

**March 4, 2021 DOMESTIC AND GAL CLE
Biographies of Moderators/Speakers**

Bill Grant: Mr. Grant received his B.A. from Cornell College in Iowa and graduated from Washington University School of Law in 1974. Bill is highly regarded by the bench and bar for the sensitive and ethical manner in which he handles his cases and interacts with the Court and his fellow lawyers. In addition to nearly four decades of experience as a family law attorney, primarily as a Guardian Ad Litem appointed by the Court to represent children, Bill also handles juvenile proceedings and criminal defense matters, with an emphasis on youthful offenders. Mr. Grant is the 2012 recipient of the Dudley C. Dunlop Distinguished Service Award, the 2018 recipient of the Missouri Lawyers Media ICON Award for Distinguished Leadership in Law, and the recipient of the St. Louis County Juvenile Court Dudley Dunlop Guardian of the Year Award in 2001. Bill is a member of the St. Louis County Bar and he has been selected by his peers as a Super Lawyer every year since 2013. He is a founding member, and currently serves as the President of the Board of Directors, for Caring for Kids, he serves as a member of the St. Louis County Domestic and Family Violence Council and he was elected to serve on the 21st Circuit Judicial Commission for a term that expires December 2023. Bill is a St. Louis County representative on the Missouri Supreme Court Sub-Committee of the Commission on Racial and Ethnic Fairness within the Juvenile Court, a pro bono attorney and volunteer for the St. Louis Family Court Drug Court, the St. Louis County Family Court Truancy Court, the St. Louis County Court Appointed Special Advocate for Children, a CASA Board member, a member of the St. Louis Civil Service Commission, and he serves on the Board of Directors for Deaconess Hospital.

Chris Stiegemeier: Mr. Stiegemeier received his B.A. from Southeast Missouri State University and graduated from Saint Louis University School of Law in 1992. Chris is the Director of Risk Management for The Bar Plan Mutual Insurance Company, directs The Bar Plan's Practice Management Program which provides on-site and personalized reviews of lawyers and law firm practices to help improve risk management and case handling procedures, and is the Executive Vice President of The Bar Plan Foundation which awards scholarships to third year law students. Chris annually conducts more than seventy risk management seminars on a wide variety of ethical and legal malpractice issues offering professional and practical solutions for dealing with malpractice and ethical concerns, he responds to the Bar Plan's ethics and malpractice telephone "Hotline" to assist insureds with issues that arise in their daily practice and he has written numerous articles for a variety of publications for national, state and local bar associations. Prior to joining The Bar Plan, Mr. Stiegemeier was in private practice and concentrated his practice in the areas of domestic relations, criminal and appellate practice.

Sarah Shelledy Pleban: Ms. Pleban received her undergraduate degree from Quincy University and graduated from Saint Louis University School of Law in 1981. Sarah began her legal career at the St. Louis County Public Defender's Office where she eventually was the Chief Trial Attorney. Ms. Pleban entered private practice in 1989 where she has concentrated her practice in family law, primarily as a Guardian Ad Litem appointed by the Court to represent children, often in the more complex and high conflict cases involving abuse, mental health issues and addiction issues. Sarah is a highly sought after speaker by numerous state and local bar organizations, especially regarding topics about representing children and the best interest of children. Ms. Pleban has been listed as a Missouri & Kansas Super Lawyers since 2012, she received a Missouri Lawyer's Association Women's Justice Award for Public

Service in 2014, and the Dudley C. Dunlop Distinguished Service Award in 2021. She is a member of the Shrewsbury Anti-Racism Collective and she is a volunteer at Catholic Legal Assistance Ministry, St. Francis Community Services, the Inter-Faith Committee on Latin America and Power of Attorney Workshops, Pro-Se Asylum Workshops and Legal Clinic nights, and the Migrant & Immigrant Community Action Project (The M.I.C.A. Project), both as a Guardian Ad Litem and for parents seeking paternity judgments in cases involving immigrants.

Robert Parson, Jr.: Mr. Parson received his B.S. from Saint Louis University and is a graduate from Saint Louis University School of Law. Robert is a solo practitioner in Clayton and his practice areas include family law, probate, personal injury, criminal, estate planning and business formations. Mr. Parson was elected as the Florissant City Council Representative for Ward 8 in 2017, and is now currently serving his second term. Mr. Parson also is a volunteer attorney member for one of the Missouri Bar OCDC Regional Disciplinary Committees which investigates complaints of alleged violations of the Rules of Professional Conduct.

The Honorable Willie J. Epps, Jr.: The Honorable Willie J. Epps, Jr. is a United States Magistrate Judge for the Western District of Missouri and sits in Jefferson City. Judge Epps was born in Mississippi and raised in Missouri. He is a graduate of St. Louis Country Day School, Amherst College and Harvard Law School. Judge Epps began his legal career in service to our country as a U.S. Air Force Judge Advocate, Special Assistant U.S. Attorney, and Assistant Special Counsel for The Waco Investigation. Later he was named chief compliance officer for a Fortune 500 company, a partner at two law firms, and head of litigation for a financial services company. Judge Epps is a Fellow of the American College of Trial Lawyers. He serves on the Executive Committee of the National Conference of Federal Trial Judges and teaches annually at Harvard Law School's Trial Advocacy Workshop. Prior to being appointed to the federal bench, Judge Epps was listed in Best Lawyers in America and Missouri & Kansas Super Lawyers.

Simone A. Haberstock: Simone A. Haberstock: Ms. Haberstock graduated from Saint Louis University Law School in 1991 and received her LLM from University of Missouri Columbia Law School in 2013. Her practice is located in Richmond Heights and offers legal services in all aspects of family law including mediation, litigation, special master services and parenting coordination. Simone is a certified mediator and parent coordinator as well as a certified public accountant. Ms. Haberstock was a recipient of the ABA Young Lawyers Certificate of Merit for advocacy work for children and she has served for many years on the Missouri Bar Committee for the annual Family Law Conference. Simone is a former President of the Missouri Chapter of the Association of Family and Conciliation Courts (AFCC) and has presented at both the international AFCC and International Association of Collaborative Professionals (IACP) conferences. She regularly speaks on topics related to family conflict, mediation and parenting coordination. Ms. Haberstock also served for over 10 years on the Board of Governors for the Bar Association of Metropolitan St. Louis and currently serves on the Board for Confluence Missouri Inc., a 501(c)(3) nonprofit organization. Simone provides training for other mediators and parent coordinators and she has participated in the development, design and implementation of several court connected conflict resolution programs.

Jennifer Piper: Ms. Piper earned a B.A. in political science from the University of Missouri-Columbia, and her law degree from Saint Louis University School of Law in 2001. Jennifer has been distinguished by Missouri Lawyers Weekly as a Rising Star and an Up and Coming Lawyer, she has been named to The

Best Lawyers in America® 2017-2021, she received a Woman's Justice Award from Missouri Lawyers Weekly in 2019, and she was recognized by Missouri Super Lawyers in 2020. Ms. Piper served as a member of the 2010 and 2011 inaugural class of Barristers in The Theodore McMillian American Inn of Court, she is a member and Past President of The St. Louis County Bar Association and is still actively involved in the organization with planning Continuing Legal Education Seminars and events. Ms. Piper was appointed to a special committee of the Missouri Bar Association, dealing with issues involving juvenile cases and immigration and by St. Louis County Circuit Court to serve on a special committee to develop and implement new local rules and procedures for the Family Court. Jennifer has served on the Board of Directors for Caring for Kids, an organization developed to provide essential resources to children in foster care and she volunteers as a Guardian Ad Litem for the St. Louis County Domestic Violence Court. Ms. Piper is regularly appointed to protect children and assist families with difficult custody matter as a certified Guardian Ad Litem, a Mediator for civil and family law matters and as a Parenting Coordinator.

The Honorable Douglas Beach: The Honorable Judge Beach earned his undergraduate degree at Central Connecticut State University and his law degree, *cum laude*, from the New England School of Law in 1977. In 2005 Judge Beach was appointed as an associate circuit judge, in 2010 he was appointed as a circuit judge and in 2017 he was named the Presiding Judge for St. Louis County Circuit Court. In 2019 Judge Beach joined JAMS as a mediator and arbitrator, after 13 years of service with the Missouri Judiciary, where he presided for more than 10 years over a Family Court division. Prior to his appointment to the bench, Judge Beach practiced family law for 28 years, served as a Lieutenant Colonel in the U.S. Marine Corps Reserve and was a United States Marine Corps Judge Advocate for four years. Judge Beach has served as President of the St. Louis County Bar Association, the American Academy of Matrimonial Lawyers, and he volunteers for the Children's Home Society and Kids in the Middle. Judge Beach has received numerous awards, including the Roger P. Krumm Family Law Award in 2018, the Dudley C. Dunlop Distinguished Service Award in 2018, the Honorable Tom C. Clark Award from the National Association for Presiding Judges and Court Executive Officers in 2018, an organization that he served as President, the Champion of Kids Award from Kids in the Middle, an Honoree from the Legal Advocates for Abused Women from the Crime Victim Advocacy Center, and the recipient of the Ellen Cowell Leadership Award in 2018. Judge Beach was a delegate to Mexico, U.S. State Department cultural exchange on issues involving domestic violence, he is a fellow and Past President of the Missouri Chapter of the American Academy of Matrimonial Lawyers, Past President and Former Chair of the Family Law Section of the St. Louis County Bar, a member of the Women's Lawyer's Association, the Hispanic Bar Association, the Lawyers Association, and the Association of Family and Conciliation Courts. Judge Beach was the founding Judicial Officer for the St. Louis County Veterans Treatment Court and he was an instrumental leader start to finish, through the funding, design and construction, for the new Family Court building and renovations to the Civil Court building.

Scott Sifton: Mr. Sifton graduated *cum laude* from Truman State University in 1996 and earned his law degree from the University of Michigan Law School in 1999. He served in the Missouri House of Representatives from 2011-2012 and in the Missouri Senate from 2013-2021. He served on the Affton Board of Education from 2001-2010 and the Board of Directors for the Missouri chapter of the American Lung Association from 2000-2006. Scott has earned a reputation for putting policy before politics and for

championing strong ethics rules. His efforts have been acknowledged with awards from the Missouri Bar Association and the Missouri Judicial Conference, among many others. Scott's law practice focuses on environmental cleanup litigation and helping recover taxpayer health care costs in connection with the opiate crisis.

Rep. Sarah Unsicker: Rep. Unsicker earned her bachelor's degree from Valparaiso University and her law degree from Washington University Law School in 2005. Since 2017 Rep. Unsicker has served in the Missouri House of Representatives, having been elected in November 2016 to her first two-year term, for District 91, representing parts of St. Louis County and St. Louis City. Rep. Unsicker is the Minority Caucus Policy Chair and her current term ends in 2023. Rep. Unsicker has sponsored and co-sponsored several House Bills and served as Ranking Minority Member on several House Committees including the Children and Families Committee and Legislative Oversight Committee. Rep. Unsicker is a member of the Gethsemane Lutheran Church, the Webster/Shrewsbury Chamber of Commerce, the National Women's Political Caucus and she has served as chapter coordinator in 2014 and 2015 for CHADD (Children and Adults with Attention Deficit/Hyperactivity Disorder). Rep. Unsicker's law practice focused on family and education law and she served as a Guardian Ad Litem for the St. Louis City Family Drug Court.

The Honorable David Roither: The Honorable Judge Roither earned his bachelor's degree in philosophy and political science from the University of Missouri-St. Louis and his law degree from Saint Louis University School of Law in 1999. He was appointed as an associate circuit judge for the City of St. Louis in 2018. Before he was appointed to the bench, Judge Roither was in private practice from 2005 to 2018, practicing family law as a frequently appointed Guardian Ad Litem for abused and neglected children in St. Louis County, the City of St. Louis and St. Charles County Circuit Courts. Judge Roither is a member of the Missouri Bar, the Bar Association of Metropolitan St. Louis and the Lawyers Association of St. Louis. Judge Roither has served as a Committee member and Board member of the Pierre Laclède Honors College and as a member of the Alumni Board and the Chancellors Advisory Committee on International Affairs at the University of Missouri-St. Louis. He is an active parish member of St. Margaret of Scotland where he has served as Treasurer of the parish athletic department and coached numerous athletic teams. Judge Roither has been a volunteer attorney and been actively involved with Legal Advocates for Abused Women, serving on numerous committees including as Chair for major fund raising events and serving as a Board member and ultimately Vice-President of the Board of Directors.

The Honorable Bruce Hilton: The Honorable Judge Hilton received his law degree from Saint Louis University School of Law in 1986 and was he appointed in 2017 as a circuit judge for St. Louis County Circuit Court where he has been assigned family court dockets, including adult abuse and pro se dockets. Before his appointment to the bench, Judge Hilton was in private practice for more than 30 years, primarily focused in family law and often as a Guardian Ad Litem representing and advocating for children in over 3,500 cases. Judge Hilton is a dedicated member of the St. Louis community as a volunteer coach, religious school teacher, prior Treasurer of the Tillman Elementary PTO, and prior Board member for the Kirkwood Library. He served on the Boards for Giant Steps, which provided services for children with Autism and Friends of Heritage House Safe Haven, which provided safe custody exchanges. Judge Hilton was appointed to the Pro Se Feasibility Committee for the Missouri Bar Board of Governors, the Committee on Diversity for the Missouri Bar Board of Governors, and the Judicial Evaluation Committee for the 21st Judicial Circuit, which he served as Chair from 2008 to 2013. Judge Hilton has been a member of the Black Sheep Foundation, the Make-A-Wish Foundation and a member of the Meacham Park Neighborhood Improvement Association. Judge Hilton served on the Board of Governors for the Missouri

Bar for 11 years, he is a past President of the St. Louis County Bar Association, and he was the first attorney recipient of the Good Citizen Award from the Grand Jurors Association of St. Louis County.

James Fendelman: Mr. Fendelman received his Juris Doctor degree from Washington University in 1993 and is a member of both the Missouri and Illinois Bars. He has been a trial attorney for 28 years. He focuses his practice in the areas of commercial litigation, commercial and consumer collections as well as enforcement of judgment and post-judgment collections. Mr. Fendelman regularly speaks on the topics of litigation, practice management and updates in the Missouri Rules of Civil Procedure. He serves as a resource to attorneys on the topics asset-location, post-judgment collections and enforcement of judgments. Mr. Fendelman also teaches classes on communications skills, conflict resolution and leadership for teens, college students and adults as well as a class on attorney wellbeing, mindfulness and stress management.

The Honorable Michael Burton: The Honorable Judge Burton received his undergraduate degree from the University of Notre Dame and his law degree from Washington University School of Law in 1985, he was appointed as an associate circuit judge in 1999, as a circuit judge in 2004 and as the Presiding Judge of St. Louis County in 2020. Prior to his appointment to the bench, Judge Burton was an Assistant Special Public Defender for St. Louis County and St. Louis City and was in private practice where he focused primarily in criminal defense and family law. Judge Burton has served as an adjunct professor at Washington University School of Law and Saint Louis University of School of Law, he has served as an instructor in the Judicial College, the National Judicial Institute on Domestic Violence and the National Council of Juvenile Family Court Judges. Judge Burton has served as the President of Join Hands ESL Company (formerly Project Kids), was a co-founder and president of the Boys Club, founder and co-director of the Teen Mentoring Program, and has volunteered with Big Brothers/Big Sisters of Missouri and the Truancy Court of St. Louis County, Ferguson and Florissant school districts. Judge Burton was Chair of the St. Louis County Domestic and Sexual Violence Council and he established the St. Louis County Domestic Violence Court, which has been named as a pilot program for domestic violence courts nationwide.

The Honorable Nicole Zellweger: The Honorable Judge Zellweger graduated from the University of Georgia, magna cum laude, she received a Master of Arts from Yale University Divinity School in 1999, and in 2004 she graduated from Washington University School of Law. Judge Zellweger was appointed as an associate circuit judge for St. Louis County Circuit Court in 2018, and currently is assigned to Division 31 in the Family Court. Prior to her appointment to the bench, Judge Zellweger was a partner in her Firm where she practiced Business Litigation and Trust and Estate Litigation. Judge Zellweger has previously served on many law and community boards. She is a member of the Missouri Bar, the Kansas Bar, the Illinois Bar, the Women Lawyers Association, the Mound City Bar Foundation, the Lawyers Association and a Fellow of the American Bar Association. Judge Zellweger also serves on committees of the Bar Association of Metropolitan St. Louis, the Missouri Association of Probate and Associate Circuit Court Judges and the 21st Judicial Circuit Strategic Planning Committee.

Lisa G. Moore: Ms. Moore earned her undergraduate degree in psychology from Columbia College and her law degree from Saint Louis University School of Law in 1998. Lisa practices exclusively family law in primarily high conflict and complex litigation matters, while she is also the Managing Partner and President of her Firm's Board of Directors where she deals with all aspects of firm administration, including ethical issues and client management. Ms. Moore has been listed in Missouri and Kansas Super Lawyer since 2008, Best Lawyers in America since 2015; Who's Who in Law, 2015; Law Firm

Leader of the Year; 2016; and Lawyer of the Year in Family Law in 2017. Ms. Moore was awarded a Women's Justice Award as a Litigation Practitioner in 2017 and recognized by Missouri Lawyers as a Legal Champion in 2020. Lisa is currently the President of the St. Louis County Bar Association and she has served numerous positions in both local, state and national bar organizations and supported numerous initiatives, events and activities to promote the ethical administration of justice and the education and wellbeing of the attorneys within the bar. Ms. Moore volunteers with Mid-America Transplant to speak about organ donation, she is an Assistant Special Prosecutor for the St. Louis County Domestic Violence Court and she provides pro bono representation of indigent clients through St. Francis Community Services, Catholic Legal Assistance Ministry, Safe Connections, and Legal Services of Eastern Missouri.



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.

**RECOMMENDATIONS FOR COMPREHENSIVE TRAINING
OF PARENTING COORDINATORS**

An appendix to the AFCC Guidelines for Parenting Coordination

Developed by the AFCC Task Force on Parenting Coordination

June 2019

APPENDIX A:

RECOMMENDATIONS FOR COMPREHENSIVE TRAINING OF PARENTING COORDINATORS

This document is a companion to the AFCC’s Guidelines for Parenting Coordination (2019) and should not be utilized as a stand-alone document.

A Parenting Coordinator (“PC”) should have training in each of the following subject areas as reflected in the modules below. It is anticipated that 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, will have acquired the knowledge and experience in the areas listed in Guideline I - Competence. Training programs may want to accommodate different levels of prior training and experience by offering training in these eight modules and developing a process for exempting certain professionals from any of the modules where competency is established. Individual jurisdictions should set guidelines, approve trainings, and assign trainers to ensure that candidates can demonstrate minimum competencies in order to begin practice, and should require the completion of scheduled follow up trainings to achieve mastery within a reasonable amount of time. Jurisdictions might consider developing programs (e.g. mentoring, internships, supervision) to provide consultation and support for beginning “PCs” to reinforce and develop the skills that are covered in the recommended subject areas.

Module 1: The Parenting Coordination Process

- A. Definition of parenting coordination
- B. Development of parenting coordination as a dispute resolution process
- C. Differences between parenting coordination and other conflict resolution processes and professional services relevant to parents in dispute
- D. Roles and functions of the PC
 - 1. Intake process
 - 2. Assessment or appraisal
 - 3. Eliciting parent goals for their coparenting relationship, for communication, and for their children during and after the parenting coordination process
 - 4. Education
 - 5. Coordination/case management
 - 6. Communication and conflict management
 - 7. Decision-making
 - 8. Parenting plan implementation

9. Submit written agreements
 10. Limitations on functions
- E. Models of parenting coordination (such as the integrated model, med/arb model, special master model, therapeutic model, dual person model, bifurcated model and other relevant models)
- F. Screening for suitability for parenting coordination process (see Modules 3A.2 and 5D)
- G. Professionals Services Agreement/Contract, to include:
1. Roles and functions
 2. Scope of authority
 3. Goals and objectives of the process
 4. Fees and costs
 5. Release and sharing of information with collateral sources
 6. Confidentiality
 7. Grievance procedures
 8. Duration of service
 9. Termination procedures
 10. Other provisions as required by the jurisdiction
- H. Stages of the parenting coordination process
1. Referral, intake, screening for intimate partner violence (IPV) and suitability, and data gathering
 2. Orientation
 3. Infrastructure: rules of engagement; coparenting relationship; establishment of the support team; communication and information-sharing between coparents, with the PC and with the support team; and transitioning the children
 4. Agreement facilitation and conflict resolution
 5. Decision-making and arbitration
 6. Application of protocols and progress maintenance (integration/consolidation of skills, change in perspective, and practicing coparenting)
 7. Termination phase
- I. Research on parenting coordination: benefits and risks
- J. Working with parents who are self-represented
- K. Managing and maintaining boundaries for self-care

Module 2: Family Dynamics in Separation, Divorce and Other Coparenting Constellations Related to the Parenting Coordination Process

- A. Psycho-educational issues in separation and divorce and family dynamics
 - 1. Impact of separation, divorce, married, and never married individuals on family dynamics
 - 2. Continuum of parent-child contact problems (e.g., affinity, alignments, realistic estrangement, alienation, hybrid) and levels of severity in cases involving resist-refuse family dynamics
 - 3. Impact of IPV on coparenting and family functioning (see Module 5)
 - 4. Useful psychological research and theories applicable to interventions for families experiencing high levels of conflict

- B. Issues concerning the needs of children
 - 1. Children's developmental stages and how they relate to separation, divorce, and parenting arrangements
 - 2. Benefits of appropriate parenting on children's well-being
 - 3. Impact of parental conflict, other adverse childhood experiences on physical and psychological development
 - 4. Short- and long-term consequences on children involved in resist-refuse coparenting and family dynamics
 - 5. When and how to involve children in the parenting coordination process

- C. High conflict coparenting and personality functioning
 - 1. Family dynamics, including family of origin issues
 - 2. Sources of divorce/separation impasses including parental alienating behaviors
 - 3. Dynamics and implications of parent-child contact problems, including the continuum noted above (see Module 2.A.2), on parenting, coparenting and child adjustment
 - 4. Management strategies, specialized interventions, and techniques

- D. Family dynamics beyond the coparenting unit
 - 1. Multigenerational and blended families
 - 2. Impact of significant others important in the children's life
 - 3. Effects of mental illness, substance misuse or dependence, and other vulnerabilities in the family system that may affect the parenting coordination process
 - 4. Social network support systems and connection with community resources

- E. Models of coparenting (cooperative, disengaged, parallel, and conflictual) and how they impact children

Module 3: Parenting Coordination Techniques and Interventions

- A. Structuring the parenting coordination process
 - 1. Initial queries/referral, establishing protocols, policies, and boundaries
 - 2. Intake (e.g. questionnaires, review of relevant documentation, communication with attorneys, and interviews with parents)
 - 3. Clarifying objectives and expectations of the parenting coordination process
 - 4. Establishing the time, location, and format of parenting coordination meetings, including virtual meetings (see Module 8)
 - 5. Conducting joint and individual sessions, telephonic and electronic communication
 - 6. Maintaining appropriate records and documentation

- B. Orienting parents to the parenting coordination process
 - 1. Reviewing parenting coordination order of referral
 - 2. Obtaining informed consent
 - 3. Explaining practice policies (e.g., cancellation, response time, expectations of the PC and of the clients) and structure of the parenting coordination process (e.g. meeting frequency and virtual appointments)
 - 4. Reviewing fees and costs, including retainer agreement, and failure to pay procedures
 - 5. Reviewing professional services agreement, including the objectives and scope of authority

- C. Assessment or appraisal
 - 1. Conducting ongoing assessment regarding appropriateness for continuation in the parenting coordination process
 - 2. Assessing the need for referral of a family member or family members to another professional for additional services
 - 3. Appraisal of efficacy of techniques and interventions utilized
 - 4. Assessing compliance and violations of the parenting plans or court orders and agreements and recommendations or decisions by the PC
 - 5. Assessing the need for implementation of additional safety parameters/protocols

- D. Utilizing the parenting plan and agreements in the parenting coordination process (where permissible and may vary across jurisdictions)
 - 1. Development of the parenting plan
 - 2. Monitoring the parenting plan
 - 3. Modifying the parenting plan

4. Memorializing agreements
- E. Interviewing approaches and skills
1. Interviewing adults
 2. Interviewing children
 3. Enhancing motivation of resistant clients
- F. Setting appropriate boundaries
1. Safety protocols and procedures for those participating in the parenting coordination process
 2. Office safety policies and working with clients who have current restraining and protective orders
 3. Establishing appropriate limits for client expectations
 4. Staying within the scope of the parenting coordinator's authority
- G. Educative role including evidence informed research in the parenting coordination process
1. Impact of separation/divorce and parental conflict: risk and resiliency factors
 2. Parenting skills, styles, and effective parenting
 3. Factors impacting outcomes: interrelationship between parental conflict, parenting, and coparenting
 4. Adolescent decision making (brain development)
 5. Continuum of parent-child contact problems and resist-refuse family dynamics, including affinity, alignments, realistic estrangement and alienation; differentiation of nature of the contact problem and level of severity; continuum of differentiated clinical and educational responses
- H. Using outside experts and resources effectively
1. How to build professional and non-professional resources
 2. PC roles and functions on the collaborative/support team
 3. Team structure and processes: hierarchy, organization, communication, and confidentiality
 4. Collaborative interventions: planning, review of progress, decision-making, and documentation
- I. Case management
1. Managing and responding to non-compliance with parenting plan, court orders, and parenting coordination agreements
 2. Managing impact of clients' high conflict behavior on the parenting coordination process and avoiding professional burnout, compassion fatigue

3. When to decline an appointment and withdraw from a case
4. Canceling, postponing, and suspending the parenting coordination process
5. Interfacing with individual and family therapist(s) concurrently involved to assist with resist-refuse family dynamics in parent-child contact problem cases

J. Decision-making

1. Moving to decision-making phase of the parenting coordination process
2. Process for gathering information and making decisions
3. Process for review of decisions, including parent assent or objection
4. Urgent decisions
5. Memorializing decisions
6. Responsibility to the court

Module 4: Court Specific Parenting Coordination Procedures (Subject to PC's Jurisdiction)

- A. The PC's responsibility to the court
- B. Knowledge of and adherence to jurisdiction-specific qualifications for a PC
- C. Local, state, and provincial laws governing the parenting coordination process
- D. Legal concepts as they relate to the parenting coordination process including: parenting time adjustment, relocation, and modification of parenting plan/agreements
- E. The appointment and discharge processes of the PC
- F. Whether, how, and when the PC should interface with the court system
- G. Decision-making/arbitration process
- H. Report writing, recommendations/orders
- I. Grievance procedures, if applicable
- J. Procedures for providing testimony or evidence

Module 5: Implications of Intimate Partner Violence (IPV) and Other Safety Issues on the Parenting Coordination Process

- A. Legal and nonlegal definitions of abuse, neglect, exploitation, and IPV; effects of abuse, neglect, and exploitation on relationships, family dynamics, and the potential influence on the parenting coordination process

- B. The effects of coercive controlling behaviors on parenting, coparenting, and parent/child relationships
- C. Research-based patterns of IPV
- D. Procedures for initial and ongoing screening for abuse, neglect, exploitation, and IPV
- E. Safety interventions and protocols in the parenting coordination process
- F. Mandatory reporting of child abuse/neglect to the appropriate legal authority
- G. Reporting safety concerns and violations to a judicial officer according to the laws of the jurisdiction or the court order
- H. Procedures for notifying the court regarding modifications necessary in relevant court orders, include safety parameters
- I. Reference AFCC Guidelines for Examining Intimate Partner Violence: A Supplement to the AFCC Model Standards of Practice for Child Custody Evaluation¹

Module 6: Ethical Considerations Pertaining to the Parenting Coordination Process

- A. Interplay between AFCC Guidelines for Parenting Coordination (2019), other ethical guidelines, and other professional practice guidelines
- B. Risk management for parenting coordination practice
- C. Reference ethical considerations included throughout the AFCC Guidelines for Parenting Coordination²
- D. Explicit and implicit emotional, cognitive, and behavioral biases

Module 7: Diversity Awareness and Responsiveness as it Affects the Parenting Coordination Process

- A. Socio-economic, cultural, racial, ethnic, language, age, gender, religion, sexual orientation, and disability issues that affect ability or willingness of coparents to engage in the parenting coordination process

¹ See AFCC Guidelines for Examining Intimate Partner Violence: A Supplement to the AFCC Model Standards of Practice for Child Custody Evaluation, *Family Court Review*, Vol. 54, No. 4, October 2016, 674-686.

² See AFCC Guidelines for Parenting Coordination, AFCC Task Force on Parenting Coordination 2018-19.

- B. Effects of the PC's personal biases, values, and styles
- C. Process and protocol modifications in response to diversity needs
- D. National guidelines and laws that impact individuals with disabilities and knowledge about how to provide accessibility

Module 8: Use of Technology Within the Parenting Coordination Process

- A. Considerations prior to engaging in long distance & virtual practice
- B. Utilizing technology effectively
- C. Issues related to security, confidentiality, and privacy
- D. Including technology issues in the professional services agreement
- E. Use of online shared parenting support platforms (e.g. coparenting communication platform, calendar/scheduling, etc.)
- F. Remaining knowledgeable about advances in technology that are relevant to the parenting coordination process.

JUDGMENT & ORDER FOR
APPOINTMENT OF PARENTING COORDINATOR

THE PARENTS AGREE THAT A PARENTING COORDINATOR SHALL BE APPOINTED FOR THEIR FAMILY ACCORDING TO THE FOLLOWING PROVISIONS:

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:

D. The parents are:

MOTHER

FATHER

Address/telephone numbers/email:

Address/telephone numbers/email:

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

_____	d/o/b _____
_____	d/o/b _____
_____	d/o/b _____
_____	d/o/b _____

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. This may include educating, consulting with, coaching, and assisting the parents in learning cooperative ways of communicating with each other. The Parenting Coordinator will work with the parents to assist them in becoming better able to make decisions for the children and resolve their disagreements on their own without the aid of the Parenting Coordinator. 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:

Initials: _____

Initials: _____

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.

Initials: _____

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

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.

Initials: _____

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

Initials: _____

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

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 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. 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 5 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 15 calendar days after the Parenting Coordinator has sent the order to the parents. If the objection is not filed within 15 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 email, 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; (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, email 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.

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 _____% of the Parenting Coordinator's fees, expenses and advance deposit; 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 PARENTING COORDINATOR APPOINTMENT

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.

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.

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.

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.

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.

Initials: _____

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

Initials: _____

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

Initials: _____

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

Initials: _____

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

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:

FATHER

MOTHER

DATED: _____

DATED: _____

APPROVED AS TO FORM:

ATTORNEY FOR FATHER

ATTORNEY FOR MOTHER

DATED: _____

DATED: _____

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

PARENTING COORDINATOR

DATED: _____

JUDGMENT

IT IS SO ORDERED:

JUDGE

DATED: _____

Bill and Description

HOUSE

HB81 - Equal custody = no child support
HB82 - Grandparent given priority in third party custody
HB130 - Collaborative Law
HB171- Time frame for Petition for Review- Administrative Agency
HB292- Modifies definition of Stalking in Adult Abuse
HB299- Equal parenting
HB427- Adds Coercive Control and Disturbing the peace to Petition for OP
HB427 Changes definitions in Abuse (455)
HB560 Protection of children
HB673- Protection of Children (affects Juvenile, C.D., TPR, etc)
HB787- Partial rewrite of 452.340, 375, and 400- adds to college language
HB 918- Adds filing fee for an OP with exception

HB947- Similar to SB 199 Maintenance
HB 1281- Collaborative Law

SENATE

SB71 - Adds Pets to orders of protection
SB199- creates revised maintenance structure with new definitions; includes Senate proposed version of presumption of equal parenting.
SB274 Multiple Provisions
SB327 - TPRs and Adoption
SB357- Modifies provisions related to Medical Marijuana program for participants in Family Court matters
SB415- Modifies Adult Abuse Orders allowing courts to enter orders for the lifetime of the Respondent

HJR1- Proposed Constitutional Amendment giving parents exclusive rights over their children (also introduced 2020)