

**Judicial District 2 Pilot Project:
Using Parenting Coordination
in Complex, High Conflict
Child Custody Cases**

November 13, 2025

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I. Background & Acknowledgements

Through the work of the Supreme Court Commission on Children in the Courts' Subcommittee on High Conflict Cases in District Court, a pilot project has been developed to explore the use of Parenting Coordination, an alternative dispute resolution process. This pilot affords parents an opportunity for assistance when there is recurring contact with the courts regarding implementation of a parenting plan due to ongoing parental conflict. Through the parenting coordination process, a goal is that parents learn skills that equip them to handle future disagreements and, ultimately, reduce their child's exposure to harmful parental conflict.

Parenting Coordination is a well-recognized process that has widely used for 20+ years. When developing this pilot project outline, the Subcommittee referenced various documents to create an outline that is built from recognized programs. We would like to recognize and thank the following:

- The Association of Family and Conciliation Courts (AFCC)
- The Supreme Court of Ohio, Office of Court Services, Dispute Resolution Section

II. Introduction

As defined by the Association of Family and Conciliation Courts, “[p]arenting coordination is an alternative dispute resolution process combining assessment, education, case management, conflict resolution and, sometimes, decision-making functions.”¹

The recommended Parenting Coordination Procedures in this document provides information and resources for parenting coordinators and courts when implementing, reviewing, or improving the use of parenting coordinators for high conflict custody cases. These are cases in which the parents have court approved parenting plan but have frequent court interactions due to implementation struggles, and are voluntarily agreeing to the use parenting coordination. This document is intended as a guide and has no independent legal authority.

Parenting coordination process for parents who 1) have difficulty complying with court orders or following established parenting arrangements, 2) do not communicate effectively with each other, 3) are unwilling or unable to jointly make parenting decisions, or 4) do not shield their children from the impact of parental conflict. The use of a parent coordinator can be recommended by a judge, attorney, or mediator, and is a child-focused dispute resolution process that combines assessment, education, case management, conflict management, coaching and decision-making. If parents agree to Parenting Coordination, the judge will formalize the process through an order.

Parenting coordinators are lawyers licensed in Nebraska who have mediation and Parenting Coordination training, and 5 years of experience as a family law attorney. The parenting coordinator's scope of authority is outlined the court order appointing the parenting coordinator.

¹ “Understanding the Parenting Coordination Process,” Association of Family and Conciliation Courts, accessed March 10, 2025, <https://www.afccnet.org/Resource-Center/Family-Resources/Understanding-the-Parenting-Coordination-Process>

III. Goals of Parenting Coordination

- Help parents understand the impact that parental conflict may have on the child(ren).
- Another means of dispute resolution when mediation is unsuccessful or inappropriate due to a high level of conflict.
- An aid to help parents move toward healthier communication and an ability to co-parent.
- An aid to help parents follow Court orders.
- Support a process for the parent to learn to move forward through their conflicts.
- Help the parents explore other techniques for resolution and improve communication.
- Reduce repeated litigation in Courts.
- Provide parents with an avenue to have their voices heard in a speedy manner and stay out of the hostility of the courtroom.
- Reduction of attorney fees.
- Help follow and decipher court orders.
- Further explore accessibility for parents unable to pay for the service.

IV. Overview of Parenting Coordination Process

The attorneys shall have the express agreement of the proposed parenting coordinator prior to the order being issued. Once parenting coordination has been ordered, the council of record should provide the court order along with any other pertinent information to the parenting coordinator. It is recommended the parenting coordinator be added as a party to the case in JUSTICE. The order should be specific and detailed and provide that the parties have a set amount of time to reach out to the parenting coordinator to schedule an intake appointment. Parenting Coordination orders can be modified as needed.

After the appropriate screening and intake has occurred, the parenting coordinator assists the parties in implementing their parenting plan within the parameters of the court's order. The parenting coordinator facilitates conversations between the parents in these high-conflict cases, with a goal of minimizing continued litigation. The parent coordinator monitors compliance with the details of the plan and make recommendations and/or decisions for the parties. The parenting coordinator's appointment typically lasts from one to three years with the outcome being that the parties are able to implement their parenting plan and communicate with one another without the need for assistance.

V. Confidentiality & Privilege

Parenting coordination is not confidential or privileged, except as provided by law.

VI. Court Responsibilities

A. Types of Cases

Cases may be referred to parenting coordination at the time of entry of the decree of dissolution, modification, or order of paternity. Cases with any of the following attributes may be appropriate for

parenting coordination. This is not an all-inclusive list and there may be other situations that would benefit from parenting coordination.

- The parties need assistance in implementing their parenting plan due to their disagreements. A decree, modification, or order of paternity should be specific (e.g., holiday parenting time) and not defer decision making to parenting coordination. Instead, a parenting coordinator will use dispute resolution techniques when assisting the parents.
- The child is adversely affected by parental conflict that has not been resolved by previous litigation or other interventions.
- The parenting time schedule requires frequent adjustments to maintain age-appropriate contact with both parents, specified in the court order, and the parents have not been able to reach agreement and have needed court interventions.
- The child has a medical or psychological condition or disability which requires frequent decisions regarding treatment or adjustments to the parenting time schedule, specified in the court order, and the parents have not been able to reach agreement and have needed the court to make decisions for them.
- One or both parties have a medical or psychological condition that impedes their ability to reach agreements unassisted, even on minor issues.

Topics appropriate through parenting coordination include:

- | | |
|--|--|
| • Implementing terms of parenting plan | • Extracurricular activities, camps, jobs of children |
| • Guidelines for communication | • Minor changes to parenting schedule, including breaks and holidays |
| • Improving parenting skills | • Haircuts, piercings, and tattoos of children |
| • Developing parenting strategies to reduce conflict | • Cars and cell phones |
| • Identifying sources and causes of conflict | • Schedules between homes |
| • Discipline and household rules/expectations | • Daily decisions related to bedtime, diet, clothing, homework |
| • Exchange processes | • School when attendance issues arise |
| • Administration of medications | • Sharing of information |
| • Childcare, doctors, dentists | • Framework when in shared spaces (conference, concerts, sports) |
| • Medical, dental, and vision decisions and bills | |
| • Shared expenses | |

Decisions not allowed through parenting coordination include:

- Change in legal or physical custody.
- Change school placement.

- Substantive changes to the parenting time schedule and/or ongoing changes to the parenting time schedule.
- Modify child support, the division of uncovered medical expenses, or the allocation of tax exemptions or benefits.

The court may not order Parenting Coordination in criminal domestic violence or civil protection order cases if it is not safe for the parties or the parent coordinator.

B. Qualifications of Parent Coordinators

For a parent coordinator to be appointed, they should meet the qualifications, education, and training requirements outlined in Section VI. H. of this document.

The Office of Dispute Resolution (ODR) will:

- Maintain a roster and ensure that all parenting coordinators on the roster are qualified both initially and on an ongoing basis.
- Develop an application form and require all prospective parenting coordinators to complete this application form and provide documentation that they have completed the required training and education and are otherwise qualified to serve as a parenting coordinator.
- Develop a system to track parenting coordinator compliance with the continuing education requirement for all parenting coordinators on the roster.
- Maintain an electronic (and/or paper) file for each parenting coordinator on the roster. This file should contain the following:
 - The parenting coordinator's approved application and documentation of satisfaction of the training and education and other requirements outlined in this document.
 - Documentation of completion of 12-hour per year of continuing education, including training in domestic intimate partner abuse (DIPA), ethics, custody and parenting time, and child development

C. Receiving and Evaluating Comments and Complaints

Courts are encouraged to establish a process for accepting and addressing written comments and complaints about parenting coordination.

D. Screening for Domestic Abuse and Parties' Capacity to Participate in Parenting Coordination

It is recommended to develop a screening procedure to determine if there has been domestic intimate partner abuse, unresolved parental conflict, or child abuse/neglect between the parties and to evaluate the capacity of the parties to participate in parenting coordination. The screening procedure should have three components:

1. An initial screening by the court before the parties are referred to parenting coordination,
2. A second, more in-depth screening by the parenting coordinator prior to any joint meetings with the parties, and
3. Ongoing screening by the parenting coordinator throughout the parenting coordination process.
4. If any psychological, chemical, or other evaluations have been completed on either parent, these should be shared with the parenting coordination at the outset of the appointment.

Initial screening by the court can help avoid situations in which inappropriate cases are referred to parenting coordination. The court screening process should at a minimum include:

- An explanation about parenting coordination to the parties either from the bench or in a written document.
- A preliminary determination if there is domestic intimate partner abuse, unresolved parental conflict, child/abuse neglect, or other factors that may impact a party's ability to participate in the parenting coordination process.
- Consideration of any concerns or fears expressed by the parties.

Screening protocols for parenting coordinators are discussed below.

E. Identify Whether Parenting Coordination is Permitted: Domestic Abuse Considerations

For the purpose of this pilot, when screening determines that there is domestic intimate partner abuse, unresolved parental conflict, or child/abuse neglect, the case is not appropriate for parenting coordination.

F. Appointment Orders

After initial screening and identifying that the case is appropriate for parenting coordination, the court shall contact an approved parenting coordinator and provide information about the case allowing the parenting coordinator the opportunity to accept or decline the appointment.

Parenting coordination should be established by a court order appointing the parenting coordinator. Council of record should provide the court order along with any other pertinent information to the parenting coordinator. The appointment orders should include the following provisions:

- The name and contact information of the parenting coordinator.
- A description of the parenting coordinator's role, the scope of the parenting coordinator's authority, and a general description of the parenting coordination procedures.
- The time in which the parties must contact the parenting coordinator for their initial screening.

- Information about the parenting coordinator's access to information and the limitations to confidentiality.
- The term or length of time of the appointment, including how to renew, modify, or terminate the appointment.
- The requirement for parents to maintain ongoing legal counsel throughout the term of the parenting coordination appointment. This should also be included in the contracts between the parenting coordinator and each party.
- The allocation of responsibility among the parties for the fees and expenses of parenting coordination.
- The extent of the parenting coordinator's authority to make decisions and the procedure for decision-making.
- The procedure the parties must use to object to the decisions of the parenting coordinator and the judicial review process when an objection is filed.
- Any other provisions the court wants to address.

G. Objections to Parenting Coordinator's Decisions

The court order appointing a parenting coordinator shall include a process for objections to parenting coordinator's decisions.

H. Parenting Coordinator Training, Education, and Competence

For the purpose of this pilot, parenting coordinators must be a Nebraska licensed attorney. It is very important that parenting coordinators have extensive experience, both practical and professional, with situations concerning children. Most parenting coordinators have previously served as a Guardian ad Litem or a divorce mediator, practiced family law, or worked with families and children in a mediation or Specialized ADR context.

Qualified parenting coordinators will have extensive training in parenting coordination, in addition to their professional training. Specifically, they must complete a specific parenting coordination training and be trained in mediation. Additionally, parenting coordinators must complete at least 12 hours every two (2) years of continuing education.

The required parenting coordination education and training does not necessarily prepare a parenting coordinator to handle all cases. A parenting coordinator must decline an appointment, withdraw from a case, or ask for assistance when the facts and circumstances of the case are beyond the parenting coordinator's skills or expertise. Similarly, a parenting coordinator must decline an appointment, withdraw from a case, or ask for assistance if personal circumstances compromise their ability to perform their responsibilities as a parenting coordinator.

VII. Parenting Coordinator Responsibilities

A. Overview

A parenting coordinator is responsible for providing the parties with an impartial parenting coordination process. Parenting coordinators are required to comply with the “2019 Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination (hereafter “guidelines”). The guidelines are provided in the Appendix.

B. Preparing for a Case

When preparing for an appointment as a parenting coordination through a court order, it is important to:

- Obtain a copy of the court order for parenting coordination and review details to ensure the order has all the necessary details, such as:
 - How the parent coordinator will report to the court.
 - Implementation and the binding nature of the parent coordinator’s decisions.
 - Procedure for reporting new instances of domestic intimate partner abuse, substance use, or criminal charges.
 - Fees
- Inform parents about parenting coordination, including the role of the parent coordinator, communication between the parents and the parent coordinator, as well as others, confidentiality, and fees. The parenting coordinator shall reiterate to the parties that they are unable to provide legal advice. This information should be contained an Engagement Agreement provided to each parent for their review and signature.
- The parent coordinator should familiarize themselves the case. This includes screening and individual interviews with each parent and reviewing pertinent information regarding the family’s case. This may include a review of court orders, parental agreements (stipulations, parenting plan), prior assessments, affidavits, medical and educational records, information from other professionals serving the family, no contact orders, etc.
- Facilitate implementation and compliance with existing orders, parenting plan, and court-approved agreements (i.e., stipulations). This can be accomplished through individual meetings, joint meetings, or caucused meetings. Through this facilitation, identify areas of concern or disputes between the parents and areas in which they are in agreement, and clarify priorities that have been voiced.
- The parent coordinator will provide education, guide the parents through problem solving, manage conflicts, promote collaboration, offer recommendations, make decisions, and produce reports that will be submitted to the Court.
- The parent coordinator should keep the best interest of the children in the forefront with the parents. Important conversations and education involve child development, the effect of conflict on children, how to improve parenting and communication skills. A goal is to assist the

parents in building skills in the areas of self-determination and self-resolution that leads to improved parenting.

- The parent coordinator will draft agreements reached by the parents, unless other specified by the court order
- Other than the initial screening and scheduling, the parent coordinator shall not delegate parent coordinator responsibilities to anyone else.

C. Conflicts of Interest

A parenting coordinator must keep the best interest of the children in the forefront in making recommendations and decisions. Therefore, the parenting coordinator is not neutral as to outcomes. However, the parenting coordinator must be free from favoritism or bias towards either parent or any other party. Avoiding conflicts of interest helps the parenting coordinator avoid favoritism or bias towards a party.

A parenting coordinator shall avoid actual and apparent conflicts of interest from relationships with the parties or the children. This includes professional or personal contacts with the parties or others involved in the case.

A parenting coordinator shall notify the court and the parties of any actual or apparent conflict of interest and any action they have taken to resolve the conflict. If the parenting coordinator is not able to resolve the conflict, they will ask the court for direction about how to proceed.

A parenting coordinator is not permitted to serve in multiple roles, either concurrently or sequentially, with the same family, even with the consent of the parties. Thus, a Guardian ad Litem is not permitted to change roles and be appointed as the parenting coordinator for the parties. Similarly, a parenting coordinator may not have served, and may not serve in the future, as a confidential mediator court evaluator, child advocate, attorney, co-parent coach or other professional for the family. The focus of this provision is on avoiding multiple formal roles. It does not prevent the parenting coordinator from using techniques and skills that might also be used by professionals in other roles. For example, it does not prevent the parenting coordinator from using mediation skills in attempting to facilitate an agreement between the parties or making recommendations about parenting methods in their parenting coordinator role.

Parenting coordinators are encouraged to make appropriate referrals to attorneys, counselors, parenting educators and other services who may assist the parents. In making these referrals, a parenting coordinator must avoid conflicts of interest and not receive any commission, rebates, or any direct or indirect remuneration from these referrals.

D. Screening

Screening for domestic abuse, coercive control and other factors that may impact a party's ability to participate in the parenting coordination process is necessary in every case. The dispute resolution portion of the parenting coordination process may be inappropriate and possibly misused by the perpetrator in cases where there has been a pattern of threats, intimidation, and coercive control by one co-parent over the other co-parent. Screening can identify in advance cases that require specific protocols and other safeguards and cases in which parenting

coordination is not appropriate. The parenting coordinator must conduct their own screening even if the judge did a preliminary screening before issuing the parenting coordination order. This is important because the parties may not disclose all relevant information to the decision maker in their case or even to their own attorney. Additionally, the parenting coordinator will have a much better understanding of any issues or concerns if they hear them directly with the party.

Parenting coordinators should conduct an individual and private screening interview with each party separately prior to the first joint meeting. The screening interview can be part of an introductory session, and it may be conducted in-person, by videoconference, or by telephone. A parenting coordinator may ask the party to complete a written intake questionnaire prior to the interview and discuss the party's responses during the interview, or the parenting coordinator may do the entire screening verbally in an interview. The parenting coordinator should keep in mind, and inform the parties, that the written questionnaire and any other documents submitted are not confidential.

The parenting coordinator should use the information obtained in the screening to assess each party's ability to participate in the parenting coordination process and to design a safe, appropriate, and effective parenting coordination process for the parties. The parenting coordinator should briefly check in with each party before each joint session to ask if anything has changed or if the party has new safety concerns. The parenting coordinator should also informally screen the parties throughout the parenting coordination process to evaluate if parenting coordination remains appropriate.

Parenting coordinators are encouraged to use one of the following screening protocols that have been approved by the State Court Administrator. The screening protocols are provided in the Appendix.

- Nebraska IPV Screening Guide
- Nebraska Mediation Screening Tool
- Screening Discussion Outline

E. Fee Considerations

- The fee amount, including what portion is paid by each parent (e.g., 50% equal share of fees), should be included in the court order and the Engagement Agreement.
- Consider using a retainer for fees.
- The parent coordinator's engagement agreement should clearly state the course of action of fees are not paid, including termination of the parenting coordination process.
- The Parenting Coordination should have policies in place that address missed appointments, late notice cancellations, and returned check fees, as well as how to handle if one parent is requiring a lot of your time.

F. Confidentiality

Communications within the parenting coordination process are not confidential or privileged except as otherwise provided by law. At the beginning of the parenting coordination process, the parenting coordinator must notify the parties that they will be requesting information from collateral sources such as teachers, counselors, family members and ensure that the appropriate release documents are signed

The parenting coordinator must also inform the parties that information and documents the parents give the parenting coordinator may be shared with the co-parent, any other parties to the case, the court, and other involved participants such as family members and professionals. Additionally, the parenting coordinator should notify the parties about any mandatory reporting requirements the parenting coordinator must follow.

While there is not confidentiality within the parenting coordination process (i.e., information exchanges within the parenting coordination), information obtained through the parenting coordination process is not available to the general public and access to parenting coordinator communications and records is not available through public records requests.

VIII. Evaluation of Parenting Coordination Pilot Project

The Parenting Coordination Pilot was created with the hope of implementing a process for families experiencing a higher level of conflict by assisting parents in resolving their differences without continual judicial intervention. It is the intent of the Administrative Office of the Courts and Probation, through the Office of Dispute Resolution, to evaluate this pilot project, including but not limited to:

- Determining the level of satisfaction of parents using a parenting coordinator, including number of appeals of decision by the parenting coordinator.
- Determining if there is a reduction of judicial intervention in complex, high conflict family cases.
- Determining if there is a reduction of exposure to ongoing conflict between their parents by their children.
- Examining issues addressed/resolved through the parenting coordination process and if there are issues that have a higher success rate while using a parenting coordinator.
- Determining if there is a cost savings to the courts as well as to families when implementing parenting coordination.
- Determining if there is an improvement in co-parenting communication and decision-making at the conclusion of the parenting coordination process.
- Analyzing the time spent on cases by parenting coordinators.

With the pilot currently in only one courtroom, data collection for purposes of an evaluation will occur from May 1, 2025, through April 30, 2026, or until such time that a sufficient data set to ensure anonymity of the families.

IX. Future Outlook: Bringing Parenting Coordination Pilot to Your Court

A. Benefit

Implementing a parenting coordination process could help many high conflict, post-decree families. Parenting coordinators can quickly address issues, versus extended and continuous litigation. Cases with assigned parenting coordinators have fewer contempt of court hearings and modifications, thus lifting a heavy burden off the court. Costs are significantly reduced because of less involvement by lawyers and the court. Children are served better with rapid results by professionals trained in mediation, child development, and conflict resolution.

B. Process to Join the Pilot

- Meet as a court to discuss the feasibility of joining this pilot to implement parenting coordination as a dispute resolution process.
- Review the sample documents included in this guide.
- Contact the Office of Dispute Resolution to schedule a conversation with Judge Stefanie Martinez and an approved parenting coordinator to talk through the logistics of the pilot.
- Educate the local bar about the pilot project and encourage attorneys to consider whether their cases might be appropriate for a Parenting Coordination order.

X. Appendix – Parenting Coordination Documents and Forms

- A. Guidelines for Parenting Coordination, Association of Family and Conciliation Courts (AFCC) 2019.
- B. Nebraska IPV Screening Guide
- C. Nebraska Mediation Screening Tool
- D. Screening Discussion Outline
- E. Sample Coordination Intake
- F. Sample Agreement to Participate in Parenting Coordination
- G. Sample Parent Coordination Services Agreement
- H. Sample Parenting Coordination Order



Association of Family and Conciliation Courts

Guidelines for Parenting Coordination

**Guidelines for
Parenting Coordination**

Developed by

The AFCC Task Force on Parenting Coordination

2017-19

Foreword

The Guidelines for Parenting Coordination (“Guidelines”) are the product of the interdisciplinary AFCC Task Force on Parenting Coordination (“Task Force”). These Guidelines build on two previous AFCC task forces, which produced the report, “Parenting Coordination: Implementation Issues”¹ and the first set of AFCC Guidelines for Parenting Coordination.²

It is noteworthy that, as the parenting coordination model has been implemented in various jurisdictions, there has been variation in the authority of a parenting coordinator (“PC”), the stage of the legal process when a PC is appointed, the various functions of a PC, the qualifications and training of a PC, and the best practices for the role.

In 2017, then AFCC President Annette Burns recognized the need to update the 2005 Guidelines to reflect developments that had occurred worldwide since the Guidelines were first promulgated. She appointed the current Task Force on Parenting Coordination (“Task Force”). Task Force members met monthly via videoconference and in person at AFCC Conferences in Boston, Massachusetts (June 2017), Milwaukee, Wisconsin (November 2017), Washington, D.C. (June 2018) and Denver, Colorado (November 2018).

While revising the 2005 Guidelines, the Task Force identified issues in need of exploration: use of technology in parenting coordination; parenting coordination when intimate partner violence (IPV) is an issue; diversity awareness and responsiveness; and, the evolution and impact of legal directives since the emergence of parenting coordination.

To inform the process, two subcommittees were formed. The Legal Subcommittee reviewed current case law, statutes, rules, and regulations across jurisdictions and identified key differences and nuances in the law. This subcommittee also looked at practices in jurisdictions that are currently without formal laws pertaining to parenting coordination, those where law is being developed, and some of the policies and practices in countries where the practice of parenting coordination is emerging. The updated Guidelines are intended to reflect current developments while respecting variances in law and practice across jurisdictions.

The Resource Subcommittee identified resources including publications and other resources that have served to inform and document the practice of parenting coordination as it has advanced over the last approximately 12 years.

Feedback from AFCC membership was solicited throughout the process in several ways: (1) The Task Force surveyed AFCC members to examine parenting coordination practices³; (2) open forums and breakout sessions focusing on the Guidelines were held at AFCC conferences in

¹ See AFCC Task Force on Parenting Coordination, Parenting Coordination: Implementation Issues, (2003) *Family Court Review*, 41(4). 533-541.

² See Guidelines for Parenting Coordination developed by the AFCC Task Force on Parenting Coordination, (2006), *Family Court Review*, 41 (1), 164-181.

³ Much appreciation to Michael Saini, Ph.D., Associate Professor, Factor-Inwentash Faculty of Social Work, for his assistance in developing the surveys and data analysis.

Milwaukee, Wisconsin; Denver, Colorado; Washington DC; and, (3) draft Guidelines, were posted for public comment, resulting in numerous revisions.

The members of the AFCC Task Force on Parenting Coordination (2017 - 2019) were: Debra K. Carter, Ph.D., Chair; Ann M. Ordway, J.D., Ph.D. and Linda Fieldstone, M.Ed., Reporters; Hon. Dolores Bomrad, J.D.; Dominic D’Abate, Ph.D.; Barbara Fidler, Ph.D.; Alexander Jones, J.D., MSW; Mindy Mitnick, Ed.M., M.A.; John A. Moran, Ph.D.; Daniel T. Nau, J.D.; Matthew Sullivan, Ph.D.; Robin Belcher-Timme, Psy.D., ABPP.; and, Leslye Hunter, M.A., AFCC Associate Director.

GUIDELINES FOR PARENTING COORDINATION

Overview

Parenting coordination is a hybrid legal-mental health role that combines assessment, education, case management, conflict management, dispute resolution, and, at times, decision-making functions. Parenting coordination is a child-focused process conducted by a licensed mental health or family law professional, or a certified, qualified or regulated family mediator under the rules or laws of their jurisdiction, with practical professional experience with high conflict family cases. The parenting coordinator (“PC”) assists coparents⁴ engaged in high conflict coparenting to implement their parenting plan by: (1) facilitating the resolution of their disputes in a timely manner; (2) educating coparents about children’s needs; and, (3) with prior approval of coparents or the court, making decisions within the scope of the court order or appointment contract. A PC seeks to protect and sustain safe, healthy, and meaningful parent-child relationships.

Parenting coordination is for coparents who are unable or unwilling to jointly make parenting decisions, communicate effectively, comply with parenting agreements and orders or shield their children from the impact of parental conflict. A PC makes recommendations and, if authorized, legally binding decisions for coparents and may report to the court; therefore, a PC should be appointed by and accountable to the court. Both coparents may agree to participate in the parenting coordination process, and in some jurisdictions this agreement may be implemented without a court order. However, a court order is prudent in these cases. The authority inherent in the role of a PC is substantial whether stipulated by coparents or ordered by the court. Therefore, it is important that any jurisdiction implementing parenting coordination adopt and adhere to a set of guidelines for parenting coordination practice and programs.

The dispute resolution process central to a PC’s role may be inappropriate and potentially misused by perpetrators of intimate partner violence (IPV), who have exhibited or are continuing to exhibit patterns of violence, threat, intimidation, and coercive control over their coparent. Accordingly,

⁴ Coparent refers to an individual who shares legal responsibility for a child with another individual, regardless of biological relationship or the circumstances under which responsibility has been initiated or defined. Coparents may include grandparents, guardians, or others who serve in a quasi-parenting role with a child.

each jurisdiction should have in place a clearly delineated process to develop specialized parenting coordination protocols, screening, procedures, and training in cases involving IPV.

The purpose of these Guidelines is to provide detailed guidance related to:

1. practice for PCs;
2. ethical obligations and conduct of PCs;
3. PC qualifications, including relevant education, training and experience;
4. assistance to courts, professional organizations, educational institutions, and professionals that are developing and implementing parenting coordination programs.

The Guidelines for Parenting Coordination include different levels of guidance.

These Guidelines are aspirational and offer guidance in best practices, qualifications, training and ethical obligations for PCs. AFCC does not intend these Guidelines to define mandatory practice and they are not intended to create legal rules or standards of liability. Each jurisdiction may vary in its practices; however, minimum guidelines and best practices are provided. The word “shall” is typically used in the guidelines not because AFCC enforces or requires adherence, but to be consistent generally with practice requirements of other regulatory bodies and are thought to be best practice.

- Use of the term “may” is the lowest strength of guidance and indicates a practice a PC should consider adopting, but from which the PC may deviate in the exercise of good professional judgment and may be related to jurisdictional variances or other circumstances.
- Use of the term “should” indicates that the practice described is highly desirable and should be departed from only with very strong reason.
- Use of the term “shall” is a higher level of guidance to a PC, indicating that the PC should not have discretion to depart from the practice described.

Guideline I - Competence

A PC shall be qualified by education and training to undertake parenting coordination and shall continue to develop professionally in their associated roles and functions.

- A. **Professional Background and Experience.** A PC shall be a licensed mental health or family law professional, or a certified, qualified or regulated family mediator, under the rules or laws of their jurisdiction. A PC should also have extensive practical professional experience with family cases involving high conflict coparenting dynamics.

- B. **Family Mediation Training.** A PC should have training and experience in family mediation. A PC should become a certified, qualified, or regulated family mediator under the rules or laws of the jurisdiction where he or she practices, if such certification, qualification, or regulation is available.
- C. **Parenting Coordination Training.** A PC shall have training in the parenting coordination process, family dynamics in separation and divorce, dynamics related to parents who were never married to each other, child development, parenting coordination methods and techniques, court specific parenting coordination procedures, family law as it pertains to the parenting coordination process, intimate partner violence, child maltreatment and other safety issues relevant to the parenting coordination process, ethical considerations pertaining to the parenting coordination process, diversity as it affects the parenting coordination process, coparenting relationships, and the use of technology within the parenting coordination process. Recommendations for Comprehensive Training of Parenting Coordinators incorporating specific modules are included as Appendix A.
- D. **Arbitration/Decision-Making Training.** A PC shall have training in decision-making processes where this function of the PC role is permissible by law.
- E. **Continuing Education:** A PC shall maintain professional competence in the parenting coordination process. A PC shall regularly participate in educational activities promoting professional growth⁵.
- F. **Laws and Guidelines.** A PC shall be familiar with the laws governing parenting coordination practice in their jurisdiction, if any, and to comply with those laws. Where specific guidelines conflict, a PC should first comply with the law in the jurisdiction where that PC is practicing, as well as their professional codes of conduct.
- G. **Circumstances Affecting Competence and Role as PC.** A PC shall decline an appointment, withdraw, or request appropriate assistance when the facts and circumstances of the case are beyond a PC's skill or expertise, or personal circumstances (e.g., medical, mental health, substance misuse or dependence, etc.) exist that compromise a PC's ability to perform their role.
- H. **Consultation.** A PC may participate in collegial or peer consultation or mentoring to receive feedback and support on cases, as needed, subject to confidentiality requirements set forth in Guideline V. Consultation is distinguished from supervision in that a PC can choose whether to follow advice from the consultant; a consultant has no authority over the actions or behavior of a PC who consults with them; and, the consultant does not assume responsibility nor incur liability for any actions taken by a PC before, during, or following the consultation.
- I. **Diversity Awareness and Responsiveness.** A PC shall obtain continuing education for diversity awareness to ensure they are providing responsive and competent services, taking

⁵ AFCC Guidelines for the Use of Social Science Research in Family Law (2019), *Family Court Review*, 57(2), 193-200.

into consideration core cultural identities such as race, ethnicity, religion, gender, sexual orientation, and socioeconomic status; as well as potential cultural identities that may not be obvious, but which likely affect an individual's personal presentation (such as an illness or disability) and worldview. A PC shall also be aware of the diverse nuances of specific family structure, such as same gender coparents, blended families, and extended family caregivers.

Guideline II - Impartiality

A PC shall maintain impartiality in the parenting coordination process, although a PC is not neutral when making recommendations and decisions that impact best interests of the children. Impartiality is defined here as freedom from favoritism or bias in word or action.

- A. **Gifts and Favors.** A PC shall neither give nor accept a gift, favor, loan or other item of value from any coparent having an interest in the parenting coordination process or from which a PC may profit.
- B. **Respect for Diversity.** A PC shall not allow their personal values, morals, or beliefs to compromise the parenting coordination process or their efforts to assist coparents and children. If a PC has personal values, morals, or beliefs that will interfere with the parenting coordination process, a PC shall decline the appointment or withdraw from the process.
- C. **Misrepresentation.** A PC shall not intentionally or knowingly misrepresent or omit any material fact, relevant law, or circumstance in the parenting coordination process.
- D. **Integrity.** A PC shall not accept any appointment, provide any service, or perform any act outside the role of a PC that would compromise the integrity of the parenting coordination process.
- E. **Maintaining Impartiality.** A PC shall advise participants of any circumstances that may impact their impartiality, including potential conflicts of interests or bias. A PC shall withdraw if a PC determines they cannot act in an impartial or objective manner.
- F. **Undue Influence.** A PC shall not be compromised by outside pressure, bias, fear of criticism, or self-interest, including monetary gain. A PC shall not coerce or improperly influence a coparent to make a decision.
- G. **Harassment or Exploitation.** A PC shall not engage in any form of harassment or exploitation of coparents, children, students, trainees, supervisees, employees, or colleagues.

Guideline III – Conflict of Interest

A PC shall not serve in a case that would create a conflict of interest. A conflict of interest is a situation in which a person is involved in competing interests or loyalties and serving one interest may involve working against another interest.

- A. **Disclosure.** A PC shall disclose existing or potential conflicts of interest as soon as practical after becoming aware of any factor that gives rise to the potential conflict.
- B. **Waiver.** A PC may serve after the appropriate disclosure of an existing or potential conflict, upon the written agreement of coparents and others specifically related to the existing or potential conflict.
- C. **Additional Services.** A PC shall not create a conflict of interest by providing any other services to coparents, children, or other family members.
- D. **Referrals.** A PC may make referrals to other professionals to provide services to coparents, children, or other family members, but shall avoid actual or apparent conflicts of interest when making referrals. A PC shall not receive any commission, rebate, or remuneration from making a professional referral.
- E. **Solicitation.** A PC shall not solicit or agree to provide future professional services to coparents, children, or other family members beyond the role of parenting coordination.
- F. **Respect of Other Professional Roles.** A PC shall respect the role of other professional disciplines in the parenting coordination process and shall promote cooperation between PCs and other professionals.

Guideline IV – Multiple Roles

A PC shall not serve in multiple concurrent or sequential roles in the same case, even with the consent of coparents.

- A. **Multiple Concurrent or Sequential Roles:** A professional shall not act as a PC with coparents or others directly involved in the parenting coordination process if they previously provided professional services to the same parties. Also, a PC shall not provide professional services other than those pertaining to the parenting coordination process during, or after the term of a PC's involvement with the family. This includes, but is not limited to, service as a confidential mediator, court evaluator, child's attorney, guardian ad litem, child advocate, therapist, consultant, coparenting counselor or coach.
 - 1. A PC shall not have served or serve as a confidential mediator for anyone involved in the same case.

2. A PC shall not have served or serve in a court evaluator role capacity for anyone involved in the same case.
 3. A PC shall not have served or serve as a child's attorney, guardian ad litem, or child advocate for anyone involved in the same case.
 4. A PC shall not have served or serve as a therapist, consultant, or coparenting counselor/coach and shall not 'formally' engage in such roles concurrently or sequentially for any party involved in the same case.
 5. A PC shall not have served or serve as a lawyer for either coparent or anyone involved in the same case.
- B. **Facilitation Role.** A PC should attempt to facilitate resolution of issues by agreement of coparents; however, a PC is not acting in a formal mediation capacity, which would create a dual role.
- C. **Decision-Making Role.** An effort to facilitate resolution of an issue does not disqualify a PC from deciding an unresolved issue, where decision-making is permitted by court order. A PC should provide coparents with written notice of the shift to a decision-making role.

Guideline V – Confidentiality

A PC shall inform all participants in the parenting coordination process of the limitations on confidentiality before the process commences and throughout the process.

- A. **Confidentiality Outside the Parenting Coordination Process.** A PC shall follow the requirements in their jurisdiction regarding maintaining confidentiality outside the parenting coordination process except as provided by law, court order, or by written agreement of coparents.
- B. **Communication with Coparents and Children within the Parenting Coordination Process.** A PC shall notify coparents before the process commences that information shared between them is not confidential and may be shared with other involved participants such as extended family members, professionals, and relevant non-professionals. When a PC includes a child in the process, they should provide information about the limits of confidentiality to them in developmentally appropriate language.
- C. **Communication with Collateral Sources.** Collateral sources may include family members and other relevant professionals and nonprofessionals. With necessary authorization, a PC has discretion to communicate and exchange information with collateral sources. Before requesting information from a collateral source, a PC shall disclose the limits of confidentiality with respect to the request.

- D. **Mandated Reporting Laws.** A PC shall inform coparents of the following limitations of confidentiality:
1. A PC shall follow reporting requirements in their jurisdiction regarding suspected abuse or neglect of a child or vulnerable adult to protective services or law enforcement whether or not a mandatory or voluntary reporter under state, provincial, or federal law; and
 2. A PC shall report to law enforcement or other authorities if a PC has reason to believe that any family member appears to be at serious risk to harm himself or herself, another family member, or a third party.
- E. **Confidentiality of Records.** A PC shall maintain confidentiality of all records developed or obtained during the parenting coordination process in accordance with their licensure requirements, the law, or court order.
1. A PC shall maintain security in the storage and disposal of records.
 2. A PC shall follow jurisdiction and licensure requirements when relocating or closing a parenting coordination practice.
- F. **Use of Confidential Information for Educational Purposes.** A PC shall not disclose the identity of coparents, children, or others involved in the parenting coordination process when information is used for teaching, writing, consulting, supervision, research, or public information.

Guideline VI – Scope of Authority

Whenever possible, a PC should serve by formal order of the court. Any court order or consent agreement of coparents shall clearly and specifically define the PC’s scope of authority and responsibilities. The ability of a court to appoint a PC on its own authority varies; some jurisdictions require coparents to consent before a PC may be appointed.

- A. **Court Order.** A PC should not initiate services until they have received an appointment order, or in jurisdictions where parenting coordination cannot be ordered by the court, a PC should not initiate services in the absence of a consent agreement between the parties, the counsel (if any), and the PC that satisfies any legal requirements. If a court order or consent agreement for parenting coordination services between coparents requires a PC to provide services outside the scope of the parenting coordination process or accepted standards of professional practice, the PC shall address and remedy any such conflict or decline the appointment.
- B. **Recommended Language for Appointment Orders.** The court order or consent agreement between coparents should define essential elements of the parenting coordination process including: term of service, definition and purpose of the PC role, scope of authority of a PC, access to information by a PC, limits of confidentiality, parenting coordination procedures, procedure for decision-making, submission of reports

to the court or to coparents, judicial review process, parenting coordination fees and costs, process for grievances, and process for termination of parenting coordination services.

- C. **Compliance with Laws, Rules, and Orders.** A PC shall comply with all statutes, court orders and rules, administrative orders, and rules relevant to the parenting coordination process.
- D. **Professional Services Contract.** In addition to the court order or a consent agreement between coparents to appoint a PC, a written professional services contract between coparents and the PC shall be used to detail essential elements of the parenting coordination process not contained in the court order or the consent agreement, and other professional issues such as schedule of fees, billing practices, recording keeping, and retainers. A Professional Services Contract is sometimes referred to as a written informed consent agreement.

Guideline VII – Roles and Functions

A PC shall assist coparents in reducing harmful conflict and in promoting the best interests of the children consistent with the roles and functions of a PC.

- A. **Intake Process.** A PC serves a screening and information gathering function. A PC shall screen clients referred for services for suitability of the process. A PC should review a custody evaluation; interim or final court orders; information from other collateral sources; intimate partner violence protective orders; any other applicable cases involving criminal assault, intimate partner violence or child abuse; and other relevant records such as educational records, medical, mental health, therapy, and treatment records; and then analyze the impasses and issues as brought forth by coparents.
- B. **Assessment or Appraisal.** A PC serves an assessment function. A PC shall conduct on-going assessment regarding: appropriateness of coparents for continuation in the parenting coordination process; the need to refer any family member to another professional for services, such as evaluation or treatment; safety of family members and the PC; efficacy of utilized techniques and interventions; and, compliance and violations of the parenting plans or court orders and agreements between coparents and recommendations or decisions by a PC.
- C. **Education.** A PC serves an educational function. A PC should educate coparents about child development, separation/divorce research, the effects of conflict and impact of coparents' behavior on the children, parenting skills, communication, and conflict resolution skills. A PC may model or teach coparents skills and provide direction/redirection to assist coparents in the acquisition of those skills.
- D. **Coordination/Case Management.** A PC serves a coordination or case management function. A PC should work with the professionals and systems involved with the family (e.g. mental health, health care, social services, education, legal). A PC may also work with

extended family, stepparents, and significant others. A PC may also monitor, implement, and enforce court ordered intervention services if authorized to do so.

- E. **Conflict Management.** A PC serves a conflict resolution function, primarily to help coparents resolve or manage child-related conflict. A PC may utilize negotiation, mediation, and arbitration skills. To protect coparents and children in IPV cases, a PC should tailor the process and techniques to prevent opportunities for coercion.
- F. **Communication.** A PC serves as a conduit for communication between coparents. A PC should establish communication protocols and rules of engagement in order to facilitate respectful, child-focused communication between coparents.
- G. **Decision-making.** In some jurisdictions a PC may be empowered to make reports or recommendations to the court, or to make legally binding decisions. These decisions may be subject to judicial review to the extent described in the court order or by consent agreement of coparents.
- H. **Parenting Plan.** A PC may provide clarification of parenting responsibilities and parenting time as authorized by a court order or consent agreement. If authorized by a court order or consent agreement, a PC may assist coparents in developing or revising a parenting plan.
- I. **Written Agreements.** A PC may communicate to the court regarding agreements between coparents, and submit such agreements, if authorized by law or pursuant to the parenting coordination agreement.
- J. **Limitations on Functions.** A PC shall not offer legal advice, therapeutic services, or serve in any additional professional role for any member of the family for which parenting coordination is provided.

Guideline VIII – Informed Consent

A PC shall facilitate the participants’ understanding of the parenting coordination process.

- A. **Power and Rights.** A PC is in a position of considerable authority. A PC shall communicate to coparents the extent of their parental rights given the authority that may be delegated to a PC in the form of recommendations, decision-making, the provisions of confidentiality, the professional persons and other collaterals with whom a PC will be authorized to consult or obtain information. A PC shall communicate to coparents their right to seek redress with the court.
- B. **Understanding the Role of a PC.** At the commencement of the parenting coordination process, and as appropriate thereafter, a PC shall review the court order or consent agreement and the professional services agreement with coparents to clarify with them the nature of the PC’s role, function, authority, provision of confidentiality, and procedures.

- C. **Children Involved in the Parenting Coordination Process.** A PC may meet with children in the parenting coordination process if they are trained in interviewing children and possess the appropriate skills. When meeting with children, a PC shall explain, in developmentally appropriate language, the PC's role, provisions of confidentiality, and anticipated involvement of the children in the process.

Guideline IX – Fees and Costs

A PC shall fully disclose and explain the basis of any fees and costs to coparents.

- A. **Allocation of Fees/Costs.** All fees for parenting coordination services shall be based upon the time expended by a PC and any administrative costs. All fees and costs shall be appropriately allocated between coparents as ordered by the court or as agreed upon in a PC's written fee agreement. A PC may be granted authority to reallocate fees based upon a coparent's responsibility for the actions that led to incurring those fees.
- B. **Prior Notice of Fees/Costs in Writing.** Prior to commencement of the parenting coordination process, a PC shall provide to coparents, in writing, the basis of fees and costs; retainer, if any; procedures for payment; and collection of fees associated with postponement, cancellation, and nonappearance; as well as identifying any other activities that may incur fees and costs.
- C. **Billable Services.** Activities for which a PC may charge include time spent interviewing coparents, children and collateral sources of information; preparation of agreements; correspondence, recommendations, decisions and reports; review of records and correspondence; telephone and electronic conversation; travel; court preparation; and appearances at hearings, depositions and meetings and any associated costs for these.
- D. **Failure to Meet Fee/Costs Agreements.** A PC shall inform coparents that they may suspend or terminate services due to the lack of payment by either coparent.
- E. **Recordkeeping of Fees/Costs.** A PC shall maintain records necessary to document charges for services and expenses and should provide a detailed accounting of those charges to a coparent, their counsel or the court, if requested to do so in accordance with the requirements of the PC's governing body or by law.
- F. **Contingency Fees Prohibited.** A PC shall not charge a contingent fee or base a fee on the outcome of the process.
- G. **Remuneration for Referrals.** A PC shall not accept nor provide a fee for a parenting coordination referral, as further delineated in Guideline III.

Guideline X – Communication and Record-Keeping

A PC shall communicate in a manner that preserves the integrity of the parenting coordination process and considers the safety of coparents and children when communicating with coparents, counsel, children, and the court. A PC should have access to persons involved with family members and documentary information necessary to fulfill their responsibilities.

- A. **Ex Parte Communication.** A PC may engage in individual communications with each of the coparents and their attorneys, unless prohibited in the court order of appointment or consent agreement, or under formal arbitration procedural requirements. A PC should do so in an objective, balanced manner. A PC should communicate agreements, recommendations, and decisions to all coparents.
- B. **Reports to the Court.** A PC should follow the court's rules or instructions regarding reports to the court.
- C. **Collateral Communications.** A PC should have access to all professionals involved with family members including the custody evaluator, attorneys, school officials, medical, and mental health care providers. A PC should have the authority to meet with the children, any stepparent or person acting in that role, or anyone else a PC determines to have a significant role in contributing to or resolving the conflict. A PC should notify any such collateral sources of provisions of confidentiality pertaining to information obtained from them.
- D. **Access to Documents and Information.** A PC should have access to all relevant information including orders, motions, and pleadings filed in the case, the custody evaluation report, Guardian ad Litem reports, and school, medical, and mental health records of coparents and their children. Any court order should authorize a PC to execute releases and obtain consents to permit access to such data and other relevant information.
- E. **Interviews, Meetings, and Participants.** A PC should have initial separate or joint interviews with coparents. If a PC has appropriate training and skills, they may choose to interview the children in a developmentally appropriate manner. A PC may, as needed, interview any individuals who provide services to the children to assess the children's needs and wishes. Communication between a PC and coparents may take place in joint, face-to-face meetings or by electronic means. A PC should determine whether separate or joint sessions are appropriate. In cases involving IPV, a PC shall determine whether to conduct interviews and sessions with coparents separately or in other circumstances to ensure appropriate safety precautions.
- F. **Maintaining Records.** A PC shall maintain records in a manner that is in accordance with the PC's licensing or governing body, or law. The records shall be professional, comprehensive and inclusive of information and documents that relate to and support decisions and recommendations made during the parenting coordination process.

- G. **Documentation of Agreements and Decisions.** A PC shall document in writing all agreements made by coparents and recommendations or decisions made by the PC.
- H. **Responsibility to the Court.** A PC shall be candid, accurate, and responsive in all communications with the court concerning their qualifications, availability, fees, and disciplinary sanctions related to the parenting coordination process as required by law or rule.

Guideline XI – Decision-Making

A PC should attempt to facilitate agreement between coparents in a timely manner on all disputes within a PC’s scope of authority. A PC shall decide the disputed issues or make recommendations as appropriate when coparents do not reach agreement, if it is authorized by the court or consent of coparents.

- A. **Authority for Decision-Making.** A PC may be granted the authority to make decisions (with or without a right of appeal) for coparents when they are unable to agree, or a PC may be permitted only to make recommendations to coparents or to the court. The scope of a PC’s decision-making authority may be limited in some jurisdictions. A PC should first address any dispute about their authority to address an issue prior to beginning work to resolve that issue.
- B. **Scope of Decision-Making.** A PC shall have only the authority to address issues that are identified in the court order or consent agreement. A PC shall have the authority, as specified in the court order or consent agreement, to resolve the following types of issues:
 - 1. Minor changes or clarification of parenting time/access schedules or conditions including vacation, holidays, and temporary variation from the existing parenting plan;
 - 2. Procedures for transitions or exchanges of the children including date, time, place, means of transportation and transporter;
 - 3. Health care management including, but not limited to medical, dental, orthodontic, vision, and other specialties;
 - 4. Child-rearing issues, including but not limited to disciplinary practices, bedtime routines, diet, and homework support.
 - 5. Psychotherapy or other mental health care, for the children and coparents;
 - 6. Psychological testing or other assessment of the children and coparents;
 - 7. Education or daycare, including choice of school, tutoring, summer school, participation in special education testing and programs, or other major educational decisions;

8. Enrichment and extracurricular activities, including camps and employment;
9. Religious observances and education;
10. Children's travel and passport arrangements;
11. Clothing, equipment, and personal possessions of the children;
12. Verbal or written communication, including any forms of electronic communication between coparents about the children.
13. Verbal or written communication, including any forms of electronic communication by between a coparent and children when they are not in that coparent's care;
14. Alteration of appearance of the children including haircuts, tattoos, ear and body piercing, and cosmetic surgery;
15. Roles of and contact with significant others, romantic interests, and extended families;
16. Substance misuse assessment or testing for either or both coparents or for a child, including access to results; and
17. Parenting classes for either or both coparents.

This list is not meant to be inclusive; rather, it provides a framework for understanding the types of issues a PC may routinely address.

- C. **Considerations During Decision-Making.** A PC should consider written or verbal statements about the dispute from each parent, and other relevant sources of information. The methodology used by a PC shall be fair to coparents and transparent to the court and the coparents. A PC shall ensure that each coparent has an opportunity to be heard in the process. A PC shall convey their expectations of coparents' participation in the process and the consequences of nonparticipation. If either coparent refuses to participate, a PC may take appropriate action governed by the court order, relevant statutes, or consent agreement.
- D. **Written Decision of a Parenting Coordinator.** If authorized to make decisions by the law, a PC should communicate their decisions in a timely manner, to be followed by written documentation of the decision. In the event decisions are provided orally, a written version shall follow in a timely manner. A PC should provide rationale for the decision, with the level of detail depending on the nature and magnitude of the issue.

- E. **Major Decisions.** A PC shall not make decisions that would change custody or substantially change the parenting plan.

Guideline XII – Marketing Practices

A PC shall not engage in any marketing practice that diminishes the importance of a coparent’s right to self-determination, compromises the impartiality of the PC, or demeans the integrity of the parenting coordination process or the judicial system.

- A. **False or Misleading Marketing Practice.** A PC shall not engage in marketing practices that contain false or misleading information.
- B. **Accuracy and Honesty.** A PC shall ensure that any advertisements regarding qualifications, services to be rendered, or the parenting coordination process are accurate and honest.
- C. **Promises.** A PC shall not make any claims of achieving specific outcomes.

Guideline XIII – Safety and Capacity

A PC shall be aware of issues regarding safety and capacity that may diminish the integrity of the parenting coordination process. A PC shall promote the safety of all participants throughout the parenting coordination process.

- A. **Screening.** A PC shall screen prospective cases for IPV and decline cases if they do not have specialized training and procedures to effectively manage those cases. A PC should provide ongoing screening and terminate their role as PC if they are unable to manage those cases.
- B. **Protective and No-Contact Orders.** A PC shall honor the terms of all active protective orders and no-contact orders for protection and take measures that may be mandated to ensure the safety of coparents, their children, and the PC.
- C. **Monitoring for Safety.** A PC shall monitor the process for the presence of safety concerns, intimate partner violence, child abuse and neglect, and take appropriate action to address such issues when they are identified.
- D. **Suspending or Terminating Process Based upon Safety Concerns.** A PC shall suspend or may terminate the parenting coordination process when they determine it is unsafe to continue and shall notify the court of the suspension or termination, if required.
- E. **Interruption in Services Due to Parental Impairment or Incapacity.** A PC shall adjourn, terminate, or modify the parenting coordination process if a coparent is incapable of participating in the process.

- F. **Suspicion of Substance Misuse and Mental Impairment.** A PC shall be alert to the reasonable suspicion of any substance misuse by either parent or child, as well as any psychological or psychiatric impairment of any parent or child that compromises their parenting or may be detrimental to the best interests of the children or the safety of family members. A PC may recommend a substance abuse or mental health evaluation and treatment as the PC might deem necessary during the parenting coordination process to address the best interests of the children affected, if legally authorized to do so.

Guideline XIV – Security, Confidentiality and Privacy Related to Use of Technology

A PC shall manage the risks related to the confidentiality and security of information by taking reasonable steps to protect the privacy of all interactions and documentations exchanged consistent with privacy legislation in a PC’s jurisdiction.

- A. A PC should become knowledgeable of and utilize the most current technology available to prevent access to information, documents, or communications within the parenting coordination process to unauthorized third parties.
- B. A PC should utilize protection against viruses and malwares, as recommended by the relevant privacy legislation, when utilizing a computer or electronic device for parenting coordination services, including avoidance of wireless communication that is not secure.
- C. A PC should develop a protocol for the safe storage and disposal of information and data.
- D. A PC should determine the procedures and protocols for providing parenting coordination services remotely or via telecommunications (e.g. telephone, teleconference, electronic group text, email communications, etc.) to ensure the privacy and integrity of the parenting coordination process.
- E. A PC shall follow their professional standards regulating telepsychology and interstate and international practice.

Definitions

These definitions are intended to clarify key concepts and terms that appear throughout these Guidelines. Some terms may vary by jurisdiction.

Arbitration: The hearing and determination of a dispute by a neutral third party with decision-making authority.

Collateral Sources: Professionals and nonprofessionals who assist or are invited to participate in the parenting coordination process.

Consent Agreement (or Stipulated Agreement): A written memorialization, sometimes a court order, specifying the terms under which coparents will conduct themselves. A consent agreement should include the details to which the individuals are agreeing and should be signed and dated by both coparents. In some jurisdictions, consent agreement may be referred to as a stipulated agreement.

Coparent: An individual who shares legal responsibility for a child with another individual, regardless of biological relationship or the circumstances under which responsibility has been initiated or defined. Coparents may include grandparents, guardians, or others who serve in a quasi-parenting role with a child.

Decision: In some jurisdictions, PCs have quasi-judicial authority to make binding decisions⁶ for coparents to follow, which are often subject to appeal. In other jurisdictions, decisions may be the equivalent of recommendations that are subject to further judicial review before they become binding. Written decisions are often accompanied by an explanation or basis for the decision and the process by which the decision was made.

High-Conflict Coparents: Coparents who are unable to resolve the overwhelming majority, or all, of the disputes that arise between them regarding the health, education, general welfare, and process of raising their common children. These individuals tend to rely on the courts or other third-party professionals for recommendations or directives for resolution of such disputes and frequently struggle with communication with one another regarding their common children.

Intimate Partners: Individuals who share or have shared a close interpersonal relationship, often including those who are married or have been married in the past; those who are dating, whether or not the couple has shared sexual intimacy and regardless of sexual orientation; those sharing a familial connection, such as adult family members like parent-child, and cohabitants, current and past. In the context of parenting coordination, intimate partners will usually refer to coparents who share children in common.

Intimate Partner Violence (IPV): Physically aggressive behaviors involving the intentional use of physical force with the potential for causing injury, harm, disability, or death and include: sexually aggressive behaviors; unwanted sexual activity that occurs without consent through the use of force, threats, deception, or exploitation; economically aggressive behaviors involving the use of financial means to intentionally diminish or deprive another of economic security, stability, standing, or self-sufficiency; psychologically aggressive behaviors involving intentional harm to emotional safety, security, or wellbeing; and, coercively controlling behaviors involving harmful conduct that subordinates the will of another through violence, intimidation, intrusiveness, isolation, and/or control.

Joint Custody: An arrangement referring to the sharing of responsibility for children, physically (where the child resides or spends time), legally (decision-making), or both. Joint custody, when not distinguished, does not necessarily delineate the percentage allocation of parenting time (time-

⁶ There are different terms for “decisions,” based on jurisdictional differences, such as awards, determinations, binding recommendations, etc.

sharing) or legal authority. Joint custody may also be called “shared parenting” or “shared care.” A PC should clarify and not assume the underlying meaning of the phrase.

Family Mediation: A process through which a neutral third-party facilitates communication between individuals in a dispute with a goal of helping them resolve that dispute on their own. There are different models of mediation; some are not confidential and may include recommendations to coparents or the court.

Order: A legally binding directive issued by a court or an individual with judicial authority in the jurisdiction where the order was entered, such as a judge or magistrate.

Parent: An individual legally, financially, and physically responsible for children, regardless of biological relationship or circumstances under which responsibility has been initiated.

Parenting Time: The allocation of time each parent has care and responsibility for the children, and any specific guidelines or restrictions that may be in place regarding the schedule.

Recommendation: A proposal for the resolution of a dispute or disagreement, often accompanied by an explanation of the rationale or basis for the recommendation. Recommendations may or may not be binding, depending upon the jurisdiction in which the recommendation is made. Some recommendations become binding after a defined period or under certain circumstances.

Screening: An initial and ongoing process in which a PC will gather information regarding the background of the family members and circumstances and then assess the appropriateness of the family for participation in the parenting coordination process.

Basic Screening Questions:

What to Listen For:

Behavioral Indicators:

How comfortable are you interacting with _____ now?

- Do you have any concerns, fears or anxieties that I should be aware of?
- What worries you most?
- How do you feel about meeting with the other parent either in the same room or separate rooms?

Personal Interactions

Comfortable	↔	Uncomfortable
Safe/Secure	↔	Fearful/Anxious
Self-Ruled	↔	Controlled
Connected	↔	Isolated
Respected	↔	Disparaged
Self-Reliant	↔	Dependent
Supported	↔	Undermined

Personal Interactions

- ☐ Insults, put downs
- ☐ Public ridicule
- ☐ Disrespect, humiliation
- ☐ Mind games, distrust
- ☐ Yelling or screaming
- ☐ Aggression, contempt

When you look back over time, how were practical, everyday decisions made in your relationship?

- Were you comfortable with that?
- What happened when disagreements arose?

Everyday Decision-Making (food, shelter, finances, children)

Equal	↔	Dominating
Cooperative	↔	Coercive
Responsible	↔	Irresponsible
Fair	↔	Manipulative

Everyday Decision-Making

- ☐ Making you do things you don't want to do
- ☐ Intimidation
- ☐ Threats
- ☐ Undermining or disrespecting your choices
- ☐ Intentionally bad choices to punish you

Is there anything that gets in your way of doing things you want or need to do in your daily life, like:

- Managing your daily affairs
- Meeting your basic needs
- Meeting the needs of the children
- Fulfilling everyday responsibilities
- Making your own decisions
- Interacting with other people

Access to Resources

Self-Sufficient	↔	Dependent
-----------------	---	-----------

Control of Everyday Life

Autonomous	↔	Controlled
------------	---	------------

Economic Abuse

- | | |
|--|---|
| <input type="checkbox"/> Deny money | <input type="checkbox"/> Run up debt |
| <input type="checkbox"/> Refuse to pay bills | <input type="checkbox"/> Forge papers |
| <input type="checkbox"/> Empty bank acct. | <input type="checkbox"/> Refuse to pass title |
| <input type="checkbox"/> Hide assets | <input type="checkbox"/> Destroy property |
| <input type="checkbox"/> Undermine credit | <input type="checkbox"/> Steal your property |

Control of Everyday Life

- | | |
|--|--|
| <input type="checkbox"/> Follow or stalk | <input type="checkbox"/> Social media posts |
| <input type="checkbox"/> Often check up on | <input type="checkbox"/> Physically restrain |
| <input type="checkbox"/> Check mail/email | <input type="checkbox"/> Forbid you to leave |
| <input type="checkbox"/> Check phone calls | <input type="checkbox"/> Treat as a child |
| <input type="checkbox"/> Time activities | <input type="checkbox"/> Come w/out notice |
| <input type="checkbox"/> Use others to spy | <input type="checkbox"/> Unwanted contact |

Basic Screening Questions:

Has there ever been any physical violence between you and _____? If so, can you tell me about that?

- Is there, or has there been, a history of protection orders, no contact orders, or restraining orders?

What to Listen For:

Physical Violence

Very rare	↔	Every day
Very minor	↔	Very severe
No Harm	↔	Severe injury

Behavioral Indicators:

Physical Abuse

- | | |
|--|--|
| <input type="checkbox"/> Hold, pin, restrain | <input type="checkbox"/> Burn, poke |
| <input type="checkbox"/> Kneel or sit upon | <input type="checkbox"/> Shoot or stab |
| <input type="checkbox"/> Tie up, bind, gag | <input type="checkbox"/> Withhold food |
| <input type="checkbox"/> Push, shove, shake | <input type="checkbox"/> Withhold meds |
| <input type="checkbox"/> Grab, twist arm | <input type="checkbox"/> Disable medical equipment |
| <input type="checkbox"/> Scratch, pull hair | |
| <input type="checkbox"/> Bite, shave, cut | |
| <input type="checkbox"/> Spit or urinate on | |
| <input type="checkbox"/> Choke or strangle | |
| <input type="checkbox"/> Slap, hit, punch | |
| <input type="checkbox"/> Kick or stomp | |
| <input type="checkbox"/> Throw object at | |

Have you ever felt so ashamed, humiliated, embarrassed, or fearful by something you or _____ said or did to the other that you didn't want anyone else to know about it? If so, can you tell me about what that was like for you (without revealing specifics)?

Emotional Well-being

Safe/secure	↔	Fearful/anxious
Self-respect	↔	Humiliation
Autonomous	↔	Controlled

Emotional Abuse

- ☐ Excessive jealousy
- ☐ Possessiveness
- ☐ Infidelity
- ☐ Accusations of infidelity
- ☐ Excessive criticism
- ☐ Gaslighting
- ☐ Degradation
- ☐ Interference with:
 - ☐ work/school life
 - ☐ social life
 - ☐ sleep
 - ☐ healthcare
 - ☐ medication

Basic Screening Questions:

What to Listen For:

Behavioral Indications:

Have you or _____ ever forced the other to do sexual things the other didn't want to do or insisted on having sex when the other didn't want to? If so, can you tell me about that?

Sexual Autonomy

Voluntary ↔ Forced
Respectful ↔ Degrading

Sexual Abuse

- ☐ Force sex
- ☐ Undermine birth control
- ☐ Misuse pornography
- ☐ Force prostitution
- ☐ Terminate pregnancy
- ☐ Sexually humiliate

Have you or _____ ever been concerned that the other was going to physically or psychologically harm the other or the children or pets? If so, please explain.

- Is there, or has there been, a juvenile court case for the child(ren)?

Fear of Physical or Psychological Harm (self, children, pets, others)

Not fearful ↔ Very fearful

Fear of Harm

- ☐ Threaten to:
 - ☐ Kill you or kids
 - ☐ Kill self or others
 - ☐ Harm you or kids
 - ☐ Harm others
 - ☐ Harm or kill pets
 - ☐ Take the kids
- ☐ Destroy things
- ☐ Threat w/ weapon
- ☐ Disable your car
- ☐ Drive recklessly
- ☐ Set a booby trap
- ☐ Break into home
- ☐ Set fire to home

How are parenting time arrangements currently being worked out?

- How did you arrive at that arrangement?
- Are you comfortable with that?
- Any concerns about children or fears for their safety?

Parental Decision-Making

Equal ↔ Dominating
Cooperative ↔ Coercive
Responsible ↔ Irresponsible
Child-focused ↔ Self-focused
Fair ↔ Manipulative

Parenting Decisions

- ☐ Physical or sexual abuse or neglect of child
- ☐ Emotional abuse of child
- ☐ Economic abuse of child
- ☐ Use of child as tool of abuse
- ☐ Denying impact of abuse on child
- ☐ Ignoring child's separate needs
- ☐ Undermining parent's relationship w/ child
- ☐ Undermining other's parental authority

EFFECTS OF IPV ON....

Autonomy



Freedom from undue pressure, duress, threats, manipulation, and/or intimidation

How comfortable are you saying what you think, raising difficult topics, disagreeing with the other person, and standing up for what matters to you?

Good faith/fair dealing



Adherence to ground rules, respect for others' needs and interests, full disclosure of relevant information, willingness and ability to explore options and share decision making, commitment to honor agreements

How confident are you that both of you will: (1) follow the rules; (2) share important information; (3) hear each other out; (4) cooperate; (5) stand by promises and agreements; and (6) not undermine the process?

Judgment



Parenting capacity and judgment, commitment to shared decision-making, willingness & ability to attend to children's needs

How well can you rely on the other person to make good decisions when it comes to the children, prioritize the children's needs, and share parental responsibility?

Information



Understanding of rights, issues, and options; access to technology and relevant information; knowledge of personal & community resources

How well do you understand this process, your legal rights and options, technology, and the things you need to know to fully and effectively participate?

Safety/Risk Assessment



- ☐ Stalking
- ☐ Sexual assault
- ☐ Abuse during pregnancy
- ☐ Threats to kill
- ☐ Strangulation
- ☐ Controlling behaviors
- ☐ Access to weapons
- ☐ Increased frequency/severity
- ☐ Child abuse
- ☐ Animal abuse
- ☐ Excessive jealousy/obsession
- ☐ Abuser's mental status
- ☐ Denial of responsibility for IPV

Is there anything about this process that makes you concerned for your own safety or for the safety of your children? If so, please say more.

PROCEDURAL RESPONSES

- ☐ Expert co-mediator
- ☐ Legal or advocacy support
- ☐ Emotional Support
- ☐ GAL/CASA
- ☐ Caucus/break-out rooms
- ☐ A/Synchronous Video
- ☐ Judicial findings or orders, including temporary orders
- ☐ Protection/Restraining/No-contact orders
- ☐ Trial period agreements
- ☐ SADR
- ☐ Suspend/delay mediation
- ☐ Do not attempt mediation

Mediation Discussion Guide

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Nebraska Mediation Screening Tool

The Nebraska Parenting Act, Neb. Rev. Stat. §43-2939 (2007)

NOTE TO MEDIATOR:

Neb. Rev. Stat. §43-2939 (2007) states: “(1) A Parenting Act mediator, prior to meeting with the parties in an initial mediation session, shall provide an individual initial screening session with each party to assess the presence of child abuse or neglect, unresolved parental conflict, domestic intimate partner abuse, other forms of intimidation or coercion, or a party’s inability to negotiate freely and make informed decisions. If any of these conditions exist, the mediator shall not proceed with the mediation session but shall proceed with a specialized alternative dispute resolution process that addresses safety measures for the parties, if the mediator is on the approved specialist list of an approved mediation center or court conciliation program, or shall refer the parties to a mediator who is so qualified. . . . The mediator has the duty to determine whether to proceed in joint session, individual sessions, or caucus meetings with the parties in order to address safety and freedom to negotiate. In any mediation or specialized alternative dispute resolution, a mediator has the ongoing duty to assess appropriateness of the process and safety of the process upon the parties.”

This screening tool was developed under the provisions identified by Neb. Rev. Stat. §43-2927 (2007) and has been approved by the Nebraska State Court Administrator. The information contained herein is considered to meet minimum requirements of the Act; however, mediators must use their own judgment in terms of the screening process, assessment, and decision-making. The tool is based in part upon the “domestic abuse power wheel” and its domains of power and control, and is designed to address the statutorily defined risks of ability to negotiate, child abuse or neglect, unresolved parental conflict, and other forms of intimidation and coercion. While this tool addresses the statutory risk areas, mediators are encouraged to add more specific questions to explore a specific risk area should the situation warrant.

In addition to screening for safety issues and ability to negotiate freely, it is the mediator’s duty to determine whether to: (a) proceed with mediation; (b) proceed with specialized ADR; or (c) to terminate the mediation process in its entirety. A sample script to introduce the mediation screening is provided at the beginning of the tool. A sample mediation assessment is provided at the end of the tool. The screening is to be done for each and every Parenting Act client, face-to-face, in a private setting. The estimated amount of time for screening each person is a minimum of fifteen minutes, with likely average time of thirty to forty-five minutes.

Sample Mediator Script

It is important that I know as much about your relationship as possible, so I can assist you to develop a parenting plan that is safe and effective for you and your children. To do so, I need to ask you some routine questions that I ask all of my clients to determine all relevant facts. These questions are required by law. I apologize if any of them make you uncomfortable, but I would rather risk offending you than not help you stay safe. Remember that everything you tell me is confidential, except for unreported child abuse or neglect. Is this a safe place and a good time to talk with you? This interview is for me to determine which approach and what process is the safest and most helpful for you and the other parent to work out a Parenting Plan best for your children.

Mediator: If you have determined that this is a safe place and time to talk, and you have the mediation client with you alone in a private setting, then proceed with the following questions.

Mediation Screening Questions (the underlined spaces _____ indicate the other parent/party)

A. My initial question to you is: do you have any concerns, doubts, or fears about mediating or negotiating with the other parent? If so, please describe:

B. Do you have any concerns, doubts, or fears about being in the same room with the other parent? If so, please describe:

- C. General Fear / Safety Issues:** *(if any answer is “Yes,” ask the party to describe further)*
- What happens in your relationship when you disagree? Please describe: _____
 - Do you feel that you or your children are in danger? Yes/No
 - Do you have any fear/concerns about being able to talk about your children’s needs with _____ in the same room? Yes/No
 - Do you feel safe being in the same room with _____? Yes/No
 - Are you concerned about _____’s mental stability? Yes/No
 - Do you have any concerns about drug or alcohol use by _____? Yes/No
- D. Coercion and Threats:** *(if any answer is “Yes,” ask the party to describe further)*
- Has _____ ever threatened you, your children, or family members? Yes/No
 - Has _____ ever threatened to hurt him/herself? Yes/No
 - Has _____ threatened you to not press charges or tell anyone about abuse that occurred? Yes/No
- E. Isolation:** *(if any answer is “Yes,” ask the party to describe further)*
- Has _____ or does _____ limit your contact with others (friends, family, co-workers)? Yes/No
- F. Using the Children:** *(if any answer is “Yes,” ask the party to describe further)*
- Tell me about the relationships you and _____ have with your children: _____
 - Does _____:
 - undermine your authority with your children? Yes/No
 - engage in behavior that is abusive toward your children? Yes/No
 - neglect to take care of your children’s needs, such as needs for food, a healthy environment, medical care, etc. Yes/No
 - Has _____ ever taken the children without notice or permission? Yes/No
 - Has _____ ever threatened to take the children without permission? Yes/No
- G. Legal Status** *(if any answer is “Yes,” ask the party to describe further)*
- Are there other dissolution or modification proceedings active? Yes/No
 - Is there a case active in juvenile court? Yes/No
 - Is there an active restraining order, protection order, or other similar order? Yes/No
 - Are there any other civil or criminal court actions impacting you, _____, your children, or _____’s children? Yes/No
- H. Economic Abuse:** *(if any answer is “Yes,” ask the party to describe further)*
- Describe how you and _____ handled finances and made financial decisions : _____
 - Has _____ ever withheld your access to money or credit cards? Yes/No
 - Has _____ ever forbid you to attend work or school? Yes/No
 - Has _____ ever stolen from you or defrauded money or assets from you? Yes/No
 - Has _____ ever exploited your resources for her/her personal gain? Yes/No
 - Has _____ ever withheld physical resources such as food, clothing, necessary medications or shelter? Yes/No
- I. Emotional Abuse:** *(if any answer is “Yes,” ask the party to describe further)*
- Has _____ ever threatened or intimidated you to gain compliance? Yes/No
 - Has _____ ever destroyed your personal property or threatened to do so? Yes/No
 - Has _____ ever committed violence toward an animal or object in your presence? Yes/No
 - Has _____ ever yelled, screamed, called you names, shamed, mocked or criticized you? Yes/No
 - Has _____ ever been possessive of you? Yes/No
 - Has _____ ever isolated you from friends or family? Yes/No

- J. Gender-Based Privilege:** *(if any answer is “Yes,” ask the party to describe further)*
- Describe how roles were divided between you and _____:
 - Who:
 - helped with the children’s care
 - decided what your role was in the relationship or in the home
 - helped around the house with house cleaning, chores, etc
 - helped with outside chores
 - Describe how decisions were made with _____:
 - Does _____ express respect toward you? Yes/No
- K. Intimidation:** *(if any answer is “Yes,” ask the party to describe further)*
- Does _____ make you afraid by using looks, actions or gestures? Yes/No
 - Has _____
 - ever destroyed property, particularly things that are important to you? Yes/No
 - displayed or talked about weapons in a way that caused you to be afraid? Yes/No
 - thrown or shoved objects in a way that caused you to be afraid? Yes/No
 - followed you, called you repeatedly, in a way that felt intimidating? Yes/No
 - gone through your mail, car, or household in a way that you felt violated? Yes/No
 - Do you feel you shouldn’t talk about your relationship? Yes/No
- L. Physical Abuse:** *(if any answer is “Yes,” ask the party to describe further)*
- Describe any ways _____ has physically harmed you:
 - Has _____
 - ever grabbed, pushed thrown or tripped you? Yes/No
 - pulled your hair, twisted your arm, pinned you down or slapped you? Yes/No
 - limited your access to food, drink, bathroom facilities, sleep medications or other physical self-care items? Yes/No
 - ever thrown something at you? Yes/No
 - hit, kicked, kneed or punched you anywhere on your body? Yes/No
 - If you answered yes, were you pregnant at the time? Yes/No
 - Has _____ ever strangled or “choked” you? Yes/No
 - Have you ever needed medical attention as a result of _____’s actions? Yes/No
- M. Sexual Abuse:** *(if any answer is “Yes,” ask the party to describe further)*
- Have you felt forced to engage in unwanted sexual activity? Yes/No
 - Are you concerned about _____’s inappropriate sexual behavior with or around children? Yes/No
- N. Minimizing, Denying and Blaming:** *(if any answer is “Yes,” ask the party to describe further)*
- When problems occurred during your relationship with _____, were you blamed for problems that weren’t your fault? Yes/No
 - When problems occurred, were your feelings disregarded? Yes/No
 - Did _____ feel justified for abusive behavior toward you? Yes/No
 - Did _____ act as though abuse never happened, when it did? Yes/No
- O. Other Concerns: Ability to Negotiate Freely and Make Informed Decisions**

Screening Discussion Outline for Experienced Mediators

Topics:

1. Alcohol and drug use
 - a. Impact on relationship
 - b. Concerns with parenting time/around the children
2. Mental health concerns or diagnosis
 - a. Impact on parenting
 - b. Concern for how it would impact mediation
3. How do the two of you handle disagreements? Describe how you argue
 - a. Threatening behaviors
 - b. Physical altercations – any existing protection orders, restraining orders?
4. Who was in control during the marriage – or did you have more of a team approach?
 - a. Financial
 - b. Household chores
 - c. Child(ren) responsibilities
 - d. Any isolation from friends, family, work, etc.? Describe
5. During the separation...
 - a. Any concern about stalking or harassment?
 - b. How well are you communicating with each other? Describe how you communicate
 - c. If attending the same event for the child(ren), describe how it goes and how it make you feel
6. Describe the other parent's personality | Describe your own personality
 - a. Who in the relationship tended to have a temper/short fuse?
7. Mediation
 - a. How comfortable/uncomfortable would you be developing a parenting plan in the same room?
 - b. How productive would mediation be with you both in the room together?
 - i. Have you already come to any agreements?
 - ii. What topics do you see as being problematic or difficult to resolve?
8. Address safety concerns

ASSESSMENT TOPICS:

- Physical abuse*
- Emotional Abuse*
- Sexual Abuse*
- Bullying
- Manipulation tactics
- Threats and intimidation
- Control
- Isolation
- Harassment
- Abuse of drugs and/or alcohol
- Mental health issues
- History of protection orders or restraining orders
- Past criminal charges/convictions that might affect parenting

*Abuse of partner, children, other involved parties

Email: _____ Phone: _____

If Yes, _____ Individual _____ Joint _____ Family _____ Children

11. Are you employed? ____ Yes ____ No

If Yes, Employer: _____

Length of Time at Employment: _____

Job Title/Nature of Job: _____

Current Salary/Wage\$ _____

Usual Days/Hours: _____

12. Is the other parent employed? ____ Yes ____ No

If Yes, Employer: _____

Length of Time at Employment: _____

job Title/Nature of Job: _____

Current Salary/Wage\$ _____

Usual Days/Hours: _____

13. Do you presently have an attorney? ____ Yes ____ No

If Yes, Name: _____ Address: _____

Email: _____ Phone: _____

14. Does the other parent presently have an attorney? ____ Yes ____ No

If Yes, Name: _____ Address: _____

Email: _____ Phone: _____

15. Is there anything you would like me to know about your situation; about you; about the other parent; about your family?

16. Do you feel afraid or threatened by other parent for any reason? ____ Yes ____ No

If Yes, please explain: _____

17. Has the other parent ever... ____ Hit you? ____ Threatened you? ____ Used physical force against you?

18. Were the police called to your home when you lived with the other parent? ____ Yes ____ No

If yes, please explain: _____

19. Do you feel you can express your concerns / position in front of the other parent? ____ Yes ____ No

If no, please explain: _____

20. How do you resolve disagreements with the other parent? _____

21. How often so you speak with the other parent? _____

In person? _____ By text? _____ By phone? _____ By email? _____

22. Have you participated in Mediation? ____ Yes ____ No If yes, who was the Mediator? _____

23. What are your goals by participating in the parenting coordination process?

Please date and sign:

Date: _____ Signature: _____

[firm or pc name]
Agreement to Participate in Parenting Coordination Process

This Agreement between _____ and _____ (hereinafter referred to as the parents) and _____ (hereinafter referred to as the PC or Parenting Coordinator).

The Parents have entered into this Parenting Coordination Process with the Parenting Coordinator under the following terms and conditions:

Period of Appointment and Acquiring of Order

This Parent Coordinator Agreement will be for a period of _____.

Although the Parents are bound by this Agreement, this Agreement **will not be submitted to the Court.**

The PC and Parents may extend this Agreement by mutual written agreement of both Parents and the PC; terms of the extension will be in writing and Ordered by the Court if appropriate.

Purpose of Parenting Coordination Process

The Parents agree that it is harmful and not in the best interest of their children to be in dispute and conflict; and they agree that with the assistance of the PC they will work to resolve disagreements and reach agreement/resolution whenever possible. In the event the Parents are unable to reach agreement/resolution then the Parents agree that the PC will make the decision to resolve the matter and that decision will be binding; the Parents agree that they will then abide by the PC's decision.

Role of Parenting Coordinator and Scope of Appointment

The role of the PC is to assist the parents to resolve disagreements in the implementation and compliance with existing Court Orders and to provide "co-parenting" arbitration when disputes cannot be negotiated or resolved. Any arbitration disputes of the PC will be final insofar as the Parents' respective dispute is concerned. The PC will work with the Parents for better communication with each other and will coach parenting as is in the best interest of the children.

The PC cannot enforce prior Court Orders, cannot change or terminate Court Ordered Custody, cannot substantially change or terminate Court Ordered visitation, cannot modify existing Court Orders, cannot enforce violations of No Contact Orders. In the event the PC becomes aware of substantiated child Abuse or Child Neglect the PC will report to the proper authorities. Any substantiated incidents of Domestic Violence or threats of violence will be grounds to end this Agreement and may result in a referral to Counseling, Domestic Violence programs, or the authorities if appropriate.

See the attached list indicating a sample of the types of subjects appropriate for the Parenting Coordination Process.

Cooperating with the Parenting Coordinator

The Parents agree to cooperate with the PC at all times in the Process including timely scheduling of meetings and then attending the meeting, timely providing requested information, following recommendations or decisions made by the PC.

Fees and Billing and Cancellations:

The Parents agree to pay to the parenting Coordinator the hourly rate of \$150.00 per hour for Parenting Coordination. The parents shall be jointly and severally liable for all fees and costs owed to the Parenting Coordinator. Each Parent's responsibility for payment shall be as follows: 50% and 50%. Retainers will be required by the Parenting Coordinator which will then be applied to the fees charged by the Parenting Coordinator.

Parents shall pay PC for all necessary expenses incurred by PC which may be travel expense, photocopies, securing records or documents, photographs, hospital records, medical reports, court costs, depositions, expert witness fees, and all other expenses incurred by PC in the Parent Coordination Process. In as much as possible, the PC will discuss the necessary expenses before the expense is incurred.

Although this agreement indicates that the PC will not be called by the Parties to testify, in the event that it is necessary for the PC to appear in Court, all Court time will be prepaid and Court time will be charged by the PC at the rate of \$_____.

All fees will be billed periodically and shall be due and payable at the time of billing. Payment plans are not available and will be considered in rare circumstances on an individual case basis.

Non-payment of expenses or fees when due shall be a basis for PC's withdrawal from the Process.

In the event there is a cancellation by either party of a Session without a minimum of twenty-four (24) hours notice, there will be a \$50.00 cancellation fee charged to the cancelling parent.

The Parents agree that the PC may reallocate the percentage payment of fees as a sanction for obstructive behavior by either parent.

Neutral:

The PC is a neutral. PC will maintain impartiality (neutrality) throughout the Parenting Coordination process. Impartiality means freedom from favoritism or bias in word, action, or appearance; and includes a commitment to assist all parties, as opposed to any one individual, keeping in mind the Best Interest of the Children.

In the event it becomes necessary for the PC to issue a decision to resolve the dispute, that is not an indication of a loss of neutrality but in fact that PC has listened to the information, needs, and position from both Parents and the PC will issue a decision based on the Best Interest of the Children and existing Court Orders.

No Legal Advice:

The PC will not give you legal advice and does not represent the Parents. Each Parent should retain his/her own attorney in order to be properly counseled about his/her legal interest, rights, and obligations. It is important to review with and to get advice from own attorney, own accountant, and/or any other professional whom Parents depend on as to the various issues that may be discussed in the Parent Coordination Process.

There is no limitation on the right to seek legal advice anytime during the Process. **Pro se Parties are representing themselves and the PC will not give you legal advice.**

Not Counseling or Other Services:

Parent Coordination is not counseling, nor is it intended to be a replacement for such services. When necessary, referral to other resources will be made.

Full Honest Disclosure and Access to Information

It is understood that full disclosure of all relevant and pertinent information is necessary to the Process. Therefore, there will be a complete open and honest disclosure by each of the Parents to the other and to the PC of all relevant information and documents. When requested, Parents will sign necessary releases to permit PC to access necessary information for the Process.

Limited Confidentiality, Not Privilege Communications and Court Appearances

The Parents understand and agree that Parenting Coordination is generally not thought of as a confidential process nor privileged communications either for communications between the Parents and their children and the PC, or for communications between the PC and the other relevant parties to the process or for communications with the Court.

Notes, records, and recollections of PCs are confidential and may not be disclosed unless: all agree in writing or required by law.

PC will maintain confidentiality outside of the process and will not share information except for legitimate and allowed professional purposes as set forth by the program, state law, or the written agreement of the parties.

The Parents agree that they will not at any time before, during, or after Process call the PC or anyone associated with the PC as a witness in any legal or administrative proceedings concerning this dispute.

The Parents agree not to subpoena or demand the production of any records, notes or work product of the PC in any legal or administrative proceeding concerning the Process or

disputes to extent that they may have a right to demand these documents, that right is hereby waived.

If, at a later time, either Parent decides to subpoena the PC, the PC will move to quash the subpoena. If PC is required to testify, PC will be testifying as to the Best Interest of the children.

Limited Liability

The Parents agree that the PC shall not be personally liable for any act or omission resulting in damage, injury, or loss arising out of the exercise of the official duties of the PC and within the course and scope of the Parent Coordination Process. The PC is immune from civil liability for damage for acts or omissions of ordinary negligence arising out of that individual's duties and responsibilities as a Parenting Coordinator.

This limitation of liability shall not be applicable if the damage, injury or loss was caused by the gross negligence or willful or wanton misconduct of the Parenting Coordinator.

Agreements, Reports, Reporting to Court

Although the Parents agree to be bound by any Agreements made in this process or Decisions made by the PC, those Agreements made will be submitted to the Court for Court order by the Parties/Parties' attorneys.

New Rules

The Parents agree that this Agreement cannot cover all of the particulars that may arise in every Parenting coordination Process and that the PC may have to establish additional or different rules and guidelines to fit the Parents' unique situation and relationship.

Termination of Parenting Coordination Process

The PC can terminate her role in the Process for any reason by giving the Parents two-weeks notice. The Parents agree that neither Parent can unilaterally terminate the PC or Parenting Coordination Process and will need to do so by joint and mutual agreement giving the PC two-weeks notice and paying current any outstanding fees and expenses owed to the PC.

If during the Process the PC becomes aware of physical abuse or other criminal activity, if she has reason to believe that a child or an aging adult is in need of protection or if either Party is in danger of bodily harm, the PC will end the process and notify the appropriate authorities.

While both Parents intend to continue in Parent Coordination Process for the entire term it is understood that either or both Parties may withdraw from Process with the above indicated notices and payment to OC of outstanding fees and expenses, unless prohibited by the existing court Orders).

I agree to the terms of this Parenting Coordination Agreement, I have had ample opportunity to discuss this Agreement with my attorney if I so wish, I understand that the

Parenting Coordinator is not giving me legal advice and not representing me as my attorney, and I agree to the terms of this agreement.

I have read, understand and agree to each of the provisions of this Agreement.

Parent

Date

[pc signature block]

Attachment to Parenting Coordination Participation Agreement
Sample Topics Appropriate for Parenting Coordination

Implementing terms of parenting plan/stipulation
Guidelines for communication
Improving parenting skills
Identifying sources and causes of conflict, reducing contempt filings
Develop parenting strategies to reduce conflict
Discipline and household rules/ expectations
Exchange location and duties
Childcare, Babysitters, Doctors, Dentists, etc.
Extracurriculars, camps, jobs of the children
Shared expenses and expenses in general
Clothing/ toys/belongings and exchange
Medical, Dental, and Vision decisions and bills
Minor changes to parenting schedule/holidays
Counseling, Tutoring
Haircuts, piercings, tattoos of child
Cars, cell phones, insurance
Communication with children
Education
Childrearing disputes such as bedtime, diet, clothing, homework
Participation of other in parent's designated time ie grandparents
Introduction of new romantic relationship
Right of first refusal for child care
Swaps of care time, "make-up time"
Travel within the United States, passports of children
Step parent issues
Administration of medicine
School Attendance, tardy
Sharing information, scheduling appointments for children, control of documents of children
Parental attendance and contact at school / extracurriculars, registrations, conferences, etc.

THIS IS AN AGREEMENT FOR PARENT COORDINATION SERVICES BETWEEN:

_____, FATHER

and

_____, MOTHER

and

_____, PARENT COORDINATOR

PRINCIPLES

1. The parents recognize that their children will benefit from a meaningful relationship with both parents, that parental conflict will impact negatively on their children's adjustment, and that every effort should be made to keep the children out of their disputes.

2. The parents wish to retain the services of _____, as Parent Coordinator (may subsequently be referred to as PC), to assist them in implementing, maintaining and monitoring the terms of the existing Parenting Plan, entered as a Judgment in their case, dated _____ and any subsequent Court Orders.

3. The parents agree to voluntarily enter into this agreement because of a desire to:

- a. de-escalate parental conflict;
- b. prioritize the children's best interests;
- c. promote the children's optimum adjustment;
- d. resolve issues/disputes in a time and cost efficient manner;
- e. benefit from the direction of a qualified professional.

ROLE AND OBJECTIVES OF THE PARENT COORDINATOR

4. The parents agree to retain _____ in his/her role as Parent Coordinator to act as a neutral third party to expeditiously resolve issues that arise from the implementation of the Parenting Plan in a manner consistent with the children's best interests that attempts to minimize parental conflict. The Parent Coordinator may provide consultation to the parents and may coach and educate them about ways to better communicate about the children and about ways to better communicate with each other, with a goal to helping the parents to ultimately resolve issues amicably and efficiently on their own without involving the Parent Coordinator.

5. Parent Coordination involves two components: (a) the Parent Coordinator attempting to resolve issues arising out of the Parenting Plan through facilitation, consultation, coaching and education, all being non-decision-making functions, and (b) if it is apparent to the Parent Coordinator that continued similar efforts are unlikely to resolve a particular issue, then the Parent Coordinator may resolve the dispute by providing binding arbitration in accordance with the Parenting Plan and as set out in the decision-making process of this agreement.

6. The non-decision-making component as described in #5 above stands distinct from that typically referred to as “mediation.” Any efforts to “mediate” occur in the context of Parent Coordination.

7. The parties are aware that _____ is not functioning as any sort of therapist/counselor for either of us, our family, or our children, nor is he/she functioning in a legal capacity as attorney.

PARENT COORDINATION SERVICES

8. The Parent Coordinator is not entitled to supersede the Parenting Plan and any subsequent Court Orders.

EXCLUDED FROM PARENT COORDINATOR’S ROLE

9. The following specific issues are excluded from the Parent Coordinator’s function and decision-making authority:

- a. changes in the usual parenting time (residential) schedule that substantially reduce or substantially expand the children’s time with one or both parents;
- b. a change in the geographic residence of the children;
- c. a change in legal custody, i.e., decision-making authority previously outlined in the Parenting Plan.
- d. a change in the court ordered child support or other financial obligations as set out in the Judgment.

TERMS AND AGREEMENT TO COOPERATE

10. The parents have stipulated to this appointment and the decision-making granted herein to the Parent Coordinator, and that _____ has the requisite professional qualifications and professional skills to do the work required.

11. The parents shall cooperate with the Parent Coordinator and agree to be bound by this agreement.

12. Each parent has obtained independent legal advice prior to the signing of this agreement.

13. The Parent Coordinator and the parents shall set a time and place for an information meeting within 15 days of the issuance of the Judgment by the Court.

14. The parents will sign all releases of information required to implement the process. The parents shall provide all records, documentation and information requested by the Parent Coordinator as soon as possible upon the request of the Parent Coordinator from time to time. The Parent Coordinator shall not, however, request materials that are subject to the attorney-client privilege of either parent.

15. The parents agree that the Parent Coordinator can perform the function of Parent Coordination, including both the decision-making and non-decision-making components as described above. They further agree that the fact that the Parent Coordinator performs the non-decision-making component does not disqualify him/her from arbitrating the same issues.

16. The term of the Parent Coordinator shall be for a period of _____ months from the date the Judge signed the Judgment & Order for Appointment of Parenting Coordinator or _____. If the Parent Coordinator wishes to withdraw, he/she shall appoint another Parent Coordinator, who is agreeable to both Father and Mother. If the appointment is not made, then either parent may ask the court to appoint a new Parent Coordinator, or the parents together may agree upon a Parent Coordinator and request the Court appoint such Parent Coordinator.

17. Neither parent may withdraw from this agreement during its term however, with their joint consent in writing, both parents may terminate this agreement. Should one parent choose to withdraw unilaterally, the Parent Coordinator may proceed and fulfill his decision-making role.

18. The Parent Coordinator is not serving as a lawyer for either parent and will not be providing legal advice.

NON-DECISION-MAKING COMPONENT (PROCESS PRIOR TO ARBITRATION)

19. If either parent has an issue relating to the children and/or the Parenting Plan that cannot be resolved with the other parent after efforts to do so, he/she shall contact the Parent Coordinator in writing or by e-mail to request services. A copy of this request shall be provided to the other parent at the same time. The Parent Coordinator shall then determine the next steps by way of a meeting, telephone contact and/or e-mail. The parents shall participate in accordance with the Parent Coordinator's decision as to the time, place and format of the contact. The Parent Coordinator shall have the authority to determine the protocol of all interviews and sessions and the power to determine who attends such meetings/contacts.

20. During this non-decision-making phase, prior to arbitration, the Parent Coordinator may communicate with one parent without the other being present. The Parent

Coordinator may communicate with the lawyers jointly and/or separately, unless determined otherwise at the start of the process. The Parent Coordinator shall be entitled to pursue matters submitted to him/her by meeting with the parents jointly and/or individually, reviewing written materials, and considering any other information relevant to the matter to be decided. The Parent Coordinator may consult with professionals, family members and others who have information about the parents and/or children such as therapists, custody assessors, school teachers and medical professionals if the Parent Coordinator believes their information may be relevant in assisting to implement this agreement.

21. The Parent Coordinator may interview/observe the children privately and/or with the parents separately and/or together. The Parent Coordinator will advise the children that while he/she will use discretion in communicating their feelings, thoughts and/or wishes, there is no confidentiality concerning the communications between the children and the Parent Coordinator.

22. There will be no confidentiality concerning communications between the parents and the Parent Coordinator and other persons with whom the Parent Coordinator may consult. The Parent Coordinator shall be free to disclose to the parents whatever information he/she may have received from third parties, the other parent, and the children but he/she is not bound to do so.

DECISION-MAKING COMPONENT (ARBITRATION PROCESS)

23. If the issue remains unresolved after what the Parent Coordinator considers a reasonable effort because one parent unilaterally withdraws from the process, or that the time constraints of the issue presented require the Parent Coordinator will proceed to arbitrate the issue in accordance with the arbitration provisions of this agreement. The decision is binding upon both parents regardless of whether or not they decide to have the award incorporated into a court order.

24. If the Parent Coordinator is to arbitrate the issue, he will advise the parents in writing, by mail or e-mail, that they are now engaged in arbitration. The time and place of the arbitration and/or the time for submissions and counter-submissions shall be provided in writing. The arbitration may proceed at that time and/or as per the timeline as notified, even if one parent fails to appear at the previously designated time and place, or if one parent fails to provide his/her submissions in the timeline provided.

25. In his role as arbitrator, the Parent Coordinator may rely on any information, both written and verbal, that we have disclosed, including written records, during our attempts to resolve the issues up to the point. By agreement of the parties, they waive a formal arbitration hearing and the Parent Coordinator may determine and decide the issue based on the prior mediation sessions and any additional submissions the parties wish to make to the Parent Coordinator by a given deadline. This may be agreed to by the parties to save time and expense.

26. The parents agree and waive the right to attend the arbitration with counsel.

27. There will be no recording of the proceedings by way of reporter and the arbitrator will, as soon as possible after hearing the arbitration, render an award in writing that will be delivered to the parents and counsel by fax or e-mail transmission. In addition, and upon the request of either parent, the Parent Coordinator shall be available thereafter to explain to the parents directly in a three-way conversation the reasons for any decisions rendered.

CHILD ABUSE REPORTING

28. The Parent Coordinator may report to the appropriate child welfare authority and/or other relevant authorities if he/she has a reasonable suspicion that there is child abuse or neglect.

FEES

29. Father and Mother shall pay all of the costs of the Parent Coordinator at a rate of \$_____ per hour and Parent Coordinator's paralegal at a rate of \$_____ per hour. This includes time spent in reviewing documents and correspondence, voice-mail, e-mail, meetings, and telephone calls with Father and Mother, their counsel and other professionals involved. Fees will be applied to time required for deliberation and writing of memos and arbitrated decisions, preparation time for testifying and related travel time. Court-related fees (i.e., preparation time, attendance and travel) shall be obtained by way of retainer in advance of any services rendered.

30. Mother shall pay _____% and Father shall pay _____% of the fees. Father and Mother will each provide a retainer of \$_____ to the Parent Coordinator (total retainer of \$_____). At all times each parent shall maintain a retainer of at least \$_____ (two hours each) in the account of the Parent Coordinator, who shall advise in advance when a further retainer is required. The Parent Coordinator will provide a statement of account to the parents from time to time. If the above terms are not satisfied, the Parent Coordinator will postpone all services until the retainer terms are met. Non-payment of fees shall be grounds for the resignation of the Parent Coordinator.

31. The parents will be billed for an appointment in which there is less than twenty-four (24) business hours' notice prior to cancellation, except for an appointment scheduled for 8:00 a.m. and/or after 4:00 p.m., in which case forty-eight (48) business hours' notice is required prior to cancellation. The parents will each be responsible for bills arising from his or her own cancellation with insufficient notice and/or failure to attend a scheduled appointment.

32. Notwithstanding the agreement to pay equally for all fees, the Parent Coordinator may modify this allocation if he finds that one parent is using his services unnecessarily and, as a result, is causing the other parent greater expense or, either parent may request that the fees be reallocated at any time during the Parent Coordinator's term of appointment. Any decision will follow the same process as detailed for arbitration.

33. In addition to reallocating fees, the Parent Coordinator shall have the power to impose an award of costs if the Parent Coordinator is required to arbitrate any issue. In addition, the arbitrator shall have the power to require one party to reimburse the other for any costs and/or expenses they may have suffered as a result of any breach of the Parenting Plan or any breach of an arbitral award of the Parent Coordinator. For example, if Mother incurs additional day care expenses as a result of Father not picking the children up on time, then the Parent Coordinator shall have the power to require Father to compensate Mother for that expense. Or, for example, if Father has to cancel a scheduled trip for the children that was prepaid, as a result of Mother's default of any terms of the agreement or the breach of an arbitral award, then she shall reimburse Father for his loss and expenses occasioned by her default or breach.

TO EVIDENCE THEIR AGREEMENT, FATHER AND MOTHER HAVE SIGNED THIS AGREEMENT BEFORE A WITNESS.

Father

Witness

Dated

Mother

Witness

Dated

Parent Coordinator

Witness

Dated

**JUDGMENT & ORDER FOR
APPOINTMENT OF PARENTING COORDINATOR**

PURSUANT TO THE STIPULATION OF THE PARENTS set forth in this Order and Judgment, and good cause appearing therefore,

IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. APPOINTMENT & TERM

A. The Court has jurisdiction over the subject matter and the parents and has the authority to enter this order.

B. It is in the child(ren)’s best interest and expedient to the administration of justice that a Parenting Coordinator be appointed to assist the parents in resolving conflict in a way that is beneficial to the child(ren).

C. _____ is appointed Parenting Coordinator for a period of _____ months from the date of this Order or until discharged by the Court. This appointment is based upon the expertise of the Parenting Coordinator as a licensed mental health professional or attorney practicing in the area of family law. The address, contact telephone number, fax number, and email of the Parenting Coordinator:

XXXXXX

D. The parents’ names, address, telephone numbers and e-mail are:

Mother: _____

Father: _____

E. The child(ren) name(s) and their dates of birth are:

2. ROLE & AUTHORITY

A. The role of the Parenting Coordinator is to assist in implementing, maintaining, and monitoring the terms of the existing Parenting Plan, entered as a Judgment in their case, and any subsequent Modification Judgments, Court Orders, and previously arbitrated decisions. The Parenting Coordinator has the responsibility to promote the best interest of the child(ren) on all issues in which the Parenting Coordinator makes a decision.

B. The Parenting Coordinator shall have authority as set forth below to make decisions resolving conflicts between the parents regarding the best interest of the child(ren):

1. Establish specific dates, times of pickup and conditions for exchanges of the child(ren) in transition between parents.
2. Sharing of vacations and holidays.
3. Method of exchange of children and belongings.
4. Timesharing schedule or conditions, telephone contact and correspondence contact for so long as the timesharing is in keeping with the Parenting Plan's timesharing and residential provisions.
5. Temporary or one-time variation from the schedule for a special event or particular circumstance.
6. Transportation of the child(ren).
7. Participation in a parent's time with the child(ren) (by significant others, relatives, etc.).
8. Educational, daycare, and/or extracurricular or enrichment activities for the child(ren).
9. Communication between parents with regard to the child(ren) including means of communication, frequency and time of communication, and rules regarding content of communication.
10. Communication between the children and the parent they are not with when they are in one parent's care.
11. Alteration of the child(ren)'s appearance, such as haircuts, pierced ears, body piercing, tattoos.
12. Parenting roles, including participation in a child's school or extracurricular activities during the other parent's scheduled time. This includes accommodation for a parent who coaches sports, leads a Scout group, etc.
13. Ordering either or both parents to substance abuse testing and having access to any generated reports or results.
14. Making orders more specific so as to avoid violation of Court's orders.
15. Make up for missed time.
16. Clothing exchange.
17. Health care management.
18. Other as specified below and initialed by each parent:

a. _____

Mother initials: _____ Father initials: _____

b. _____

Mother initials: _____ Father initials: _____

c. _____

Mother initials: _____ Father initials: _____

d. _____

Mother initials: _____ Father initials: _____

C. In addition to the specific areas listed above in Paragraph B, the Parenting Coordinator may make decisions on the issues identified below that are initialed by the parents.

1. Changing the times for religious observances and training by the child(ren), including attendance at services.

Mother initials: _____ Father initials: _____

2. Changing from private or public school to the other.

Mother initials: _____ Father initials: _____

3. Determining and ordering appropriate medical, mental health, and counseling treatment (including psychotherapy, substance abuse, and domestic violence counseling, and batterer's intervention programs, substance abuse treatment or counseling, and parenting classes) for the child(ren) and the parents; the Parenting Coordinator shall designate whether any ordered counseling is or is not confidential.

Mother initials: _____ Father initials: _____

4. Ordering psychological testing for either or both parents or the child(ren).

Mother initials: _____ Father initials: _____

5. Supervision of a parent's time with child(ren).

Mother initials: _____ Father initials: _____

3. LIMITATIONS ON THE AUTHORITY OF THE PARENTING COORDINATOR

The Court authorizes the Parenting Coordinator to make decisions in defined areas, retaining its exclusive jurisdiction to modify the terms of the parenting plan. The Parenting Coordinator does not have the authority to do any of the following:

- A. Make changes in the usual schedule that substantially reduces or expands the time that either parent has with the children.
- B. Change the designated residence of the child(ren) for the purpose of mailing and school attendance.
- C. Make orders changing the amount of child support owed or changing the provisions related to shared expenses.
- D. Make any orders that otherwise affect matters under the court's exclusive jurisdiction.

4. QUASI-JUDICIAL IMMUNITY

- A. The Parenting Coordinator is an Officer of the Court, acting as a private decision-maker for the parents to this action, to the extent of this Stipulation. The Parenting Coordinator has quasi-judicial immunity. The Parenting Coordinator cannot be sued based on his/her actions in this matter. The Parenting Coordinator cannot be compelled to testify or produce records generated in the course of work pursuant to this Order.
- B. The Parenting Coordinator may not testify in this cause about the Parenting Coordination process without the express agreement of the Parenting Coordinator and the parents.
- C. The Parenting Coordinator shall not be called as a witness in any court proceeding, nor shall the Parenting Coordinator's records, notes, work product or the like be subject to subpoena or a document production request.
- D. Notwithstanding the above, the Parenting Coordinator may elect to testify in any hearing related to the withdrawal or termination of the Parenting Coordinator, in the Parenting Coordinator's request for instructions from the court, or to enforce fee collection.

5. PROCEDURE

- A. Statement of Policies and Procedures: The Parenting Coordinator shall provide the parents with a written agreement for services containing his or her policies, including specifically the policy concerning confidentiality of information obtained by the Parenting Coordinator, mandated reporting of child abuse and neglect, and the procedures used by the Parenting Coordinator for dispute resolution.
- B. Process: Both parents shall participate in the dispute resolution processes as defined by the Parenting Coordinator which shall include, at a minimum, the opportunity for each

of the parents to be heard. They shall be present when requested by the Parenting Coordinator. In the event a parent does not attend a meeting set by the Parenting Coordinator, the Parenting Coordinator may make decisions and orders despite the parent's absence.

C. Initiation of the Hearing Process by Parents: If either parent wants an issue decided by the Parenting Coordinator, he or she may submit a written or telephonic request to the Parenting Coordinator, in compliance with the policies of the Parenting Coordinator, clearly setting forth the issues in dispute. The hearings may be informal and need not comply with the rules of hearsay or civil procedure. The testimony need not be sworn. **There is no confidentiality as to any evidence presented at such hearings.** If a parent provides notice to the Parenting Coordinator and the other parent, he or she may audiotape the proceedings or pay for a certified court reporter to record the proceedings. Absent an emergency, the Parenting Coordinator shall give the parents 10 days notice of such hearings. Either parent may request an alternative date or time, which will be granted or denied based upon good cause shown.

D. Interviews: The Parenting Coordinator may make recommendations and issue orders based upon conversations with the parents, attorneys, witnesses, or examinations of documents. The Parenting Coordinator may talk with each parent without the presence of either counsel or the other parent. The Parenting Coordinator has the authority to determine the protocol of all meetings and interviews, including the power to determine who attends meetings. The Parenting Coordinator has the authority to talk to the children alone and to include the children in sessions with the parents and/or parents' attorneys, Guardian ad Litem, family therapist, children's therapist, or anyone else the Parenting Coordinator deems necessary.

E. Decisions: The Parenting Coordinator must decide issues submitted within 30 days from the submission of all applicable evidence. In the event that such a decision is not made within this time, the Court retains jurisdiction to resolve the dispute upon proper motion of either parent.

F. Effect of Decisions: The Parenting Coordinator decisions are effective as orders when made and will continue in effect unless and until modified (by Parenting Coordinator or court order) or set aside by a court of competent jurisdiction.

G. Use of Assistants/Consultants: On reasonable notice to the parents, the Parenting Coordinator may utilize consultants and/or assistants as necessary to aid the Parenting Coordinator in the performance of duties. Fees for such consultants or assistants will be advanced by the parents as directed by the Parenting Coordinator. In making such directions, the Parenting Coordinator will consider the financial circumstances of the parents. The allocation of fees for such services shall be the same as set forth for the Parenting Coordinator's time.

6. DECISIONS, JUDICIAL REVIEW & JURISDICTION OF THE COURT

A. Orders made by the Parenting Coordinator, if in writing, shall be binding and effective when signed by the Parenting Coordinator. Orders need not be in writing and may be made orally if circumstances involving severe time constraints and/or possible emergencies so

warrant. Oral orders shall be binding and effective when communicated to both parents, and such orders shall be further confirmed in writing to both parents and counsel as soon as practicable.

B. If requested by either parent within five days of the issuance of an order or recommendation, the Parenting Coordinator shall provide in writing to both parents the reasons for the order or recommendation.

C. If either parent objects to an order of the Parenting Coordinator, the parent may file with the court a request for a hearing de novo within fifteen calendar days after the Parenting Coordinator has sent the order to the parents. If the objection is not filed within fifteen days, the Parenting Coordinator's decision is final.

D. The request for review by the court shall include a detailed statement of the specific objections to the Parenting Coordinator's order. The order shall remain in effect unless specifically set aside or modified by an order of the Court. The filing of the request is all that is legally required to constitute a challenge to the entirety of the Parenting Coordinator's order.

E. Before any court hearing, the parents shall meet and confer with the Parenting Coordinator to attempt to resolve the objections. Attorneys may be present if requested by the parents. In the event that the issues are resolved, a written stipulation shall be prepared by the Parenting Coordinator or counsel and submitted to the Court, and any motions filed on said subject shall be dismissed.

F. The Court may vacate or amend, in whole or in part, the Parenting Coordinator's orders or decisions.

G. The Court specifically reserves jurisdiction to enforce the terms and conditions of this Order and to modify same according to law.

H. Copies of all requests, objections, or other documents submitted to the Court or issued by the Court shall be served to each parent, the Parenting Coordinator, counsel of record, if appropriate, by the person or entity generating such documents. Service shall be by e-mail, U.S. mail, or hand delivery.

7. COMMUNICATION WITH PARENTING COORDINATOR

A. The parents and their attorneys shall have the right to initiate or receive communication with the Parenting Coordinator without including the other parent and/or attorney; however, such communications should be minimized whenever possible and the Parenting Coordinator shall have the right to disclose all such communications. If the Parenting Coordinator is requested to make orders based upon a communication with only one parent, he or she shall make reasonable efforts to contact the other parent before making such orders and, if required, to schedule a hearing in accordance with the procedures above.

B. The Parenting Coordinator may not communicate directly with the Judge except in

writing, and shall provide copies at the same time to the parents and their counsel.

C. Within 15 calendar days of the date of this Order, counsel for ☐ Mother ☐ Father ☐ Guardian ad Litem shall provide to the Parenting Coordinator: (1) pleadings, including copies of all Judgments in effect; and (2) correspondence and memoranda related to the issues to be handled by the Parenting Coordinator. The counsel providing the above to the Parenting Coordinator shall provide all attorneys of record with a list of what was provided.

D. Within 15 calendar days of the date of this Order, counsel and/or the parents may provide the Parenting Coordinator all documents deemed relevant for background, and shall provide the other parent and attorneys of record with a copy of all such documents to the other parent and/or counsel.

E. Each parent shall give the Parenting Coordinator his/her contact information (mailing address, e-mail address and/or fax number, and telephone numbers, and the child(ren)'s addresses and telephone numbers), and provide advance notice of all changes of contact information, including temporary changes during travel. Each parent must give the Parenting Coordinator a method for rapid oral and written communication and notification (such as voicemail, text message, email or fax) that allows prompt transmission of information.

F. The Parenting Coordinator may structure the decision-making process, including directing how the parents are to communicate with each other and with the Parenting Coordinator concerning issues presented to the Parenting Coordinator for decision or recommendation.

G. Either party shall be entitled to have his or her attorney attend any session with the Parenting Coordinator.

8. INFORMATION AND ACCESS TO CHILDREN

A. The parents have been informed that they are not required to give up privileges or rights to privacy, and they do not have to agree to disclose information. Nevertheless, they both agree that records and information regarding either parent and/or the child(ren) may be released to the Parenting Coordinator by the following:

1. Child(ren)'s current and/or previous pediatrician(s).
2. Current and/or previous psychologist(s), psychiatrist(s), or other mental health professional(s).
3. Child(ren)'s current and/or previous teacher(s) and school(s).
4. Hospital and medical records of child(ren)'s current and/or previous physician(s).
5. Law enforcement agencies, police departments, and/or sheriff's office(s).
6. Prior Parenting Coordinator(s).
7. Custody Evaluator and/or evaluations and other court-ordered evaluations of the parents or child(ren).
8. Current and/or previous child care providers.

9. Other:_____.

B. The parents will sign the consent to release of the above-listed information form(s) provided to them by the Parenting Coordinator. In addition, the parents shall provide non-privileged documents to the Parenting Coordinator on request.

C. The Parenting Coordinator shall have the following rights and authority with regard to the minor child(ren):

1. Reasonable access to the child(ren) with reasonable notice to the parents (by phone or in office).
2. Reasonable notice of judicial proceedings involving the child(ren).

9. CONFIDENTIALITY

A. There will be no confidentiality concerning communications between the parents and the Parenting Coordinator. Communication between a parent and Parenting Coordinator is not privileged or protected from disclosure to third parties.

B. There will be no confidentiality between the Parenting Coordinator and other persons with whom the Parenting Coordinator may consult. The Parenting Coordinator shall be free to disclose to the parents whatever information he/she may have received from third parties, the other parent, and the child(ren) but he/she is not bound to do so.

C. The provisions of this section apply to mental health professionals and attorneys serving as Parenting Coordinators.

10. CHILD ABUSE REPORTING

There is no confidentiality concerning communications with the Parenting Coordinator regarding child abuse. **The Parenting Coordinator is a mandated reporter. Incidents of child abuse or suspected child abuse that meet the mandatory reporting standards for mandated reporters will be reported to appropriate authorities.**

11. FEES

A. Charges and Costs: The Parenting Coordinator's hourly fee shall be set by the Parenting Coordinator and the fees and costs of the Parenting Coordinator shall be set forth in a writing signed by both parents. It is understood that despite the fact that the Parenting Coordinator may make decisions or orders in favor of one parent, both parents will continue to be responsible for the payment of fees associated with such services at the allocated percentages designated below.

B. The fee agreement may specify the charges to the parents for fees and expenses, which may include, but are not limited to, the following: photocopies, messenger service, long

distance telephone charges, express and/or certified mail costs and excess postage to foreign countries, parking, tolls, mileage and travel expenses, and word processing/transcription, court appearances, telephone calls to or from the parents or others involving the case, and reviewing documents.

C. The Parenting Coordinator Contract shall provide for payment of fees by one parent or the other for failure to abide by the Parenting Coordinator's notice of cancellation requirement, or for failure to abide by any decision of the Parenting Coordinator.

D. Payments: Prior to the initial interview, the parents will provide the Parenting Coordinator with an advance retainer as required by the Parenting Coordinator. The aforementioned hourly fees and costs as set forth in this Order shall be drawn against this retainer. Any funds remaining at the termination of the Parenting Coordinator's services shall be refunded to the parents. In the event the retainer is expended prior to the termination of the Parenting Coordinator's services, the parents agree to provide a like amount as and for an additional advance retainer within 15 days of the request. The Parenting Coordinator shall not become a creditor of the parents.

E. Failure to Pay Fees of the Parenting Coordinator: The Parenting Coordinator may proceed in court in the event his/her fees are not timely paid. A willful failure to advance an initial or later retainer within 15 days of a demand therefore may be the subject of monetary sanctions or a contempt action. Monetary sanctions shall include the reasonable expenses of the Parenting Coordinator in seeking enforcement.

12. ALLOCATION OF FEES

A. Except as otherwise provided herein, the fees of the Parenting Coordinator shall be shared by the parents in the following manner:

Father shall pay _____% and Mother shall pay _____% of the Parenting Coordinator's fees, expenses and advance deposit.

B. It is the general rule that the allocation above applies to fees or costs for services no matter which parent initiated the work of the Parenting Coordinator. For example, total telephone time is assessed against the parents pursuant to the allocation above, rather than each parent being charged for his/her own telephone time.

C. The Parenting Coordinator shall have the right to reallocate payment of fees at a percentage different from the above for a particular set of services if the Parenting Coordinator believes the need for the services is attributable to the conduct and/or intransigence of one parent.

D. The Parenting Coordinator may recommend a reallocation of the percentage of sharing of fees if he/she believes a substantial change of the financial circumstances of one or both of the parents warrants it. The parents may agree to the reallocation as recommended by the Parenting Coordinator, but they are not obligated to do so.

E. The Court has the ultimate responsibility to determine the proper allocation between the parents of the fees of the Parenting Coordinator and may require reimbursement by one parent to the other for any payment to the Parenting Coordinator.

13. RENEWAL, WITHDRAWAL OR TERMINATION OF THE APPOINTMENT OF THE PARENTING COORDINATOR

A. Renewal: The parents and the Parenting Coordinator may agree to renew or extend the term of the Parenting Coordinator by written stipulation and order.

B. Withdrawal: The Parenting Coordinator may apply directly to the court to withdraw and shall provide the parents and their counsel with notice of the application for withdrawal. Upon application of the Parenting Coordinator, the court may grant the Parenting Coordinator's request without a hearing unless either parent makes a written request within 10 days of the application for discharge.

C. Termination: Either parent may seek to suspend or terminate the Parenting Coordinator process by filing a motion with the Court. The Parenting Coordinator services may not be terminated unilaterally by either of the parents without an order of the Court. The Parenting Coordinator is terminated if both parents sign a written stipulation terminating the appointment. The stipulation shall be filed with the Court.

14. CONSENT

The parents acknowledge and initial the following:

A. I understand that a Parenting Coordinator can only be appointed with my agreement and I agree to the appointment of the Parenting Coordinator named in this stipulation. I have been informed that no Missouri statute or court rule authorizes the appointment of a Parenting Coordinator.

Mother initials: _____ Father initials: _____

B. I understand that I can limit the issues before the Parenting Coordinator. I have reviewed the issues that are to be decided by the Parenting Coordinator in this stipulation and I agree to each of them.

Mother initials: _____ Father initials: _____

C. I understand that I can limit the term of appointment of the Parenting Coordinator and that the authority of the Parenting Coordinator will end at the end of the appointment term. I agree to the term of the appointment of the Parenting Coordinator in this stipulation.

Mother initials: _____ Father initials: _____

D. I understand that the Parenting Coordinator will resolve disputes between the parents without a court hearing and will issue some decisions that will become court orders and will make recommendations that are non-binding on us. Orders of the Parenting Coordinator can be reviewed by the Court, but that any objection must be made within the time specified in this order.

Mother initials: _____ Father initials: _____

E. I have had an opportunity to confer with the Parenting Coordinator appointed in this stipulation. I have received this Parenting Coordinator's written statement of policies and procedures, including fees, and I agree to this Parenting Coordinator's appointment.

Mother initials: _____ Father initials: _____

F. I understand that the Parenting Coordinator cannot be called as a witness if I object to the Parenting Coordinator's order.

Mother initials: _____ Father initials: _____

G. I have had an opportunity to review this stipulation and to have questions about this stipulation answered by legal counsel.

Mother initials: _____ Father initials: _____

H. I understand this document and voluntarily agree to the entry of this order.

Mother initials: _____ Father initials: _____

I. I agree to contact the Parenting Coordinator within ten (10) days of the signing of this Order to schedule an initial meeting.

Mother initials: _____ Father initials: _____

15. ENFORCEMENT

In the event that a legal action becomes necessary to enforce any provision of this order, the Court shall have the discretion to order the non-prevailing parent to pay actual and reasonable attorney's fees and costs as may be incurred.

AGREED TO:

Father

Dated

Mother

Dated

APPROVED AS TO FORM:

Attorney for Father

Dated

Attorney for Mother

Dated

I agree to my appointment as Parenting Coordinator contained in this stipulation.

Parenting Coordinator

Dated

JUDGMENT

IT IS SO ORDERED:

Judge/Commissioner

Dated