

**Association of Family
and Conciliation Courts**

**Guidelines for
Parenting
Coordination**

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Developed by

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GUIDELINES FOR PARENTING COORDINATION

Overview

Parenting coordination is a child-focused dispute resolution process in which a mental health or legal professional with family mediation training and experience assists parents engaged in high conflict coparenting to implement their parenting plan by: facilitating the resolution of their disputes in a timely manner; educating parents about children's needs, and with prior approval of the coparents or the court, making decisions within the scope of the court order or appointment contract. The parenting coordination process seeks to protect and sustain safe, healthy, and meaningful parent-child relationships. Parenting coordination is a hybrid legal-mental health role that combines assessment, education, case management, conflict management, dispute resolution, and sometimes decision-making functions.

The parenting coordination process is most frequently reserved for those parents who are engaged in high conflict coparenting dynamics who have demonstrated their inability or unwillingness to jointly make parenting decisions, comply with parenting agreements and orders, reduce their child-related conflicts, and protect their children from the impact of that conflict. Because the Parenting Coordinator (PC) makes recommendations and legally binding decisions for the coparents and possibly reports to the court, the PC should be appointed by and be responsible to the court. Both parents may agree to participate in the parenting coordination process, and in some jurisdictions this agreement can be implemented without the formality of a court order. However, best practices suggest that a court order is prudent even in these cases. The power and authority inherent in the role of the PC are substantial whether stipulated by the coparents or assigned by the court. Therefore, it is important that any jurisdiction implementing parenting coordination adopt and adhere to guidelines for parenting coordination practice and programs.

The dispute resolution process central to the PC's role may be inappropriate and potentially exploited 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. In those cases, the role of the PC changes to an almost purely enforcement function. Particularly in IPV cases, the PC should only be appointed when there is a detailed court ordered parenting plan. The PC's role is to ensure compliance with the court's order and to test any request for variance from its terms, alert to protecting the parent's autonomy to make decisions based on the children's best interests, and guard against boundary violations by the abusing parent, while maintaining safety for the children and parent who experienced the abuse. Dispute resolution techniques may have the effect of maintaining or increasing the imbalance of power and the risk of harm to the identified victim, child(ren) and potentially for the professionals involved in the case. Accordingly, each jurisdiction should have in place a clearly delineated process to screen out and develop specialized parenting coordination protocols and procedures in cases involving IPV. Likewise, PCs should screen prospective cases for IPV and decline cases if they do not have

specialized expertise and procedures to effectively manage IPV cases; and, provide ongoing screening and terminate their role as PC if they are unable to manage those cases.

The purpose of these Guidelines is to provide:

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

These Guidelines are aspirational in nature and offer guidance in best practices, qualifications, training and ethical obligations for PCs. Although they are not intended to create legal rules or standards of liability, they do provide specific and detailed recommendations for training and best practices. It is understood that each jurisdiction may vary in its practices; however, minimum guidelines and best practices are provided.

A PC is expected to be familiar with the laws governing parenting coordination practice in his or her jurisdiction, if any, and to comply with those laws. Where specific guidelines conflict, the PC should first comply with the law in the jurisdiction where that PC is practicing, as well as their professional codes of conduct.

Definitions

The Guidelines for parenting coordination include different levels of guidance:

- Use of the term “may” is the lowest strength of guidance and indicates a practice the PC should consider adopting, but from which the PC can deviate in the exercise of good professional judgment that 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 the PC, indicating that the PC should not have discretion to depart from the practice described.

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

Consent Agreement: A written memorialization, sometimes in the form of a court order, specifying the terms under which parties will conduct themselves. A consent agreement should include the detail to which the individuals are agreeing and should be signed and dated by both coparents.

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

Collateral Sources: Professionals and non-professionals that assist or are invited to participate in the parenting coordination process.

Decision: A clear position or opinion as to the outcome of a dispute or disagreement. In some jurisdictions, PCs have quasi-judicial authority where they can make decisions¹, which are binding directives, often subject to appeal, for the coparents to follow. In other jurisdictions, decisions seem to be the equivalent of recommendations which are subject to further judicial review before they become binding.

High-Conflict: A description used to identify parents engaged in high conflict coparenting dynamics 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; tend to rely on the courts or other third party professionals for recommendations or directives for resolution of such disputes; 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): Behavior, the nuances of which can be more specifically defined differently from jurisdiction to jurisdiction, which represents aggressive or coercive control by one intimate partner toward another. Intimate partner violence is not limited to physical violence, and can include harassment, false imprisonment or restraint, terroristic threats, and other coercive behavior designed to dominate or control another individual's ability to make decisions of their own volition.

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-sharing) or legal authority, but often implies equality. Joint custody may also be called "shared parenting." The PC should clarify and not assume the underlying intent of the phrase.

Legal custody: Decision-making authority, which can be allocated between the parents, such that each parent has input regarding the health, education, general welfare, and raising of the children.

¹ There are different terms for "decisions," based on jurisdictional differences, such as awards, determinations, binding recommendations, etc.

Mediation: A process through which a neutral third-party facilitates communication between individuals in a dispute with a goal of aiding these individuals toward resolving that dispute on their own. In closed mediation, communications between the parties with the mediator are confidential. In open mediation, communications between the parties and the mediator may not be protected by confidentiality.

Order: A legally binding directive issued directly by a court or an individual with judicial authority in the jurisdiction where the order was entered, such as a judge or magistrate. An order may be entered at the discretion of the judicial authority, or in some instances, as a memorialization of a consent agreement between parties to the litigation in which the order is entered.

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 with the children, and any specific guidelines or restrictions that may be in place regarding the schedule.

Physical custody: Often an indication of where the children primarily reside or how the coparents of the children share time (i.e. how much time the children spend time with each parent).

Recommendation: A proposal for the resolution of a dispute or disagreement, often accompanied by an explanation of the rationale or basis for the suggestion. 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 of time or under certain circumstances, depending upon the jurisdiction in which the recommendation is made.

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

Sole custody: A special type of child custody arrangement in which only one parent or person is granted both physical and legal custody of the child. Here, the parent with custody is responsible for the child's physical needs, as well as making legal decisions on their behalf.

Guideline I - Competence

A PC shall be qualified by sufficient education and training to undertake parenting coordination and shall continue to develop professionally in the role.

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

- B. **Family Mediation Training.** A PC should have training and experience in family mediation. A PC should become a certified/qualified mediator under the rules or laws of the jurisdiction where he or she practices, if such certification/qualification is available.
- C. **Parenting Coordination Training.** A PC shall have training in the parenting coordination process, family dynamics in separation and divorce, 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 work and the use of technology within the parenting coordination process. The Model Training Guidelines incorporating the specific modules is included as Appendix A.
- D. **Continuing Education:** A PC shall maintain professional competence in the parenting coordination process. A PC shall regularly participate in educational activities promoting professional growth (see AFCC Guidelines for the Use of Social Science Research in Family Law).
- E. **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 the PC's skill or expertise and personal circumstances (e.g., medical, mental health, substance abuse, etc.) exist that compromise the PC's ability to perform their role.
- F. **Multicultural Competence.** A PC shall pursue continuing education for multicultural competence to ensure the PC is providing culturally sensitive services, taking 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 cultural nuances of specific family structure, such as same gender parents, blended families, and extended family caregivers.
- G. **Consultation.** A PC is encouraged to enhance their own competence by seeking professional consultation with an experienced and qualified PC. Consultation is distinguished from supervision in that a PC has the ability to choose whether or not to follow the advice or input 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. A PC should participate in peer consultation or mentoring to receive feedback and support on cases, subject to confidentiality requirements set forth in Guideline V.

Guideline II - Impartiality

A PC shall maintain impartiality in the process of parenting coordination, although a PC is not neutral when making recommendations and decision regarding the best interests of the children. Impartiality means freedom from favoritism or bias in word or action, and includes a commitment to assist all parties, as opposed to any one individual.

- 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 the 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 the coparents and children. If a PC has personal values, morals, or beliefs that will interfere with the parenting coordination process, the 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 the 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 parents, 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 arises when the relationship between the PC and the participants or the subject matter of the dispute compromises the parenting coordination process.

- A. **Disclosure.** A PC shall disclose existing or potential conflicts of interest as soon as practical after a PC becomes aware of the interest or relationship giving rise to the potential conflict.

- B. **Waiver.** After appropriate disclosure of an existing or potential conflict, a PC may serve upon the written agreement of the 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 services to coparents, children, or other family members.
- D. **Referrals.** A PC may make referrals to other professionals to provide services to the 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 the 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 the coparents.

- A. **Multiple Concurrent or Sequential Roles:** A PC shall not provide any professional services to the coparents or others directly involved in the parenting coordination process before, during, or after the term of a PC’s involvement with the family.
 - 1. A mediator shall not be a PC for anyone involved in the same case, with the exception of a non-confidential mediation role.
 - 2. A PC shall not serve in a professional evaluator capacity for anyone involved in the same case.
 - 3. A child’s attorney, guardian ad litem, or child advocate shall not provide parenting coordination services for anyone involved in the same case.
 - 4. A PC shall not serve as a therapist, consultant, coach, parenting educator or in any other professional role for anyone involved in the same case.
 - 5. A PC shall not 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 disputes by agreement of the coparents; however, the PC is not acting in a formal mediation role.

- C. **Decision-Making Role.** An effort to resolve a dispute by coparent consensus does not disqualify a PC from deciding a dispute, where permitted by mandate, that remains unresolved after efforts of facilitation. Coparents should have written notice of the PC's 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 parenting coordination process commences and throughout the process, when necessary.

- 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 the coparents.
- B. **Communication with Coparents and Children within the Parenting Coordination Process.** A PC shall notify coparents that parenting coordination is not a confidential process and communications with the participants may be shared with other participants at the discretion of the PC.
- 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. When doing so, a PC shall advise the collateral source of the limits of confidentiality with respect to the information obtained from the collateral source.
- D. **Mandated Reporting Laws.** A PC shall inform the coparents of the following limitations of confidentiality:
1. The 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. The PC shall report to law enforcement or other authorities if the 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 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 the parents, 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 stipulated agreement of coparents shall clearly and specifically define the PC's scope of authority and responsibilities. A court order is necessary to provide the PC authority to work with the parents outside of the formal legal process, to obtain information, and to make recommendations and decisions as specified in that Order. The ability of a court to appoint a PC on its own authority varies from jurisdiction to jurisdiction. Some jurisdictions require coparents to consent before a PC can be appointed, while others do not.

- A. **Court Order.** Unless otherwise permitted by law, a PC should not initiate services until they have received the fully executed and filed court order appointing the PC, or in jurisdictions where parenting coordination cannot be ordered by the court, services should not be initiated in the absence of an agreement that satisfies any legal requirements, signed by the coparents, their counsel (if any) and the PC. A PC should decline a case if the court order or legal agreement requires the PC to provide services outside the scope of the parenting coordination process or accepted standards of professional practice.
- B. **Recommended Language for Appointment Orders.** The court order or consent order should specify a term of service for a PC, including starting and ending dates. Parents may request that a PC continue for additional terms of service following the expiration of each term. Similarly, a PC can give notice prior to the end of the term of service that the PC will not continue to serve as PC. Further, the court order should include a PC's scope of authority, the court's purpose in appointing a PC, and procedures for communication, decision-making, grievance, and termination.
- C. **Compliance with Laws, Rules, and Orders.** A PC shall comply with all statutes, court orders and rules, and administrative orders and rules relevant to the parenting coordination process.
- D. **Professional Services Contract.** In addition to the court order appointing a PC, or a stipulated, signed agreement by the coparents where a court order is not possible, a written professional services contract between the coparents and a PC shall be used to detail specific issues not contained in the court order, such as fee payments, billing practices, and retainers. This contract is also often referred to as a written informed consent

agreement. The terms and procedures for terminating services should be included in this contract.

Guideline VII – Roles and Functions

A PC shall assist the 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 the 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 analyze the impasses and issues as brought forth by the coparents.
- B. **Assessment or Appraisal.** A PC serves an assessment function. A PC shall conduct on-going assessment regarding: appropriateness of the coparents for continuation in the parenting coordination process; the need for the referral of a family member or family members to another professional for additional 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 the PC.
- C. **Education.** A PC serves an educational function. The PC should educate the coparents about child development, separation/divorce research, the effects of conflict and impact of their behavior on the children, parenting skills, and communication and conflict resolution skills. A PC may model or teach coparents skills and provide direction/redirection to assist parents in the acquisition and application of the skills.
- D. **Coordination/Case Management.** A PC serves a coordination/case management function. A PC may work with the professionals and systems involved with the family (e.g. mental health, health care, social services, education, legal) and with extended family, stepparents, and significant others. A PC may also engage in the monitoring, implementing, and enforcement of court ordered intervention services if authorized to do so.
- E. **Conflict Management.** A PC serves a conflict management function. A PC's primary role is to assist the coparents in resolving or managing conflict regarding the children. The PC may utilize dispute resolution skills from principles and practices of negotiation, mediation, and arbitration. To protect the coparents and children in IPV cases, a PC should tailor the techniques used to avoid offering the opportunity for further coercion.

- F. **Communication.** A PC serves as a conduit for communication between the coparents. A PC should establish communication protocols and rules of engagement in order to facilitate respectful, child-focused communication between coparents.
- G. **Decision-making.** A PC may serve a decision-making function if legally authorized. When parents are not able to decide or resolve disputes on their own, a PC may be empowered to make legally binding decisions, which may be subject to appeal, to the extent described in the court order or by stipulated agreement of the coparents, and to make reports or recommendations to the court for further consideration.
- H. **Parenting Plan Implementation.** A PC may assist the coparents in developing and revising a parenting plan within the scope of legal authority clearly specified in the rules governing the parenting coordination process or the order appointing the PC. A PC should exercise caution when assisting coparents in the development of a parenting plan because it may place the PC in a dual role. A PC may provide clarification of parenting responsibilities as directed by the court order or parenting plan.
- H. **Submit Written Agreements.** As authorized by law, a PC may communicate to the court regarding agreements between coparents.
- I. **Limitations on Functions.** A PC shall not offer legal advice 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.** The position of the PC is one of considerable authority. It is important that coparents fully understand the extent of their parental rights given the authority that is delegated to the PC in the form of recommendations, decision-making, the provision of confidentiality, the professional persons and other collaterals with whom the PC will be authorized to consult or obtain information, and what the parents’ rights are in seeking redress with the court.
- B. **Understanding of the Role of PC.** At the commencement of the PC process, and as appropriate thereafter, a PC should carefully review the court order or consent agreement and the professional services agreement with the coparents to clarify the nature of the PC’s role, function, authority, provision of confidentiality, and procedures, with the coparents.
- C. **Children Involved in the Parenting Coordination Process.** A PC may meet with the children in the parenting coordination process if the PC has been trained in interviewing children and has the appropriate skills to do so. When meeting with the children, a PC shall explain to the children, in developmentally appropriate language, the role of the PC,

the provisions of confidentiality, and the 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 the 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 the coparents as directed by the court order of appointment or as agreed upon in a PC's written fee agreement with the coparents. A PC may be granted authority to allocate fees based upon a parent'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 explain to the 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 any other items that may incur fees and costs.
- C. **Billable Services.** Activities for which a PC may charge typically include time spent interviewing parents, 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.** The PC shall inform coparents that they will 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 the coparents, 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 will communicate in a manner that preserves the integrity of the parenting coordination process and considers the safety of the coparents and children when communicating with all coparents, counsel, children, and the court. A PC should have access to persons involved with family members and to document information necessary to fulfill the responsibilities of a PC.

- A. **Ex Parte Communication.** Because parenting coordination is a dispute resolution process designed to reduce acrimony and settle disputes efficiently, 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. A PC should do so in an objective, balanced manner. A PC should communicate agreements, recommendations, or 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 any professionals involved with family members including the custody evaluator, attorneys, school officials, and 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 and medical/mental health records of the coparents and the children. The court order should authorize a PC to execute releases and 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 the coparents and may want to interview the children in a developmentally appropriate manner, if a PC has the appropriate training and skills. A PC may interview any individuals who provide services to the children as needed to assess the children's needs and wishes. The communication between a PC and coparents may be in joint face-to-face meetings or any electronic means. A PC should determine whether separate or joint sessions are appropriate. In cases of IPV, a PC will determine whether to conduct interviews and sessions with the coparents separately or in other circumstances that afford the appropriate safety precautions.
- F. **Suspicion of Violence and Abuse.** A PC should be alert to the reasonable suspicion of violence and abuse directed at the coparent, a current household member, or the children. The PC should adhere to any protection orders and take measures that may be mandated to ensure the safety of the coparents, their children and the PC.
- G. **Suspicion of Substance Abuse and Mental Impairment.** A PC shall be alert to the reasonable suspicion of any substance abuse 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. The PC may recommend a substance abuse or mental health evaluation and treatment as the PC might deem necessary during the parenting coordination process in an effort to address the best interests of the children affected, if legally authorized to do so.

- H. **Maintaining Records.** The PC shall maintain records in a manner that is in accordance with the PC's 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.
- I. **Documentation of Agreements and Decisions.** A PC shall document in writing all agreements made by the coparents and recommendations or decisions made by the PC.
- J. **Responsibility to the Court.** The PC shall be candid, accurate, and responsive to the court concerning the PC's qualifications, availability, fees, and disciplinary sanctions related to the PC's role in a parenting coordination process as required by law or rule.

Guideline XI – Decision-Making

A PC should attempt to facilitate agreement between the coparents in a timely manner on all disputes within the PC's scope of authority. When parents are unable to reach agreement, and if it has been authorized by the court or consent of the coparents, a PC shall decide the disputed issues or make recommendations as appropriate.

- A. **Authority for Decision-Making.** A PC may be granted the authority to make decisions (with or without a right of appeal) for the coparents when they cannot agree, or a PC may be allowed only to make recommendations to the coparents or the court. The scope of the PC's decision-making authority may be limited in some jurisdictions. The 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 delegated in the court order or the consent agreement. A PC shall have the authority, as specified in the court order or consent agreement, to resolve the following type 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/exchanges of the children including date, time, place, means of transportation and transporter;
 - 3. Health care management including medical, dental, orthodontic, vision, and other specialties;

4. Child-rearing issues, such as disciplinary practices, bedtime routines, diet, and homework support.
5. Psychotherapy or other mental health care, for the children and parents;
6. Psychological testing or other assessment of the children and parents;
7. Education or daycare including school choice, 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 the parents about the children.
13. Verbal or written communication, including any forms of electronic communication by a parent with children when they are not in that parent's care;
14. Alteration of appearance of the children including haircuts, tattoos, ear and body piercing, and cosmetic surgery;
15. Role of and contact with significant others, romantic interests and extended families;
16. Substance abuse assessment or testing for either or both parents or a child, including access to results; and
17. Parenting classes for either or both parents.

This list is not meant to be all inclusive, but rather to serve as a framework for an understanding of the types of issues a PC may routinely review.

- C. **Considerations During Decision-Making.** The PC should consider written or verbal statements of the dispute from each parent, as well as other relevant sources of information. The methodology used by the PC shall be fair to coparents and be transparent to both the court and the coparents. Each parent shall be given an opportunity to be heard in the process. Notice shall be given as to what is expected from the participation of the coparents and the consequences of nonparticipation. If one parent refuses to cooperate

after notice, then the PC may take appropriate action governed by the court order, relevant statutes, or consent agreement.

- D. **Written Decision of the Parenting Coordinator.** As authorized by law, PCs should communicate their decisions in a timely manner. In the event decisions are provided orally, a written version shall follow.
- E. **Major Decisions.** A PC shall refrain from making decisions that would change legal custody or physical custody from one coparent to the other or substantially change the parenting plan. A PC shall be aware of whether they are allowed to make changes to the parenting plan, since practice may vary from jurisdiction to jurisdiction. A PC will not address issues that would require them to engage in evaluative work that would put them in a dual role (e.g. custody evaluator/PC) and may be an impermissible delegation of judicial authority.

Guideline XII – Marketing Practices

A PC shall not engage in any marketing practice that diminishes the importance of a parent’s right to self-determination or the impartiality of the PC, or that demeans the dignity 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 claims of achieving specific outcomes.

Guideline XIII – Safety and Capacity

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

- A. **Monitoring.** A PC shall monitor the process for the presence of safety, intimate partner violence, child abuse and neglect, substance abuse, and mental health issues and take appropriate action to address such issues when they are identified.
- B. **Protective and No-Contact Orders.** A PC shall honor the terms of all active protective orders and no-contact orders for protection.
- C. **Suspending or Terminating Process Based upon Safety Concerns.** A PC shall suspend or may terminate the parenting coordination process when the PC determines it is unsafe to continue, and notify the court of the suspension or termination, if required.

- D. **Interruption in Services Due to Parental Impairment or Parental Competency.** A PC shall adjourn, terminate, or modify the parenting coordination process if a coparent is incapable of participating in the process.

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 the 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 Wi-Fi 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 must follow their professional standards regulating telehealth and interstate and international practice.

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 (see Module I – Competence (C)).

A Parenting Coordinator (“PC”) should have training in each of the following subject areas as reflected in the modules below. It is anticipated that mental health and legal professionals will have acquired some of the knowledge and experience in the competency areas listed, particularly in Module II, and in mediation training. 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. Education
 - 4. Coordination/case management
 - 5. Communication and conflict management
 - 6. Decision-making
 - 7. Parenting plan implementation
 - 8. Submit written agreements
 - 9. Limitations on functions

- E. Models of parenting coordination (such as the integrated model, med/arb model, special master model, therapeutic model, dual person model, and bifurcated model)
- F. Screening for suitability for parenting coordination process (see Modules 3 A.2 and 5 D)
- 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
- H. Stages of the parenting coordination process
 - 1. Referral, intake, screening 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 children exchange protocols
 - 4. Agreement facilitation and conflict resolution/management
 - 5. Decision-making and arbitration
 - 6. Application of protocols and progress maintenance (integration/consolidation of skills, skill application, 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

Module 2: Family Dynamics in Separation and Divorce Related to the Parenting Coordination Process

- A. Psycho-educational issues in separation and divorce and family dynamics
 - 1. Impact of divorce on individuals and on family dynamics
 - 2. Impact of parental conflict and appropriate parenting on children's well-being
 - 3. Useful psychological research and theories applicable to interventions for families experiencing high levels of conflict

- B. Issues concerning the needs of children in the context of divorce
 - 1. Children’s developmental stages and how they relate to divorce and parenting arrangements
 - 2. 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 behaviors
 - 3. Dynamics and implications of resist/refuse dynamics on coparenting and child adjustment
 - 4. Management strategies 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 use disorders, and other vulnerabilities in the family system, which could 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 PC process
 - 4. Establishing the time, location, and format of PC meetings, including virtual meetings (see Module IX)
 - 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 of the coparents 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 with and violations of the parenting plans or court orders and agreements, and recommendations or decisions by the PC
- 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 procedures for those participating in the parenting coordination process
 2. Office safety policies and working with clients having 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 interventions in the parenting coordination process
1. Impact of separation/divorce and parental conflict: risk and resiliency factors
 2. Parenting skills, styles, effective coparenting

3. Factors impacting outcomes: interrelationship between parental conflict, parenting, and coparenting
 4. Adolescent decision making (brain development)
 5. Parent-child contact problems: differentiation of types and level of severity
- 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 high conflict behavior of clients on the PC process and avoiding professional burnout, compassion fatigue
 3. When to decline an appointment and withdraw from a case
 4. Canceling, postponing, and suspending the PC process
- 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. Communication with the court

Module 4: Court Specific Parenting Coordination Procedures

- 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
- E. Whether, how and when the PC should interface with the court system (jurisdiction specific)
- G. Decision-making/arbitration process
- H. Report writing, recommendations/orders (jurisdiction specific)
- I. Grievance procedures, if applicable
- J. Procedures for providing testimony or evidence
- K. Termination procedures

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 and 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, and 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 Evaluation.¹

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.

Module 6: Ethical Considerations Pertaining to the Parenting Coordination Process

- A. Interplay between AFCC Guidelines for Parenting Coordination, 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 Coordination, AFCC Task Force on Parenting Coordination 2018-19²
- D. Explicit and implicit emotional, cognitive and behavioral biases.

Module 7: Multicultural Competence as it Affects the Parenting Coordination Process

- A. Socio-economic, cultural, racial, ethnic, language, age, gender, religious, sexual orientation, and disability issues that affect ability or willingness of coparents to engage in the parenting coordination process.
- B. The effects of the PC's personal biases, values and styles.
- C. National guidelines and laws that impact individuals with disabilities.

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 PC process.

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