

Form 11: Information For Parents Regarding the Use of Parenting Coordinators

Parenting coordination is a child-focused alternative dispute resolution process. The overall objective of parenting coordination is to help parents resolve issues regarding their parenting plan and legal decision-making orders so as to protect and support safe, healthy, and meaningful parent child relationships.

A Parenting Coordinator is a professional with appropriate education, experience, and expertise. The Parenting Coordinator's roles are to help parents resolve parenting disputes and make binding decisions, if the parents are unable to reach agreement on their own.

Parents may use a Parenting Coordinator when they need help with disputed issues, reducing misunderstandings, clarifying priorities, exploring possibilities for compromise, developing methods of collaboration in parenting, and complying with legal decision-making authority and parenting time orders. By way of example, parenting challenges can include disagreements about child pick-up and drop-off locations, dates, and times; holiday scheduling; discipline; health and personal care issues; school and extracurricular activities; choice of schools; and managing problematic behaviors.

Before the court can appoint a Parenting Coordinator, the parents must agree to use a Parenting Coordinator and understand how the Parenting Coordinator charges for services. The parents must also agree to:

1. the manner in which the Parenting Coordinator's fees will be allocated between the parents;
2. who the Parenting Coordinator will be or the method by which the Parenting Coordinator will be selected;
3. release documents to the Parenting Coordinator that the Parenting Coordinator deems necessary to the performance of services;
4. the length of the appointment; and
5. be bound by the Parenting Coordinator's decisions.

When a dispute is presented, the Parenting Coordinator will help the parents reach an agreement. The Parenting Coordinator will determine the number and length of the meetings that are necessary to resolve the issue. The Parenting Coordinator will make this determination based upon the substance and complexity of the issue and the behavior of the parents.

If the Parenting Coordinator ever personally observes that a parent is impaired and not able to safely care for their child or make good decisions, and the parent's impairment could put the child in serious danger, the Parenting Coordinator can ask the court to enter an emergency temporary order without notice to the parent. See Rule 48, Arizona Rules of Family Law Procedure. The court must consider this request, even if there is not a pending petition to modify the legal decision-making or parenting time. See Rule 91, Arizona Rules of Family Law Procedure.

The Parenting Coordinator will decide what information is needed to resolve a dispute and has the authority to get information such as the children's opinions and information from family members, doctors, therapists, schools, or other caretakers. The Parenting Coordinator will put their decision into a written report and provide it to the assigned judge and each parent or the parent's attorney. The Parenting Coordinator's report may include recommendations that the court order the parents or their child to participate in ancillary services provided by the court or third parties, including but not limited to physical or psychological examinations or assessments, counseling, and alcohol or drug monitoring and testing. The parenting coordination process is not confidential. If a parent believes the Parenting Coordinator's report contains private or confidential information, the parent can ask the Parenting Coordinator to request that the report be filed by the court as a confidential or sealed document.

The Parenting Coordinator's decision is binding upon the parents, provided that the decision is within the Parenting Coordinator's scope of authority. If a parent believes that the Parenting Coordinator's decision exceeds the scope of the Parenting Coordinator's authority, the parent may file an objection with the court. Examples of when a Parenting Coordinator exceeds the scope of authority can be found in Rule 74(f)(4), Arizona Rules of Family Law Procedure.

A Parenting Coordinator is appointed for a one-year term unless the parents agree to a longer term. When a Parenting Coordinator's term expires, the parents can request that their Parenting Coordinator be reappointed. As long as the Parenting Coordinator agrees, the court will typically grant the parents' request. A Parenting Coordinator cannot increase the hourly rate for services during a term of appointment.

The Parenting Coordinator can resign upon notice to each parent and order of the court. Both parents can jointly agree to discharge the Parenting Coordinator. However, neither parent alone can discharge the Parenting Coordinator. If only one parent wishes to discharge the Parenting Coordinator, that parent may file a motion explaining why the Parenting Coordinator should be discharged. Disagreeing with one or more of the Parenting Coordinator's decisions will not justify the discharge of a Parenting Coordinator.

If the Parenting Coordinator acts in a manner that seems unethical or unprofessional, the parent is encouraged to talk about those concerns with the Parenting Coordinator. A parent can also follow the complaint process in Rule 74(m), Arizona Rules of Family Law Procedure.

The Parenting Coordinator's goals are somewhat different than those of a judge. A judge's job is to make orders that are based on the law. A Parenting Coordinator's job is to assist parents in making parenting decisions in the best interests of the children and in accordance with the parenting plan and legal decision-making orders issued by the court. A major goal is to help parents develop their skills so they do not continue to need a Parenting Coordinator. If this can be accomplished, the power to make decisions about their children is back in the hands of the parents.