencing in lieu of in-person courtroom appearances. The suspension of in-person proceedings is subject to the following exceptions if remote technology is not practicable or adequate to address these matters:</p> <p>(page 2) Other exceptions approved by the Chief Judge of the Judicial District, the Chief Judge of the Court of Appeals, or the Chief Justice of the Wisconsin Supreme Court, for the respective proceeding, as applicable.</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>Any party may request a hearing to determine the mode and schedule for any proceeding, which hearing shall be held telephonically or by video conferencing, but all non-essential hearings are to be postponed or conducted remotely. (Neither protection orders nor custody matters are part of the exceptions.)</p> <p>State of Wisconsin Department of Health Services “Emergency Order #28 Safer at Home Order” (Wis. Apr. 16, 2020)</p> <p>Text: (page 2-3) 1. Stay at home or place of residence. All individuals present within the State of Wisconsin are ordered to stay at home or at their place of residence, with exceptions outlined below. To the extent individuals are using shared or outdoor spaces other than their home or residence, they</p>

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				<p>must at all times as reasonably possible maintain social distancing of at least six (6) feet from any other person consistent with Social Distancing Requirements as defined below, except that they do not need to maintain social distancing between individuals residing in a single living unit or household. Individuals may leave their homes or residences only for the following functions as are defined in this Order:</p> <ul style="list-style-type: none"> a. Essential Activities (defined in section 11); e. Essential Travel (defined in section 15); <p>(page 10) DEFINITIONS 11. Essential Activities. Individuals may leave their home or residence to perform any of the following:</p> <ul style="list-style-type: none"> a. Health and safety. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members, including

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
				<p>pets, such as, by way of example only and without limitation, obtaining medical supplies or medication, seeking emergency services, or visiting a health care or behavior health care professional. Individuals should rely on telehealth options whenever feasible. (page 11) e. Take care of others. To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed in this Order. (page 19-20) 15. Essential Travel. Individuals are strongly encouraged to remain at their primary residence or home. Travel to second homes or residences should be avoided if possible. Consistent with federal guidance and to protect our neighboring states, Wisconsinites are encouraged to stay close to home and strongly discouraged from engaging in unnecessary travel. Individuals engaged in any Essential Travel must comply with Social</p>

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				<p>Distancing Requirements to the extent possible. For the purposes of this Order, Essential Travel includes:</p> <p>e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.</p>
<p>WYOMING</p>	<p>None found.</p>	<p>None found.</p>	<p><i>Burrow v. Sieler, 2021 WY 120 (Wyo. 2021)</i></p> <p>Facts: Mother appeals the district court holding her in contempt for denying father summer and Thanksgiving visitation. Under the parties divorce, entered in October 2019, they shared joint legal custody and father had visitation three weekends a month, and</p>	<p>In the Supreme Court, State of Wyoming “In the Matter of the Wyoming Supreme Court’s Temporary Plan Regarding COVID-19 Pandemic” (Wyo. Sep. 22, 2020)</p> <p>Text: (page 1) 2. All other in-person proceedings in all Circuit and District Courts and the Supreme Court in Wyoming should be suspended, except those set forth below</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			<p>summer vacation with mother receiving weekends and two weeks vacation in the summer. In Summer 2020 father filed an order to show cause for mother to be held in contempt. Mother was held in contempt for denying father summer vacation and Thanksgiving.</p> <p>Held: Mother appeals that she willfully disobeyed the divorce decree because it did not specify how to handle visitation during a pandemic and she acted based on her understanding. However, parties held a conference in May 2020 that clarified the court order. Further, the failure of the order to contemplate a global pandemic did not make it ambiguous. The court</p>	<p>c. Proceedings related to relief from abuse, including but not limited to orders of protection; d. proceedings related to emergency child custody orders (page 4) This order does not prohibit any court proceeding which may be conducted by telephone, video, teleconferencing, or other means that do not involve in-person contact. It is not intended to affect courts' consideration of matters that can be resolved without in-person proceedings. Orders of protection and temporary injunctions that would otherwise expire between March 18, 2020 and October 5, 2020, are hereby extended until December 15, 2020</p>

STATE	VACCINE CASE LAW	VACCINE POLICIES	CUSTODY/ VISITATION CASE LAW	CUSTODY/VISITATION POLICIES AND COURT PROCEDURE
			did not abuse its discretion by disallowing mother to require a COVID test for father to receive his visitation.	