



THE SUPREME COURT *of* OHIO

OFFICE OF COURT SERVICES ■ DISPUTE RESOLUTION SECTION



Parenting Coordination
TOOLKIT



THE SUPREME COURT *of* OHIO

PARENTING COORDINATION TOOLKIT



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Overview

The Rules of Superintendence for the Courts of Ohio governing parenting coordination, effective April 1, 2014, state that “A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall adopt a local rule governing all ordered parenting coordination...” Therefore, prior to referring cases to a parenting coordinator, local courts that choose to use parenting coordination must first adopt a local rule that includes the requirements outlined in the Rules of Superintendence governing parenting coordination. This toolkit provides the necessary resources to create a local rule and implement a parenting coordination program.

The Supreme Court of Ohio Dispute Resolution Section gratefully acknowledges the assistance of the Supreme Court of Ohio Commission on Dispute Resolution members and other individuals who helped develop, review and refine these resources by dedicating their collective effort, experience and expertise. We wish to extend special recognition and tremendous gratitude to:

- **Dick Altman**, Magistrate, Henry County Court of Common Pleas, Domestic Relations and Juvenile Divisions; member, Supreme Court of Ohio Commission on Dispute Resolution.
- **The Honorable Mary J. Boyle**, Chief Administrative Judge, Eighth District Court of Appeals; Chairperson, Supreme Court of Ohio Commission on Dispute Resolution.
- **Serpil Ergun**, Chief Magistrate, Cuyahoga County Court of Common Pleas, Domestic Relations Division.
- **Lisa Gorrasi, Esq.**, Administrator, Hamilton County Court of Common Pleas, Domestic Relations Division; member Supreme Court Advisory Committee on Case Management.
- **Marcie Patzak-Vendetti**, Magistrate and Director, Court Mediation Services, Mahoning County Court of Common Pleas, Juvenile Division; member, Supreme Court of Ohio Commission on Dispute Resolution.



AMENDMENTS TO THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

The following amendments to the Rules of Superintendence for the Courts of Ohio (Sup.R. 90 through 90.12) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

August 5, 2013	Initial publication for comment
January 9, 2014	Final adoption by conference
April 1, 2014	Effective date of amendments

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 90. Definitions.

As used in Sup.R. 90 through 90.12:

(A) Domestic abuse

“Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.

(B) Domestic violence

“Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).

(C) Parenting coordination

“Parenting coordination” means a child-focused dispute resolution process ordered by a court of common pleas or division of the court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710 or Sup.R. 16.

(D) Parenting coordinator

“Parenting coordinator” means an individual appointed by a court of common pleas or division of the court to conduct parenting coordination.

RULE 90.01. Local Parenting Coordination Rule.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall adopt a local rule governing all ordered parenting coordination that does all of the following:

- (A) Addresses the selection and referral of a case to parenting coordination at any point after a parental rights and responsibilities or companionship time order is filed;
- (B) Addresses domestic abuse and domestic violence screening, both before and during parenting coordination;
- (C) Addresses appropriate referrals to legal counsel, counseling, parenting courses, and other support services for all parties, including but not limited to victims and suspected victims of domestic abuse and domestic violence;
- (D) Allows parties, their attorneys, and any other individuals designated by the parties to attend and participate in parenting coordination sessions;
- (E) Prohibits a parenting coordinator, even with consent of the parties, from serving in multiple roles with the same family that creates a professional conflict, including but not limited to a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party;
- (F) Allows a mediator to also serve as a parenting coordinator with the same family, provided there is written consent of the parties and it is approved by the court or division;
- (G) Addresses the issuance of parenting coordination agreements and reports or decisions by a parenting coordinator;
- (H) Addresses terms and conditions for fees, including provisions for waiver of fees for indigent parties;
- (I) Provides that the decision of a parenting coordinator is effective immediately and remains effective unless ordered otherwise by the court or division;
- (J) Allows for objections to the decision of a parenting coordinator;
- (K) Addresses the appointment and termination of appointment of a parenting coordinator;
- (L) Establishes procedures for the periodic evaluation of parenting coordinators;
- (M) Establishes procedures for the submission, investigation, and hearing of complaints regarding a parenting coordinator;

(N) Addresses other provisions as the court or division considers necessary and appropriate.

RULE 90.02. Reasons for Ordering Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division may order parenting coordination when the court or division determines one or more of the following factors are present:

(A) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;

(B) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;

(C) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the court or division, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(D) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the court or division, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(E) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;

(F) Any other factor as determined by the court or division.

RULE 90.03. Inappropriate Uses of Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not order parenting coordination to determine any of the following:

(A) Whether to grant, modify, or terminate a protection order;

(B) The terms and conditions of a protection order;

- (C) The penalty for violation of a protection order;
- (D) Changes in the designation of the primary residential parent or legal custodian;
- (E) Changes in the primary placement of a child.

RULE 90.04. Use of Parenting Coordination when Domestic Abuse or Domestic Violence is Alleged, Suspected, or Present.

When domestic abuse or domestic violence is alleged, suspected, or present, parenting coordination may proceed only if all of the following conditions are satisfied:

- (A) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the parenting coordination process and of the option to have a support person present at parenting coordination sessions;
- (B) Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic abuse or domestic violence and all other persons involved in the parenting coordination process;
- (C) Procedures are in place for the parenting coordinator to terminate a parenting coordination session if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.

RULE 90.05. General Parenting Coordinator Appointment Qualifications.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator unless the individual meets all of the following qualifications:

- (A) Possesses a master's degree or higher, law degree, or education and experience satisfactory to the court or division;
- (B) Possesses at least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the court or division;
- (C) Has completed in the following order the following training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution:

- (1) At least twelve hours of basic mediation training;
- (2) At least forty hours of specialized family or divorce mediation training;
- (3) At least fourteen hours of specialized training in domestic abuse and dispute resolution;
- (4) At least twelve hours of specialized training in parenting coordination.

RULE 90.06. Parenting Coordinator Qualifications in Abuse, Neglect, or Dependency Cases.

In addition to the qualifications under Sup.R. 90.05, a court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator in an abuse, neglect, or dependency case unless the individual meets both of the following qualifications:

- (A) Possesses significant experience working with family disputes;
- (B) Has completed at least thirty-two hours of specialized child-protection mediation training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution.

RULE 90.07. Parenting Coordinator Continuing Education.

(A) Requirement

A parenting coordinator shall complete at least three hours per calendar year of continuing education relating to children. The continuing education may include continuing education for lawyers, social workers, psychologists, or other licensed mental health professionals and professional development events that are approved by the Dispute Resolution Section of the Supreme Court and that meet standards established by the Supreme Court Commission on Dispute Resolution.

(B) Annual report

On or before January 1st of each year, a parenting coordinator shall report to each court or division from which the parenting coordinator receives appointments a list of all continuing education training completed during the previous year pursuant to division (A) of this rule, including the sponsor, title, date, and location of each training.

(C) Failure to comply

If a parenting coordinator fails to comply with the continuing education requirement of division (A) of this rule, the parenting coordinator shall not be eligible to serve as a parenting coordinator until the requirement is satisfied. The parenting coordinator shall complete three hours of continuing education for each calendar year of deficiency.

RULE 90.08. Appointment Order.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division, when ordering parenting coordination, shall issue a written appointment order providing information regarding the appointment of the parenting coordinator, including but not limited to the following:

- (A) The name of the parenting coordinator and any contact information for the parenting coordinator the court may choose to include;
- (B) The specific powers and duties of the parenting coordinator;
- (C) The term of the appointment;
- (D) The scope of confidentiality;
- (E) The parties' responsibility for fees and expenses for services rendered by the parenting coordinator.

RULE 90.09. Responsibilities of Court or Division Using Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall do all of the following:

- (A) Maintain a roster of all parenting coordinators appointed by the court or division, including the name; address; telephone number; and, if available, electronic mail address of each parenting coordinator. The court or division shall require each parenting coordinator to notify the court or division of any changes to this information.
- (B) Require each parenting coordinator appointed by the court or division to submit to the court or division a resume documenting compliance with the parenting coordinator qualifications under Sup.R. 90.05 and, if applicable, Sup.R. 90.06. The court or division shall require each parenting coordinator to provide an updated resume to the court or division in the event of any substantive changes to the information contained in the resume.

(C) Require each parenting coordinator appointed by the court or division to submit to the court or division on or before January 1st of each year a list of continuing education training completed by the parenting coordinator during the previous calendar year pursuant to Sup.R. 90.07(A), including the sponsor, title, date, and location of each training;

(D) On or before February 1st of each year, file with the Dispute Resolution Section of the Supreme Court all of the following:

(1) A copy of the local rule adopted by the court or division pursuant to Sup.R. 90.01;

(2) A copy of the current roster of parenting coordinators appointed by the court or division maintained by the court or division pursuant to division (A) of this rule;

(3) A copy of each new or updated resume received by the court or division from a parenting coordinator during the previous year pursuant to division (B) of this rule;

(4) A copy of each list of continuing education training received by the court or division from a parenting coordinator pursuant to division (C) of this rule.

RULE 90.10. Responsibilities of Parenting Coordinator During Parenting Coordination.

(A) Compliance with appointment order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the court of common pleas or division of the court pursuant to Sup.R. 90.08.

(B) Independence, objectivity, and impartiality

A parenting coordinator shall maintain independence; objectivity; and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.

(C) Conflicts of interest

(1) A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting

coordinator may benefit, directly or indirectly, except from services as a parenting coordinator.

(2) Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the appointing court or division and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court or division.

(D) Ex parte communications

A parenting coordinator shall have no ex parte communications with the appointing court or division regarding substantive matters or issues on the merits of the case.

(E) Legal advice

A parenting coordinator shall not offer legal advice.

(F) Report of activity affecting ability to perform

A parenting coordinator shall have an ongoing duty to report any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.

(H) Disclosure of abuse, neglect, and harm

(1) A parenting coordinator shall inform the parties the parenting coordinator will report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party to child protective services, law enforcement, or other appropriate authority.

(2) A parenting coordinator shall report child abuse or neglect pursuant to the procedures in R.C. 2151.421.

RULE 90.11. Compliance with Guidelines for Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division and a parenting coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the guidelines and Sup.R. 90 through 90.13, the rules shall control.

RULE 90.12. Confidentiality, Privilege, and Public Access.

(A) Confidentiality

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the court, shall not be confidential.

(B) Privilege

Except as provided by law, parenting coordination shall not be privileged.

(C) Public access to parenting coordinator files.

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for **public access** pursuant to Sup.R. 44 through 47.





Association of Family and Conciliation Courts

Guidelines for Parenting Coordination

**Guidelines for
Parenting Coordination**

Developed by

The AFCC Task Force on Parenting Coordination

May 2005

Foreword

The *Guidelines for Parenting Coordination* ("Guidelines") are the product of the interdisciplinary AFCC Task Force on Parenting Coordination ("Task Force"). First appointed in 2001 by Denise McColley, AFCC President 2001-02, the Task Force originally discussed creating model standards of practice. At that time, however, the Task Force agreed that the role was too new for a comprehensive set of standards. The Task Force instead investigated the issues inherent in the new role and described the manner in which jurisdictions in the United States that have used parenting coordination resolved those issues. The report of the Task Force's (2001-2003) two-year study was published in April of 2003 as "Parenting Coordination: Implementation Issues."¹

The Task Force was reconstituted in 2003 by Hon. George Czutrin, AFCC President 2003-04. President Czutrin charged the Task Force with developing model standards of practice for parenting coordination for North America and named two Canadian members to the twelve-member task force. The Task Force continued investigating the use of the role in the United States and in Canada and drafted *Model Standards for Parenting Coordination* after much study, discussion and review of best practices in both the United States and Canada.

AFCC posted the *Model Standards* on its website, afccnet.org, and the Task Force members also widely distributed them for comments. The Task Force received many thoughtful and articulate comments which were carefully considered in making substantive and editorial changes based upon the feedback that was received. Even the name of this document was changed to "Guidelines for Parenting Coordination" to indicate the newness of the field of parenting coordination and the difficulty of coming to consensus in the United States and Canada on "standards" at this stage in the use of parenting coordination. The AFCC Board of Directors approved the Guidelines on May 21, 2005.

The members of the AFCC Task Force on Parenting Coordination (2003 – 2005) were: Christine A. Coates, M.Ed., J.D., *Chairperson and Reporter*; Linda Fieldstone, M.Ed., *Secretary*; Barbara Ann Bartlett, J.D., Robin M. Deutsch, Ph.D., Billie Lee Dunford-Jackson, J.D., Philip M. Epstein, Q.C. LSM, Barbara Fidler, Ph.D., C.Psych, Acc.FM. Jonathan Gould, Ph.D., Hon. William G. Jones, Joan Kelly, Ph.D., Matthew J. Sullivan, Ph.D., Robert N. Wistner, J.D.

¹ See AFCC Task Force on Parenting Coordination, *Parenting Coordination: Implementation Issues*, 41 Fam. Ct. Re. 533 (2003).

GUIDELINES FOR PARENTING COORDINATION

Overview and Definitions

Parenting coordination is a child-focused alternative dispute resolution process in which a mental health or legal professional with mediation training and experience assists high conflict parents 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 parties and/or the court, making decisions within the scope of the court order or appointment contract.

The overall objective of parenting coordination is to assist high conflict parents to implement their parenting plan, to monitor compliance with the details of the plan, to resolve conflicts regarding their children and the parenting plan in a timely manner, and to protect and sustain safe, healthy and meaningful parent-child relationships. Parenting coordination is a quasi-legal, mental health, alternative dispute resolution (ADR) process that combines assessment, education, case management, conflict management and sometimes decision-making functions.

The Parenting Coordinator (hereinafter referred to as "PC") role is most frequently reserved for those high conflict parents who have demonstrated their longer-term inability or unwillingness to make parenting decisions on their own, to comply with parenting agreements and orders, to reduce their child-related conflicts, and to protect their children from the impact of that conflict. Because the PC makes recommendations and/or decisions for the parties and possibly reports to the court, the PC should be appointed by and be responsible to the court. This delegation of judicial authority is a serious issue and courts should only appoint qualified professionals. The power and authority inherent in the role of the PC are substantial whether stipulated by the parties or assigned by the court. Therefore, it is important that any jurisdiction implementing a parenting coordination program adopt and adhere to guidelines for PC practice and programs.

As the parenting coordination model has been implemented in various jurisdictions, there has been variation in the manner in which the PC practices, the authority of the PC, the stage of the legal process when the PC is appointed and functions, the various roles of the PC, the qualifications and training of the PC, and the best practices for the role.

The alternative dispute resolution process described above as central to the parenting coordinator's role may be inappropriate and potentially exploited by

perpetrators of domestic violence who have exhibited patterns of violence, threat, intimidation and coercive control over their co-parent. In those cases of domestic violence where one parent seeks to obtain and maintain power and control over the other, the role of the PC changes to an almost purely enforcement function. Here, the PC is likely to be dealing with a court order, the more detailed the better, rather than a mutually agreed upon parenting plan; the role is to ensure compliance with the details of the order and to test each request for variance from its terms with an eye to protecting the custodial parent's autonomy to make decisions based on the children's best interests and guarding against manipulation by the abusing parent. ADR techniques in such cases may have the effect of maintaining or increasing the imbalance of power and the victim's risk of harm. Accordingly, each jurisdiction should have in place a process to screen out and/or develop specialized PC protocols and procedures in this type of DV case. Likewise, PCs should routinely screen prospective cases for DV and decline to accept such cases if they do not have specialized expertise and procedures to effectively manage DV cases involving an imbalance of power, control and coercion.

The purpose of these *Guidelines for Parenting Coordination* ("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 that are implementing parenting coordination programs by providing guidelines of practice that they can adopt; and
5. assistance to jurisdictions, professional organizations, educational institutions and professionals in the development and implementation of 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 very specific and detailed recommendations for training and best practices because of the expressed need for guidelines for program development and training. It is understood that each jurisdiction may vary in its practices; however, for parenting coordination to be accepted as a credible professional role, certain minimum guidelines of conduct and best practices must be articulated and followed.

The *Guidelines for Parenting Coordination* include different levels of guidance:

- Use of the term “may” in a *Guideline* is the lowest strength of guidance and indicates a practice that the PC should consider adopting, but, from which the PC can deviate in the exercise of good professional judgment.

- Most of the *Guidelines* use the term “should” which indicates that the practice described in the *Guideline* is highly desirable and should be departed from only with very strong reason.

- The rarer use of the term “shall” in a *Guideline* is a higher level of guidance to the PC, indicating that the PC should not have discretion to depart from the practice described.

Guideline I

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

A. The PC shall be required to have training and experience in family mediation. The PC should become a certified/qualified mediator under the rules or laws of the jurisdiction in which he or she practices, if such certification is available.

B. The PC shall be a licensed mental health or legal professional in an area relating to families, or a certified family mediator under the rules or laws of the jurisdiction with a master’s degree in a mental health field.

C. The PC should have extensive practical experience in the profession with high conflict or litigating parents.

D. The PC shall have training in the parenting coordination process, family dynamics in separation and divorce, parenting coordination techniques, domestic violence and child maltreatment, and court specific parenting coordination procedures. A model training curriculum incorporating four modules is included in these *Guidelines* as Appendix A.

E. A PC shall acquire and maintain professional competence in the parenting coordination process. A PC shall regularly participate in educational activities promoting professional growth. It is recommended that a PC participate in peer consultation or mentoring to receive feedback and support on cases. PC orders and/or private agreements should specify that such professional consultation is permitted.

F. 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.

G. A jurisdiction should consider "grandfathering" existing professionals with appropriate experience.

Guideline II

A PC shall maintain impartiality in the process of parenting coordination, although a PC is not neutral regarding the outcome of particular decisions. Impartiality means freedom from favoritism or bias in word, action, or appearance, and includes a commitment to assist all parties, as opposed to any one individual.

A. A PC shall withdraw if the PC determines he or she cannot act in an impartial or objective manner.

B. A PC shall neither give nor accept a gift, favor, loan or other item of value from any party having an interest in the parenting coordination process. During the parenting coordination process, a PC shall not solicit or otherwise attempt to procure future professional services or positions from which the PC may profit.

C. A PC shall not coerce or improperly influence any party to make a decision.

D. A PC shall not intentionally or knowingly misrepresent or omit any material fact, law, or circumstance in the parenting coordination process.

E. A PC shall not accept any engagement, provide any service or perform any act outside the role of PC that would compromise the PC's integrity or impartiality in the parenting coordination process.

Guideline III

A PC shall not serve in a matter that presents a clear conflict of interest.

A. A conflict of interest arises when any relationship between the PC and the participants or the subject matter of the dispute compromises or appears to compromise a PC's impartiality.

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

C. After appropriate disclosure, the PC may serve with the written agreement of all parties. However, if a conflict of interest clearly impairs a PC's impartiality, the PC shall withdraw regardless of the express agreement of the parties.

D. During the parenting coordination process, a PC shall not create a conflict of interest by providing any services to interested parties that are not directly related to the parenting coordination process.

E. A PC may make referrals to other professionals to work with the family, but shall avoid actual or apparent conflicts of interest by referrals. No commissions, rebates, or similar remuneration shall be given or received by a PC for parenting coordination or other professional referrals.

Guideline IV

A PC shall not serve in dual sequential roles.

A. A PC shall not serve in multiple roles in a case that create a professional conflict.

1. A child's attorney or child advocate shall not become a PC in the same case.

2. A mediator or custody evaluator shall be cautious about becoming a PC in the same case, even with the consent of the parties, because of the differences in the role and potential impact of the role change.

3. A PC shall not become a custody evaluator either during or after the term of a PC's involvement with the family.

4. A PC shall not be appointed after serving as a therapist, consultant, or coach, or serve in another mental health role to any family member.

5. A PC shall not become a therapist, consultant, or coach, or serve in any other mental health role to any family member, either during or after the term of the PC's involvement.

6. A PC shall not become one client's lawyer, either during or after the term of the PC's involvement, nor shall one client's lawyer become the PC in that client's case.

B. A PC should attempt to facilitate resolution of issues by agreement of the parties; however, the PC is not acting in a formal mediation role. An effort towards resolving an

issue (which may include therapeutic, mediation, educational, and negotiation skills) does not disqualify a PC from deciding an issue that remains unresolved after efforts of facilitation.

Guideline V

A PC shall inform the parties of the limitations on confidentiality in the parenting coordination process. Information shall not be shared outside of the parenting coordination process except for legitimate and allowed professional purposes. A PC shall maintain confidentiality regarding the sharing of information outside of the scope of the parenting coordination process, which is obtained during the parenting coordination process, except as provided by court order or by written agreement of the parties.

A. Parenting coordination is not a confidential process, either for communications between the parties and their children and the PC, or for communications between the PC and other relevant parties to the parenting coordination process, or for communications with the court.²

B. A PC shall inform the parties of the following limitations of confidentiality:

1. The PC shall report suspected child abuse or neglect to child protective services whether or not a mandatory or voluntary reporter under state, provincial or federal law; and

² Parenting coordination is an unusual type of intervention that does not fit within the existing framework of rules and laws dealing with the subjects of "statutory privileges," "rules of evidence," and "professional codes of ethics" related to the subject of "confidentiality" and statements made by parents or people involved in any disputed parenting case. In cases not involving a PC, the statements of parties may be protected from use as evidence in the dispute resolution process, for any of those reasons. However, the essence of the PC concept is that all such confidentiality protections need to be stripped away, so the PC is free to make quick decisions based upon all knowledge the PC has obtained from the parties and other sources. Consequently, in order for the PC to be empowered to operate freely and effectively in the role of expeditious dispute resolver, appropriate provisions need to be included in the written agreement and/or court order of appointment for the effective waiver of all privileges and rules of evidence or professional conduct regarding confidentiality which may be waived. In addition, a clear statement should be included to provide that the PC will not provide either party with legal advice or representation or psychotherapy, and the parents are advised to seek any such advice from independent providers of their own choice. The parents are entitled to a very clear and unambiguous description of the privileges and rules they are being asked to waive in order to empower the PC to perform the rather unique services contemplated in the parenting coordination process. Likewise, the PC has a significant concern with establishing a barrier from complaints of unprofessional conduct from disgruntled parents who are not happy about PC decisions.

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.

Guideline VI

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

A. A PC serves an assessment function. The PC should review the custody evaluation, other relevant records, interim or final court orders, information from interviews with parents and children and other collateral sources, domestic violence protection orders, and any other applicable cases involving criminal assault, domestic violence or child abuse, educational records, and analyze the impasses and issues as brought forth by the parties.

B. A PC serves an educational function. The PC should educate the parties about child development, divorce research, the impact of their behavior on the children, parenting skills, and communication and conflict resolution skills. The PC may coach the parties about these issues.

C. A PC serves a coordination/case management function. The PC should work with the professionals and systems involved with the family (e.g. mental health, health care, social services, education, legal) as well as with extended family, stepparents, and significant others.

D. A PC serves a conflict management function. The PC's primary role is to assist the parties to work out disagreements regarding the children to minimize conflict. The PC may utilize dispute resolution skills from principles and practices of negotiation, mediation, and arbitration. To assist the parents in reducing conflict, the PC may monitor the faxed, emailed, or written exchanges of parent communications and suggest more productive forms of communication that limit conflict between the parents. In order to protect the parties and children in domestic violence cases involving power, control and coercion, a PC should tailor the techniques used so as to avoid offering the opportunity for further coercion.

E. A PC serves a decision-making function. When parents are not able to decide or resolve disputes on their own, the PC shall be empowered to make decisions to the extent described in the court order, or to make reports or recommendations to the

court for further consideration. PCs should communicate their decisions in a timely manner in person or by fax, e-mail or telephone. In the event decisions are provided orally, a written version shall follow in a timely manner.

F. A PC shall not offer legal advice.

Guideline VII

A PC shall serve by parent stipulation and/or formal order of the court, which shall clearly and specifically define the PC's scope of authority and responsibilities.

A. A court order is necessary to provide the PC authority to work with the parents outside of the adversarial process, to obtain information, and to make recommendations and decisions as specified in the order.³

B. In addition to the court order for the PC, a written agreement between the parties and the PC may be used to detail specific issues not contained in the court order, such as fee payments, billing practices and retainers.

C. The court order or consent order should specify a term of service for the PC, including starting and ending dates.⁴ Parents can request that a PC continue for additional terms of service following the expiration of each term or can decline to renew the PC's services. Similarly the PC can give notice prior to the end of the term of service that the PC will not continue to serve as PC.

D. A PC should not initiate providing services until the PC has received the fully executed and filed court order appointing the PC, or the parents, their counsel (if any) and the PC have signed a consent agreement, if any.

³ In some jurisdictions, a stipulation or consent decree is required for the appointment of a PC. A few jurisdictions allow the court to appoint the PC on its own authority. In Canada, the authority of the PC to make decisions is derived from arbitration statutes and a PC may function with the parents' consent only.

⁴ Many experienced PC's have found a period of 18 months to 2 years to be optimal in terms of becoming familiar with the family and developing a working relationship with the parents.

Guideline VIII

A PC shall facilitate the participants' understanding of the parenting coordination process so that they can give informed consent to the process.

A. The position of the PC is one of considerable authority and power. It is important that parents fully understand the extent of the parental rights and power they are assigning to the PC in the form of decision-making, the limited nature of the confidentiality of the process, the professional persons 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. In the first session, a PC should carefully review the nature of the PC's role with the parents, to ensure that they understand what the parenting coordination process involves.

Guideline IX

A PC shall fully disclose and explain the basis of any fees and charges to the participants.

A. All charges for parenting coordination services shall be based upon the actual time expended by the PC or as directed by the local jurisdiction's parenting coordination program. All fees and costs shall be appropriately divided between the parties as directed by the court order of appointment or as agreed upon in the PC's written fee agreement with the parties with the approval of the court.⁵

B. Prior to beginning the parenting coordination process, and in writing, a PC shall explain to the parties and counsel the basis of fees and costs and the method of payment and any fees associated with postponement, cancellation and/or nonappearance, as well as any other items and the parties' *pro rata* share of the fees and costs as determined by the court order or agreed to by the parties with approval of the court. In cases of domestic violence involving power, control and coercion, the PC shall hold individual sessions with the parties to convey this information.

⁵ Typically the fees are split equally between the parties, although if their assets and income differ substantially, fees may be apportioned accordingly. In states that have the Income Shares child support guidelines, courts sometimes apportion responsibility for PC costs in the same percentages as child support is apportioned. The court, rather than the PC, should make a determination of the appropriate ratio of payment based on the available financial data. The order may also include a provision for the parent coordinator to alter the usual ratio of payment if one parent abuses the process. In the event that a party requests judicial review of a parenting coordinator decision and does not prevail, the court may order full payment of fees by that party.

C. Activities for which a PC may charge typically include time spent interviewing parents, children and collateral sources of information; preparation of agreements; correspondence, decisions and reports; review of records and correspondence; telephone and electronic conversation; travel; court preparation; and appearances at hearings, depositions and meetings.

D. The PC should comply with any local statute, constitutional rulings, or practice rules regarding fees. A PC may request a retainer or advance deposit prior to starting a case.⁶ The parties should be billed on a regular basis and notified when the retainer or advance deposit, if any, is to be replenished.

E. A PC shall maintain records necessary to support charges for services and expenses and should make a detailed accounting of those charges to the parties, their counsel or the court on a regular basis, if requested to do so.

Guideline X

A PC will communicate with all parties, counsel, children, and the court in a manner which preserves the integrity of the parenting coordination process and considers the safety of the parents and children. The PC will have access to persons involved with family members and to documentary information necessary to fulfill the responsibilities of the PC.

A. Because parenting coordination is a non-adversarial process designed to reduce acrimony and settle disputes efficiently, a PC may engage in *ex parte* (individual) communications with each of the parties and/or their attorneys, if specified in writing in the order of appointment, PC agreement or stipulation. The PC may initiate or receive *ex parte* oral or written communications with the parties and their attorneys, legal representatives of the children, and other parties relevant to understanding the issues. The PC should do so in an objective, balanced manner that takes into consideration the possibility or perception of bias. The PC should communicate agreements, recommendations, or decisions to all parties and counsel at the same time.

B. If reports are written, the PC should follow the court's rules or instructions regarding whether the court should receive a copy. The PC shall not communicate *ex parte* with the judge.

C. The PC typically should have access to any persons involved with family members including, but not limited to, the custody evaluator, lawyers, school officials, and

⁶ In some jurisdictions, the PC also requires a refundable deposit from each party for any fees and expenses incurred but not paid prior to ending the case.

physical and mental health care providers. The PC shall have the authority to meet with the children, any stepparent or person acting in that role, or anyone else the PC determines to have a significant role in contributing to or resolving the conflict. The PC should notify any such collateral sources that information obtained from them is not confidential and that it may be used in making decisions or writing reports or recommendations to or testifying in court.

D. The PC should have access to all orders and pleadings filed in the case, as well as the custody evaluation report, school and medical records of the children, and reports of psychological testings that were generated prior to, during or after the pendency of the case. The court order should require that the parties execute releases and consents to permit access to such data and other relevant information.

E. The PC should have initial individual and/or joint interviews with the parties, and may want to interview the children if the PC has the appropriate training and skills. PCs may interview any individuals who provide services to the children as needed to assess the children's needs and wishes. The communication between the parties may be in joint face-to-face meetings, telephone conference calls, individual face-to-face or telephone meetings, e-mail, or fax. The PC should determine whether separate or joint sessions are most appropriate at any particular time. In cases of domestic violence involving power, control and coercion, the PC shall conduct interviews and sessions with the parties individually.

F. The PC shall be alert to the reasonable suspicion of any acts of domestic violence directed at the other parent, a current partner, or the children. The PC should adhere to any protection orders, and take whatever measures may be necessary to ensure the safety of the parties, their children and the PC.

G. The PC should 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.

H. The PC should keep notes regarding all communications with the parties, the children and other persons with whom the PC speaks about the case.

I. A PC shall document in writing all resolutions agreed upon by the parties or determined by arbitration, noting the process by which the agreement or decision was made.

J. The PC shall maintain records in a manner that is professional, comprehensive and inclusive of information and documents that relate to the parenting coordination process and that support decisions and recommendations by the PC.

Guideline XI

A PC should attempt to facilitate agreement between the parties in a timely manner on all disputes regarding their children as they arise. When parents are unable to reach agreement, and if it has been ordered by the court, or authorized by consent, the PC shall decide the disputed issues.

A. A PC may be granted the authority to make decisions for the parties when they cannot agree, or the PC may be allowed only to make recommendations to the parties or the court. The scope of the PC's decision-making authority may be limited in some jurisdictions by constitutional law or statute. A PC should be knowledgeable about governing law and procedure in the PC's jurisdiction regarding decision-making or arbitration by the PC.

B. A PC shall have only the authority that is delegated in the court order or the consent provided by the parties. If so written in the order or consent agreement, a PC may have authority 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. Transitions/exchanges of the children including date, time, place, means of transportation and transporter;
3. Health care management including medical, dental, orthodontic, and vision care;
4. Child-rearing issues;
5. Psychotherapy or other mental health care including substance abuse assessment or counseling for the children;
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 jobs;
9. Religious observances and education;

10. Children's travel and passport arrangements;
11. Clothing, equipment, and personal possessions of the children;
12. Communication between the parents about the children including telephone, fax, e-mail, notes in backpacks, etc.;
13. Communication by a parent with the children including telephone, cell phone, pager, fax, and e-mail when they are not in that parent's care;
14. Alteration of appearance of the children including haircuts, tattoos, ear and body piercing;
15. Role of and contact with significant others 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.

C. The PC should use or gather written or verbal statements of the dispute from each party, as well as other relevant sources of information. The methodology used by the PC shall be fair to both parties, and be transparent to both the court and the parties. Each party 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 parties and the consequences of nonparticipation. If one party refuses to cooperate after notice, then the PC may continue to resolve the dispute.⁷

D. The PC shall issue a written resolution of the dispute or a verbal decision in time sensitive matters to be followed by a written decision.⁸

⁷ In some jurisdictions, the PC must notify the parties of the intent to proceed to an arbitration phase if the parties do not reach agreement on their own or with the assistance of the PC.

⁸ There is variation in the destination of the PC's recommendations and decisions. In most but not all jurisdictions in which PCs are appointed by court order, the PC is expected to send all recommendations, reports, and decisions to the court, as well as to each parent and their attorneys. Where the PC has not been appointed by the court, PCs should prepare recommendations, reports and decisions in such a manner that the court can access the information if requested. In most jurisdictions, that determination becomes an order and is considered binding. Standards for appeal and judicial review vary from jurisdiction to jurisdiction.

E. A PC shall refrain from making decisions that would change legal custody and physical custody from one parent to the other or substantially change the parenting plan. Such major decisions are more properly within the scope of judicial authority. PCs may need to make temporary changes in the parenting plan if a parent is impaired in his or her functioning and incapable of fulfilling his or her court-ordered parenting functions until further information and assessment is obtained and the court has assumed decision-making responsibility.

Guideline XII

A PC shall not engage in marketing practices that contain false or misleading information. A PC shall ensure that any advertisements regarding qualifications, services to be rendered, or the parenting coordination process are accurate and honest. A PC shall not make claims of achieving specific outcomes or promises implying favoritism for the purpose of obtaining business.



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Parenting Coordination Local Rule Guide

1. Review the list of titles (below) and select the titles you wish to include in your local rule. References to the relevant Rules of Superintendence for the Courts of Ohio follow each title.
2. Download the Local Rule Guide and complete all of the following steps:
 - Step One: Insert the title of your local rule.
 - Step Two: Customize an Introduction, if one is desired.
 - Step Three: Delete all of the optional titles italicized in *BLUE* including the provisions that you did not select.
 - Step Four: For the titles you selected make decisions for the language in brackets in *GREEN*, review the remaining recommended language and accept it as-is, modify it, or create your own provision. See the sample local rule – you may download it, insert your court name and rule number and adopt it.
3. Review your local rule to make sure it contains all the required provisions in Sup.R. 90.01.
4. Documents and Forms - Contact the Dispute Resolution Section for the following:
 - Appointment Order
 - Brochure
 - Domestic Abuse and Domestic Violence Screening Form
 - Intake Form
 - Notice of Parenting Coordination Session
 - Parenting Coordinator Evaluation
 - Parenting Coordinator Decision Form
 - Parenting Coordinator Questionnaire
 - Parenting Coordinator Report for the Court Form
5. For assistance, contact Catherine Geyer, Manager Dispute Resolution Section of the Supreme Court of Ohio at Catherine.Geyer@sc.ohio.gov.

47 **PARENTING COORDINATION LOCAL RULE GUIDE TITLES**

48
49 Sup.R. 90.01 requires courts that use parenting coordination to adopt a local rule
50 governing its use. Titles that are required to be in a court’s local rule appear underlined
51 in **RED** font. Titles taken from Sup.R. 90, and 90.02 through 90.12 are recommended but
52 not required to be in a court’s local rule and appear italicized in **BLUE** font. Language
53 that denotes decisions to be made by a court appear in brackets in **GREEN** font. All other
54 titles in the local rule guide are optional.

55
56 Title

57
58 Introduction

59
60 *1.01 Definitions*

61
62 1.02 Purpose

63
64 *1.03 Scope [Sup.R. 90.03]*

65
66 **1.04 Appointment (Sup.R. 90.01(A),(E),(F),(K))**

67
68 (A) *Reasons for Ordering Parenting Coordination [Sup.R. 90.02]*

69
70 (B) *Parenting Coordinator Qualifications [Sup.R. 90.05]*

71
72 (C) *Parenting Coordinator Qualifications in Abuse, Neglect and Dependency Cases*
73 *[Sup.R. 90.06]*

74
75 (D) *Parenting Coordinator Continuing Education [Sup.R. 90.07]*

76
77 (E) *Parenting Coordinator Appointment Order [Sup.R. 90.08]*

78
79 (F) **Selection of Parenting Coordinator for Appointment [Sup.R. 90.01(A)]**

80
81 (G) **Prohibited Parenting Coordinator Appointments [Sup.R. 90.01(E)]**

82
83 (H) **Appointment of Mediator as Parenting Coordinator [Sup.R. 90.01(F)]**

84
85 (I) **Termination or Modification of Parenting Coordinator Appointment[Sup.R.**
86 **90.01(K)]**

87
88 *1.05 Parenting Coordinator Responsibilities*

89
90 (A) *Ability to perform duties [Sup.R. 90.10(F)]*

91

- 92 (B) *Compliance with appointment order [Sup.R. 90.10(A)]*
93
94 (C) *Independence, objectivity, and impartiality [Sup.R. 90.10(B)]*
95
96 (D) *Conflicts of interest [Sup.R. 90.10(C)]*
97
98 (E) *Ex parte communications [Sup.R. 90.10(D)]*
99
100 (F) *Legal advice [Sup.R. 90.10(E)]*
101
102 (G) *Reporting [Sup.R. 90.07(B),(C); 90.09(A),(B)]*
103
104 (H) *[Insert additional qualifications as applicable].*
105
106 1.06 Parenting Coordination Procedures
107
108 (A) Screening for and disclosure of domestic abuse and domestic violence [Sup.R.
109 90.01(B); Sup.R. 90.04]
110
111 (B) *Disclosure of abuse, neglect, and harm [Sup.R. 90.10(H)]*
112
113 (C) Attendance and participation [Sup.R. 90.01(D)]
114
115 (D) Referrals to support services [Sup.R. 90.01(C)]
116
117 (E) Parenting coordination agreements, reports, and decisions[Sup.R. 90.01(G),(I),(J)]
118
119 (F) Parenting coordinator evaluations and complaints [Sup.R. 90.01(L),(M)]
120
121 (G) Fees [Sup.R. 90.01(H)]
122
123 (H) Stay of Proceedings
124
125 (I) *[Insert any other procedures the Court deems appropriate]*
126
127 1.07 *Confidentiality and Privilege [Sup.R. 90.12(A),(B)]*
128
129 1.08 *Public Access [Sup.R. 90.12(C)]*
130
131 1.09 *Model Standards [Sup.R. 90.11]*
132
133 1.10 *Court Reporting Requirements [Sup.R. 90.09]*
134
135 1.11 Sanctions
136
137 1.12 *[Insert any other provisions the Court deems appropriate]*

138 **Note: Sup.R. 90.01 requires courts that use parenting coordination to adopt a local rule**
139 **governing its use. Titles that are required to be in a court’s local rule appear underlined in**
140 **RED font. Titles taken from Sup.R. 90, and 90.02 through 90.12 are recommended but not**
141 **required to be in a court’s local rule and appear italicized in BLUE font. Language that**
142 **denotes decisions to be made by a court appear in brackets in GREEN font. All other titles**
143 **in the local rule guide are optional.**

144
145 **PARENTING COORDINATION LOCAL RULE GUIDE**
146

147 Title

148 Rule [Insert the applicable rule number]. Parenting Coordination.
149

150 Introduction

151 The [Insert Court Name] adopts Rule [Insert applicable rule number] effective [Insert date].
152

153 *1.01 Definitions*
154

155 As used in this rule:

156
157 **(A) Domestic abuse**
158

159 “Domestic abuse” means a pattern of abusive and controlling behavior that may
160 include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual,
161 or economic abuse.
162

163 **(B) Domestic violence**
164

165 “Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).
166

167 **(C) Parenting coordination**
168

169 “Parenting coordination” means a child-focused dispute resolution process
170 ordered by the Court to assist parties in implementing a parental rights and
171 responsibilities or companionship time order using assessment, education, case
172 management, conflict management, coaching, or decision-making. “Parenting
173 coordination” is not mediation subject to R.C. Chapter 2710, R.C. 3109.052, or Sup.R. 16
174 nor arbitration subject to R.C. Chapter 2711 or Sup.R. 15.
175

176
177 **(D) Parenting coordinator**
178

179 “Parenting coordinator” means an individual appointed by the Court to conduct
180 parenting coordination.
181

182 **(E) [Insert any additional necessary definitions].**
183

184 **1.02 Purpose**

185

186 This rule allows for the earliest possible resolution of disputes related to parental rights
187 and responsibilities or companionship time orders.

188

189 **1.03 Scope**

190

191 At any point after a parental rights and responsibilities or companionship time
192 order is filed, the Court may order parenting coordination except to determine the following:

193

194 (A) Whether to grant, modify, or terminate a protection order;

195

196 (B) The terms and conditions of a protection order;

197

198 (C) The penalty for violation of a protection order;

199

200 (D) Changes in the designation of the primary residential parent or legal
201 guardian;

202

203 (E) Changes in the primary placement of a child.

204

205 **1.04 Appointment**

206

207 (A) *Reasons for Ordering Parenting Coordination*

208

209 The Court may order parenting coordination, sua sponte or upon written or oral
210 motion by one or both parties, when one or more of the following factors are present:

211

212 (1) The parties have ongoing disagreements about the implementation of a
213 parental rights and responsibilities or companionship time order and need
214 ongoing assistance;

215

216 (2) There is a history of extreme or ongoing parental conflict that has been
217 unresolved by previous litigation or other interventions and from which a child of
218 the parties is adversely affected;

219

220 (3) The parties have a child whose parenting time schedule requires frequent
221 adjustments, specified in an order of the Court, to maintain age-appropriate
222 contact with both parties, and the parties have been previously unable to reach
223 agreements on their parenting time schedule without intervention by the Court;

224

225 (4) The parties have a child with a medical or psychological condition or
226 disability that requires frequent decisions regarding treatment or frequent
227 adjustments in the parenting time schedule, specified in an order of the Court, and
228 the parties have been previously unable to reach agreements on their parenting
229 time schedule without intervention by the Court;

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- (5) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;
- (6) Any other factor as determined by the Court.

(B) Parenting Coordinator Qualifications

The Court may appoint an individual as a parenting coordinator who meets all of the following qualifications:

- (1) Possesses a master’s degree or higher, a law degree, or education and experience satisfactory to the Court;
- (2) Possesses at least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the Court;
- (3) Has completed the following training that has been approved by the Dispute Resolution Section of the Supreme Court:
 - (a) At least twelve hours of basic mediation training;
 - (b) At least forty hours of specialized family or divorce mediation training;
 - (c) At least fourteen hours of specialized training in domestic abuse and dispute resolution;
 - (d) At least twelve hours of specialized training in parenting coordination.

(C) Parenting Coordinator Qualifications in Abuse, Neglect and Dependency Cases

In addition to the qualifications under 1.04(B) of this rule, the Court may appoint a parenting coordinator to an abuse, neglect, or dependency case, provided the parenting coordinator meets both of the following qualifications:

- (1) Significant experience working with family disputes;
- (2) At least thirty-two hours of specialized child protection training that has been approved by the Dispute Resolution Section of the Supreme Court.

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(D) *Parenting Coordinator Continuing Education*

To maintain eligibility for appointment, a parenting coordinator shall complete at least three hours per calendar year of continuing education relating to children that has been approved by the Dispute Resolution Section of the Supreme Court.

(E) *Parenting Coordinator Appointment Order*

The Court’s appointment order shall set forth all of the following:

- (1) The name of the parenting coordinator and any contact information the Court may choose to include;
- (2) The specific powers and duties of the parenting coordinator;
- (3) The term of the appointment;
- (4) The scope of confidentiality;
- (4) The parties’ responsibility for fees and expenses for services rendered by the parenting coordinator;
- (6) Parenting coordination terms and conditions;
- (7) *[Insert other information the Court deems appropriate].*

(F) Selection of Parenting Coordinator for Appointment

The parenting coordinator who meets the qualifications in division 1.04(B) of this rule and, if applicable division 1.04(C), shall be selected using one of the following:

- (1) Use of a Court employee;
- (2) Random selection by the Court from the Court’s roster of parenting coordinators;
- (3) Specific appointment based on the type of case and the qualifications and caseload of the parenting coordinator;
- (4) Parties select a parenting coordinator from the Court’s roster of parenting coordinators;
- (5) *[Insert any other applicable methods].*

(G) Prohibited Parenting Coordinator Appointments

321 The Court shall not appoint a parenting coordinator who does not possess the
322 qualifications in division 1.04(B) of this rule and, if applicable division 1.04(C), or who
323 has served or is serving in a role that creates a professional conflict including, but not
324 limited to, a child’s attorney or child advocate; guardian ad litem; custody evaluator;
325 therapist, consultant, coach, or other mental health role to any family member; or attorney
326 for either party. Parties may not waive this prohibition.

327
328 **(H) Appointment of Mediator as Parenting Coordinator**

329
330 With written consent of the parties, the Court may appoint a mediator to serve as
331 the parenting coordinator with the same family.

332
333 **(I) Termination or Modification of Parenting Coordinator Appointment**

334
335 Upon motion of a party, for good cause shown, or sua sponte, the Court may
336 terminate or modify the parenting coordinator appointment.

337
338 **1.05 *Parenting Coordinator Responsibilities***

339
340 **(A) *Ability to perform duties***

341
342 A parenting coordinator shall report to the Court any activity, criminal or
343 otherwise, that would adversely affect the parenting coordinator’s ability to perform the
344 functions of a parenting coordinator.

345
346 **(B) *Compliance with appointment order***

347
348 A parenting coordinator shall comply with the requirements of and act in
349 accordance with the appointment order issued by the Court.

350
351 **(C) *Independence, objectivity, and impartiality***

352
353 A parenting coordinator shall maintain independence, objectivity, and
354 impartiality, including avoiding the appearance of partiality, in dealings with parties and
355 professionals, both in and out of the courtroom.

356
357 **(D) *Conflicts of interest***

358
359 (1) A parenting coordinator shall avoid any clear conflicts of interest arising
360 from any relationship activity, including but not limited to those of employment
361 or business or from professional or personal contacts with parties or others
362 involved in the case. A parenting coordinator shall avoid self-dealing or
363 associations from which the parenting coordinator may benefit, directly or
364 indirectly, except from services as a parenting coordinator.

366 (2) Upon becoming aware of a clear conflict of interest, a parenting
367 coordinator shall advise the Court and the parties of the action taken to resolve the
368 conflict and, if unable to do so, seek the direction of the Court.

369
370 (E) *Ex parte communications*

371
372 A parenting coordinator shall not have ex parte communications with the Court
373 regarding substantive matters or issues on the merits of the case.

374
375 (F) *Legal advice*

376
377 A parenting coordinator shall not offer legal advice.

378
379 (G) *Reporting*

380
381 (1) A parenting coordinator shall submit a resume to the Court documenting
382 compliance with division 1.04(B) and, if applicable, division 1.04(C); provide an
383 updated resume to the Court in the event of any substantive changes; and notify
384 the Court of any changes to name, address, telephone number and, if available,
385 electronic mail address contained in the resume.

386
387 (2) On or before January 1st of each year, a parenting coordinator shall report
388 to the Court a list of all continuing education training completed during the
389 previous year pursuant to division 1.04(D), including the sponsor, title, date, and
390 location of each training. A parenting coordinator shall not be eligible for
391 appointment until this requirement is satisfied. The parenting coordinator shall
392 complete three hours of continuing education for each calendar year of deficiency.

393
394 (H) [Insert additional qualifications as applicable].

395
396 **1.06 Parenting Coordination Procedures**

397
398 (A) **Screening for and disclosure of domestic abuse and domestic violence**

399
400 (1) All cases shall be screened for domestic abuse and domestic violence by
401 [Insert parenting coordinator or other individual/staff position responsible for
402 preliminary screening] before the commencement of the parenting coordination
403 process and by the parenting coordinator during the parenting coordination
404 process.

405
406 (2) All parties and counsel shall immediately advise the [Insert whom the
407 parties should advise such as the parenting coordinator, Court (be specific), or
408 other individual/staff position] of any domestic violence convictions and/or
409 allegations known to them or which become known to them during the parenting
410 coordination process.

412 (3) When domestic abuse or domestic violence is alleged, suspected, or
413 present, before proceeding, a parenting coordinator shall do each of the following:
414

415 (a) Fully inform the person who is or may be the victim of domestic
416 abuse or domestic violence about the parenting coordination process and
417 the option to have a support person present at parenting coordination
418 sessions;

419
420 (b) Have procedures in place to provide for the safety of all persons
421 involved in the parenting coordination process;

422
423 (c) Have procedures in place to terminate the parenting coordination
424 session/process if there is a continued threat of domestic abuse, domestic
425 violence, or coercion between the parties.
426

427 ***(B) Disclosure of abuse, neglect, and harm***
428

429 A parenting coordinator shall inform the parties that the parenting coordinator
430 shall report any suspected child abuse or neglect and any apparent serious risk of harm to
431 a family member's self, another family member, or a third party to child protective
432 services, law enforcement, or other appropriate authority. A parenting coordinator shall
433 report child abuse or neglect pursuant to the procedures set forth in R.C. 2151.421.
434

435 **(C) Attendance and participation**
436

437 (1) Parties shall attend parenting coordination sessions. Requests to
438 reschedule parenting coordination sessions shall be approved by the parenting
439 coordinator.
440

441 (2) A parenting coordinator shall allow attendance and participation of the
442 parties and, if the parties wish, their attorneys and any other individuals
443 designated by the parties.
444

445 **(D) Referrals to support services**
446

447 A parenting coordinator shall provide information regarding appropriate referrals
448 to resources including legal counsel, counseling, parenting courses or education, and
449 other support services for all parties, including, but not limited to, victims and suspected
450 victims of domestic abuse and domestic violence.
451

452 **(E) Parenting coordination agreements, reports, and decisions**
453

454 (1) Parties shall sign and abide by agreements reached during a parenting
455 coordination session, which shall be maintained in the parenting coordination file.
456 The parenting coordinator shall provide a copy to each party and their attorneys, if
457 any.

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(2) Upon request by the Court, the parenting coordinator shall prepare a written report including, but not limited to, all of the following:

- (a) Dates of parenting coordination session(s);
- (b) Whether the parenting coordination session(s) occurred or was terminated;
- (c) Requests to reschedule a parenting coordination session(s), including the name of the requestor and the whether the request was approved;
- (d) Whether an agreement was reached on some, all, or none of the issues;
- (e) Who was in attendance at each session(s);
- (f) The date and time of a future parenting coordination session(s);
- (g) Whether any decisions were written and if so, the date(s);
- (h) [Insert any information required by the Court not pertaining to the merits of the case].

(3) The parenting coordinator shall first attempt to assist the parties in reaching an agreement that resolves the dispute. If the parties are unable to reach an agreement, the parenting coordinator shall issue a written decision that is [Insert “effective immediately and remains effective unless ordered otherwise by the Court” or “effective upon approval of the Court”]. The parenting coordinator shall provide copies to the parties and their attorneys, if any. The decision shall be immediately filed with the Court and include all of the following:

- (a) Case caption, including the case number;
- (b) Date of the decision;
- (c) The decision of the parenting coordinator;
- (d) Facts of the dispute and facts upon which the decision is based;
- (e) Reasons supporting the decision;
- (f) The manner in which the decision was provided to the parties;
- (g) Any other necessary information.

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(4) A party may file written objections to a parenting coordinator’s decision with the Court and serve all other parties to the action within fourteen days of the [Insert “filing date of the decision” if the decision is effective immediately or “filing date of the Court decision” – make consistent with division 1.06(E)(3) above]. If any party timely files objections, any other party may also file objections with the Court and serve all other parties to the action, not later than ten days after the first objections are filed. A hearing may be scheduled, upon request, at the discretion of the Court. A judge or magistrate shall issue a ruling on the objections within thirty days from the date of the last objection filed.

(F) Parenting coordinator evaluations and complaints

(1) A parenting coordinator shall provide participants with the Parenting Coordinator Evaluation form, provided by the Court, prior to the first parenting coordination session and at the end of the term of the appointment.

(2) The Court shall complete a review of the parenting coordinators on the Court’s roster in January of each year.

(3) A party to a case appointed to parenting coordination may file a complaint regarding the parenting coordinator within one year from the termination of the appointment. The complaint shall be submitted to the [Insert to whom the complaint shall be submitted to such as “filed, upon motion, with the Court” or “submitted to the judge/magistrate who made the appointment” or “submitted to the Court Administrator” or other], and include all of the following:

- (a) The case caption and case number;
- (b) The name of the parenting coordinator;
- (c) The name and contact information for the person making the complaint;
- (d) The nature of any alleged misconduct or violation;
- (e) The date the alleged misconduct or violation occurred;
- (f) [Insert any other information required by the Court].

(4) The [Insert to whom the complaint was submitted to in division 1.06(F)(3) above] shall provide a copy of the complaint to the parenting coordinator;

(5) The parenting coordinator has fourteen days from the date of the receipt of the complaint to respond in writing to [Insert to whom the complaint was submitted to in division 1.06(F)(3) above].

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(6) The [Insert to whom the complaint was submitted to in division 1.06(F)(3) above] shall conduct an investigation into the allegations and shall issue a response within thirty days from the date the complaint was [Insert “received” or “filed” if filed with the Court].

(G) Fees

A parenting coordinator shall be paid [Insert “by the Court” or “[\$]/hour”], unless otherwise ordered by the Court. All fees shall be determined by the Court and included in the appointment order. [If the parenting coordinator is not a Court employee, insert “Fees shall be waived for indigent parties.”]

(H) Stay of Proceedings

Unless otherwise provided by court order, referral of a case to parenting coordination stays a case until further notice. The Clerk of Court shall not accept for filing any documents while a case is in parenting coordination with the following exceptions:

- (1) An objection to a parenting coordinator’s decision;
- (2) A motion to lift the stay;
- (3) A response to a motion to lift the stay;
- (4) An application to dismiss the case;
- (5) A notice related to counsel;
- (6) A motion for changes in the designation of the primary residential parent or legal guardian;
- (7) A motion for changes in the primary placement of a child;
- (8) [Insert other exceptions].

(I) [Insert any other procedures the Court deems appropriate]

1.07 Confidentiality and Privilege

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the Court, shall not be confidential. Except as provided by law, parenting coordination shall not be privileged.

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1.08 Public Access

The files maintained by a parenting coordinator but not filed with the Clerk of Court or submitted to the Court shall not be available for public access pursuant to Rules 44 through 47 of the Rules of Superintendence for the Courts of Ohio.

1.09 Model Standards

The Court and a parenting coordinator shall comply with the “Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the “Guidelines for Parenting Coordination” and this rule, this rule shall control.

1.10 Court Reporting Requirements

On or before February 1st of each year, the Court shall file with the Dispute Resolution Section of the Supreme Court all of the following:

- (A) A copy of this rule;
- (B) A copy of the Court’s current roster of parenting coordinators;
- (C) A copy of each new or updated resume received by the Court from a parenting coordinator during the previous year;
- (D) A copy of each list of continuing education training received by the Court from each parenting coordinator.

1.11 Sanctions

The Court may impose sanctions for any violation of this rule which may include, but is not limited to, attorney’s fees and other costs, contempt, or other appropriate sanctions at the discretion of the Court.

1.12 [Insert any other provisions the Court deems appropriate]

**PARENTING COORDINATION
SAMPLE LOCAL RULE**

Rule 1. Parenting Coordination.

Introduction

The County Court adopts Rule 1 effective April 1, 2014.

1.01 Definitions

As used in this rule:

(A) Domestic abuse

“Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.

(B) Domestic violence

“Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).

(C) Parenting coordination

“Parenting coordination” means a child-focused dispute resolution process ordered by the Court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710, R.C. 3109.052, or Sup.R. 16 nor arbitration subject to R.C. Chapter 2711 or Sup.R. 15.

(D) Parenting coordinator

“Parenting coordinator” means an individual appointed by the Court to conduct parenting coordination.

1.02 Purpose

This rule allows for the earliest possible resolution of disputes related to parental rights and responsibilities or companionship time orders.

1.03 Scope

At any point after a parental rights and responsibilities or companionship time order is filed, the Court may order parenting coordination except to determine the following:

- (A) Whether to grant, modify, or terminate a protection order;
- (B) The terms and conditions of a protection order;
- (C) The penalty for violation of a protection order;
- (D) Changes in the designation of the primary residential parent or legal guardian;
- (E) Changes in the primary placement of a child.

1.04 Appointment

(A) Reasons for Ordering Parenting Coordination

The Court may order parenting coordination, sua sponte or upon written or oral motion by one or both parties, when one or more of the following factors are present:

- (1) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;
- (2) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;
- (3) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the Court, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
- (4) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the Court, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
- (5) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;
- (6) Any other factor as determined by the Court.

(B) Parenting Coordinator Qualifications

The Court may appoint an individual as a parenting coordinator who meets all of

the following qualifications:

- (1) A master's degree or higher, a law degree, or education and experience satisfactory to the Court;
- (2) At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the Court;
- (3) Has completed the following training approved by the Dispute Resolution Section of the Supreme Court:
 - (a) At least twelve hours of basic mediation training;
 - (b) At least forty hours of specialized family or divorce mediation training;
 - (c) At least fourteen hours of specialized training in domestic abuse and dispute resolution;
 - (d) At least twelve hours of specialized training in parenting coordination.

(C) Parenting Coordinator Qualifications in Abuse, Neglect and Dependency Cases

In addition to the qualifications under 1.04(B) of this rule, the Court may appoint a parenting coordinator to an abuse, neglect, or dependency case, provided the parenting coordinator meets both of the following qualifications:

- (1) Significant experience working with family disputes;
- (2) At least thirty-two hours of specialized child protection training that has been approved by the Dispute Resolution Section of the Supreme Court.

(D) Parenting Coordinator Continuing Education

To maintain eligibility for appointment, a parenting coordinator shall complete at least three hours per calendar year of continuing education relating to children that has been approved by the Dispute Resolution Section of the Supreme Court.

(E) Parenting Coordinator Appointment Order

The Court's appointment order shall set forth all of the following:

- (1) The name of the parenting coordinator and any contact information the

Court may choose to include;

- (2) The specific powers and duties of the parenting coordinator;
- (3) The term of the appointment;
- (4) The scope of confidentiality;
- (5) The parties' responsibility for fees and expenses for services rendered by the parenting coordinator;
- (6) Parenting coordination terms and conditions;

(F) Selection of Parenting Coordinator for Appointment

The parenting coordinator who meets the qualifications in division 1.04(B) of this rule and, if applicable division 1.04(C), shall be selected using one of the following:

- (1) Use of a Court employee;
- (2) Random selection by the Court from the Court's roster of parenting coordinators;
- (3) Specific appointment based on the type of case and the qualifications and caseload of the parenting coordinator;
- (4) Parties select a parenting coordinator from the Court's roster of parenting coordinators;

(G) Prohibited Parenting Coordinator Appointments

The Court shall not appoint a parenting coordinator who does not possess the qualifications in division 1.04(B) of this rule and, if applicable division 1.04(C), or who has served or is serving in a role that creates a professional conflict including, but not limited to, a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party. Parties may not waive this prohibition.

(H) Appointment of Mediator as Parenting Coordinator

With written consent of the parties, the Court may appoint a mediator to serve as the parenting coordinator with the same family.

(I) Termination or Modification of Parenting Coordinator Appointment

Upon motion of a party, for good cause shown, or sua sponte, the Court may

terminate or modify the parenting coordinator appointment.

1.05 Parenting Coordinator Responsibilities

(A) Ability to perform duties

A parenting coordinator shall report to the Court any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.

(B) Compliance with appointment order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the Court.

(C) Independence, objectivity, and impartiality

A parenting coordinator shall maintain independence, objectivity, and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.

(D) Conflicts of interest

(1) A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may benefit, directly or indirectly, except from services as a parenting coordinator.

(2) Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the Court and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the Court.

(E) Ex parte communications

A parenting coordinator shall not have ex parte communications with the Court regarding substantive matters or issues on the merits of the case.

(F) Legal advice

A parenting coordinator shall not offer legal advice.

(G) Reporting

(1) A parenting coordinator shall submit a resume to the Court documenting compliance with division 1.04(B) and, if applicable, division 1.04(C); provide an updated resume to the Court in the event of any substantive changes; and notify the Court of any changes to name, address, telephone number and, if available, electronic mail address contained in the resume.

(2) On or before January 1st of each year, a parenting coordinator shall report to the Court a list of all continuing education training completed during the previous year pursuant to division 1.04(D), including the sponsor, title, date, and location of each training. A parenting coordinator shall not be eligible for appointment until this requirement is satisfied. The parenting coordinator shall complete three hours of continuing education for each calendar year of deficiency.

1.06 Parenting Coordination Procedures

(A) Screening for and disclosure of domestic abuse and domestic violence

(1) All cases shall be screened for domestic abuse and domestic violence by the parenting coordinator before the commencement of the parenting coordination process and by the parenting coordinator during the parenting coordination process.

(2) All parties and counsel shall immediately advise the parenting coordinator of any domestic violence convictions and/or allegations known to them or which become known to them during the parenting coordination process.

(3) When domestic abuse or domestic violence is alleged, suspected, or present, before proceeding, a parenting coordinator shall do each of the following:

(a) Fully inform the person who is or may be the victim of domestic abuse or domestic violence about the parenting coordination process and the option to have a support person present at parenting coordination sessions;

(b) Have procedures in place to provide for the safety of all persons involved in the parenting coordination process;

(c) Have procedures in place to terminate the parenting coordination session/process if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.

(B) Disclosure of abuse, neglect, and harm

A parenting coordinator shall inform the parties that the parenting coordinator shall report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party to child protective

services, law enforcement, or other appropriate authority. A parenting coordinator shall report child abuse or neglect pursuant to the procedures set forth in R.C. 2151.421.

(C) Attendance and participation

(1) Parties shall attend parenting coordination sessions. Requests to reschedule parenting coordination sessions shall be approved by the parenting coordinator.

(2) A parenting coordinator shall allow attendance and participation of the parties and, if the parties wish, their attorneys and any other individuals designated by the parties.

(D) Referrals to support services

A parenting coordinator shall provide information regarding appropriate referrals to resources including legal counsel, counseling, parenting courses or education, and other support services for all parties, including, but not limited to, victims and suspected victims of domestic abuse and domestic violence.

(E) Parenting coordination agreements, reports, and decisions

(1) Parties shall sign and abide by agreements reached during a parenting coordination session, which shall be maintained in the parenting coordination file. The parenting coordinator shall provide a copy to each party and their attorneys, if any.

(2) Upon request by the Court, the parenting coordinator shall prepare a written report including, but not limited to, all of the following:

- (a) Dates of parenting coordination session(s);
- (b) Whether the parenting coordination session(s) occurred or was terminated;
- (d) Requests to reschedule a parenting coordination session(s), including the name of the requestor and the whether the request was approved;
- (e) Whether an agreement was reached on some, all, or none of the issues;
- (e) Who was in attendance at each session(s);
- (f) The date and time of a future parenting coordination session(s);

(g) Whether any decisions were written and if so, the date(s);

(3) The parenting coordinator shall first attempt to assist the parties in reaching an agreement that resolves the dispute. If the parties are unable to reach an agreement, the parenting coordinator shall issue a written decision that is effective immediately. The parenting coordinator shall provide copies to the parties and their attorneys, if any. The decision shall be immediately filed with the Court and include all of the following:

- (a) Case caption, including the case number;
- (b) Date of the decision;
- (c) The decision of the parenting coordinator;
- (d) Facts of the dispute and facts upon which the decision is based;
- (e) Reasons supporting the decision;
- (f) The manner in which the decision was provided to the parties;
- (g) Any other necessary information.

(4) A party may file written objections to a parenting coordinator's decision with the Court and serve all other parties to the action within fourteen days of the filing date of the decision. If any party timely files objections, any other party may also file objections with the Court and serve all other parties to the action, not later than ten days after the first objections are filed. A hearing may be scheduled, upon request, at the discretion of the Court. A judge or magistrate shall issue a ruling on the objections within thirty days from the date of the last objection filed.

(F) Parenting coordinator evaluations and complaints

(1) A parenting coordinator shall provide participants with the Parenting Coordinator Evaluation form, provided by the Court, prior to the first parenting coordination session and at the end of the term of the appointment.

(2) The Court shall complete a review of the parenting coordinators on the Court's roster in January of each year.

(3) A party to a case appointed to parenting coordination may file a complaint regarding the parenting coordinator within one year from the termination of the appointment. The complaint shall be submitted to the Court Administrator, and include all of the following:

- (a) The case caption and case number;
- (b) The name of the parenting coordinator;
- (c) The name and contact information for the person making the complaint;
- (d) The nature of any alleged misconduct or violation;
- (e) The date the alleged misconduct or violation occurred;

(4) The Court Administrator shall provide a copy of the complaint to the parenting coordinator;

(5) The parenting coordinator has fourteen days from the date of the receipt of the complaint to respond in writing to Court Administrator.

(6) The Court Administrator shall conduct an investigation into the allegations and shall issue a response within thirty days from the date the complaint was received.

(G) Fees

A parenting coordinator shall be paid \$60/hour, unless otherwise ordered by the Court. All fees shall be determined by the Court and included in the appointment order. Fees shall be waived for indigent parties.

(H) Stay of Proceedings

Unless otherwise provided by court order, referral of a case to parenting coordination stays a case until further notice. The Clerk of Court shall not accept for filing any documents while a case is in parenting coordination with the following exceptions:

- (1) An objection to a parenting coordinator's decision;
- (2) A motion to lift the stay;
- (3) A response to a motion to lift the stay;
- (4) An application to dismiss the case;
- (5) A notice related to counsel;
- (6) A motion for changes in the designation of the primary residential parent or legal guardian;

- (7) A motion for changes in the primary placement of a child;

1.07 Confidentiality and Privilege

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the Court, shall not be confidential. Except as provided by law, parenting coordination shall not be privileged.

1.08 Public Access

The files maintained by a parenting coordinator but not filed with the Clerk of Court or submitted to the Court shall not be available for public access pursuant to Rules 44 through 47 of the Rules of Superintendence for the Courts of Ohio.

1.09 Model Standards

The Court and a parenting coordinator shall comply with the “Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the “Guidelines for Parenting Coordination” and this rule, this rule shall control.

1.10 Court Reporting Requirements

On or before February 1st of each year, the Court shall file with the Dispute Resolution Section of the Supreme Court all of the following:

- (A) A copy of this rule;
- (B) A copy of the Court’s current roster of parenting coordinators;
- (C) A copy of each new or updated resume received by the Court from a parenting coordinator during the previous year;
- (D) A copy of each list of continuing education training received by the Court from each parenting coordinator.

1.11 Sanctions

The Court may impose sanctions for any violation of this rule which may include, but is not limited to, attorney’s fees and other costs, contempt, or other appropriate sanctions at the discretion of the Court.

Parenting Coordination Documents and Forms

Contact the Dispute Resolution Section at DisputeResolution@sc.ohio.gov or 614.387.9420 for the following:

- Appointment Order
- Brochure
- Domestic Abuse and Domestic Violence Screening Form
- Intake Form
- Notice of Parenting Coordination Session
- Parenting Coordinator Evaluation
- Parenting Coordinator Decision Form
- Parenting Coordinator Questionnaire
- Parenting Coordinator Report for the Court Form



THE SUPREME COURT *of* OHIO

OFFICE OF COURT SERVICES
Dispute Resolution Section
65 South Front Street
Columbus, Ohio 43215-3431