

# The Fundamentals of Parenting Coordination

## Training Team

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## **PC Process I**

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December 5, 2022



**ASSOCIATION OF FAMILY  
AND CONCILIATION COURTS**

Virtual Training  
December 5,6,7,8, 2022

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Thanks to Debra Carter for use of some of her slides

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# The Parenting Coordination Process – Module 1

## Learning Objectives

- Define Parenting Coordination and list the differences between parenting coordination and other professional roles.
- Explain the roles and function of the PC.
- List the potential risks and benefits of using parenting coordination based on research to date.



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Fundamentals of Parenting Coordination – Nov. 30 & Dec. 1, 2020

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## What is Parenting Coordination?



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## Definition of Parenting Coordination

- Parenting coordination is a **child-focused dispute resolution process** conducted by a licensed mental health or family law professional, or a certified/qualified mediator with practical professional experience with high conflict family cases.

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## PC As Adjunct To Court Services

Parenting Coordination is generally viewed as an adjunct to the courts' efforts to:

- Enforce its orders
- Limit the judicial resources consumed by an individual family by reducing conflict between parents
- When necessary for adjudication, obtain efficient access to information bearing on children's best interests (Carter & Frenkel, FCR 2020)



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# What do Parenting Coordinators do?

- A PC seeks to **protect and sustain safe, healthy, and meaningful parent-child relationships** and assist coparents engaged in high conflict coparenting to implement their parenting plan by:
  - facilitating the resolution of their disputes in a timely manner;
  - educating coparents about children's needs; and
  - with prior approval of the coparents or the court, making decisions within the scope of the court order or appointment contract. (AFCC, 2019)

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## • Objectives of Parenting Coordination:

- Assist parents engaged in high conflict coparenting dynamics:



- to implement their "parenting plan",
- monitor compliance with details of the plan,
- analysis & resolution of child-related parental disputes in a timely and child focused manner
- reduce conflict between parents
- re-focus parents on children's needs
- improve communication and problem-solving skills of parents
- and protect and sustain safe, healthy, meaningful parent-child relationships.

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## Objectives Of Parenting Coordinator (2)

- Provide education to parents about developmental & psychological needs of child
- Provide stabilizing presence and buffer for families
- Reduce reliance upon litigation and courts---interrupt relationship based on conflict

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## Parenting Coordination Process

Parenting coordination is a *hybrid legal-mental health role* that combines dispute resolution, assessment, education, case management, conflict management and sometimes decision-making functions.

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# Development of Parenting Coordination as a Dispute Resolution Process

- History of Parenting Coordination
- Expanse of Practice Across North America
- States/Provinces with Statutes/Rules/Governing Authority
- Expanse of Practice in Europe and Asia
- Future Horizons



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Landscape:  
PC Around the  
Globe



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- 46 states have some form of Parenting Coordination
- 17 states have Statutory authority
- 20 states have Court Rules
- 22 states have Common Law Rules
- PC confidential in 6 states
- Non-Confidential in 17 states
- Consent not required in majority
- Most states allow reporting to the court
- Decision-making authority common, but usually temporarily binding



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## Consent or Court – Ordered / Scope of Authority

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- **PC practiced primarily in 5 provinces:**
  - British Columbia (BC), Prince Edward Island (PEI), Quebec (QB), Alberta (AB), Ontario (ON)
- BC & PEI have PC legislation permitting court to order PC (with arbitration) in the absence of the parents' consent
- ON & AB – by private consent agreement only
  - court can't order family law arbitration against parents' consent; governed by:
    - Under Arbitration Act, subject to full rights of appeal
    - Provincial Family Law Acts apply

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## Reporting to Court

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- BC & PEI – reporting to court permissible
- ON
  - “open” model – reporting to court and testifying permissible
  - “closed” model –no reporting to court/testifying permissible;
    - Arbitration Awards provided to parents, who are bound to their confidentiality
    - Awards may be used in court in an appeal process
- AB – reporting to court permissible

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## Europe: Parenting coordination not regulated



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## Parenting Coordination in Asia

- Singapore
- Hong Kong

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## Who is Parenting Coordination Appropriate For?

- Parents who continue post-separation & divorce to have high levels of dispute regarding their children
- Parents who use their children to express their disputes – put them in the middle
- Disputing parents with personality disorders & problems and dysfunctional relationships
- Parents that overuse the adversarial process to express anger/rage, grievances, & to punish

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- **Complex and High Risk Cases:** Children with complex mental health or medical conditions, abuse/neglect allegations, multiple practitioners involved requiring coordination, symptomatic children, mental illness with treatment compliance issues
- Changing parenting plans: Young children, substance abuse issues, resistance to contact with a parent
- Parties agree to decision maker outside of the Court to reduce cost and burden of continued litigation
- Recommendation of custody evaluator, lawyers, judge
- In Some states in US: If history of extreme or unremitting conflict that affects welfare of the children, court can appoint without parties' agreement

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## Parental Disputes Often Settled by Parenting Coordinator

- Parenting time schedules/access, holidays & vacations, temporary variations, transitions, travel and passport arrangements
- Child's recreational and enrichment activities
- Education or daycare (tutoring, summer school, school choice, placement)
- Health care management (medical, dental, psychotherapy, vision)
- Religious observances and education

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## Parental Disputes Settled by Parenting Coordinator (2)

- Child rearing issues, including alteration of children's appearance (haircuts, piercing)
- Forms of communication between parents
- Parent behaviors and parenting issues
- Substance abuse allegations, testing, counseling
- Changes in parenting plan consistent with child's developmental changes
- Role of significant others, extended family

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## Parenting Coordination is NOT:

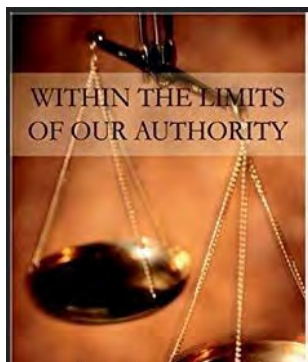
- Family Mediation
- Assessments/Evaluations, e.g. Child Custody Evaluation (CCE), Brief Focused Assessments (BFA), Settlement Focused Parenting Plan Consultations (SFPPC)
- Collaborative Law
- Coparent Counseling
- Family Therapy
- “Reunification” Therapy
- Individual Therapy



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## Limitations on Functions of the PC

- Varies by jurisdiction –



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## How does PC get involved?

- Stipulated Agreement
- Consent Agreement with PC
- Court Order

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## Legal authority: components of statute, order or local pattern

- Define parenting coordinator's role
- Basis of authority
- Scope of authority
- Qualifications
- Consent vs. non-consent of parties
- Confidentiality
- Term of service
- Removal/resignation

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## Timing of PC Interventions

- Early Intervention
- - Temporary Parenting Plan Established
- - No Parenting Plan arrangements set
- - Post Dissolution Appointments
- - Re-craft parenting plan

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## Consent of parties

- **Parents must consent to give up their authority to make decisions to third parties (other than to the statutory authority of the Court)**
- Informed consent necessary: Court cannot order decision-making by PC without agreement of parties except in some jurisdictions. Payment cannot be ordered
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## PC Model

- An **Integrated Model** (Carter, e.g.) generally involves joint meetings building an infrastructure for interventions, establishment of a clearly defined communication protocol, identification of parenting skill deficits/children's needs, and establishment of a collaborative team with specific goals and objectives. Ideally, parents are taught how to avoid conflict and how to engage in a constructive manner BEFORE they are in the middle of chaos. Parents are sent to a PC to build those skills and be held accountable for implementing them.



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## The PC is a Hybrid Role

- The PC role integrates:
  - Assessment and review of disputes and data
  - Parent education
  - Coordination and case management
  - Communication oversight and skills training
  - Conflict and dispute management (discussion, mediation, consensus-building, negotiation)
  - Decision-making (arbitration)

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## Parenting Coordination Training

- Hybrid role = hybrid knowledge and skills
- Core Competencies
  - Psychological knowledge
  - Applicable legal knowledge
  - Mediation skills
- Skill and expertise in any special issues specific to case



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## Role & Functions of the Parenting Coordinator (PC)

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- Orientation & Informed Consent
- Assessment
- Education
- Coordination/case management
- Communication
- Conflict management
- Parenting plan development/implementation
- Decision-making
- Written Agreements



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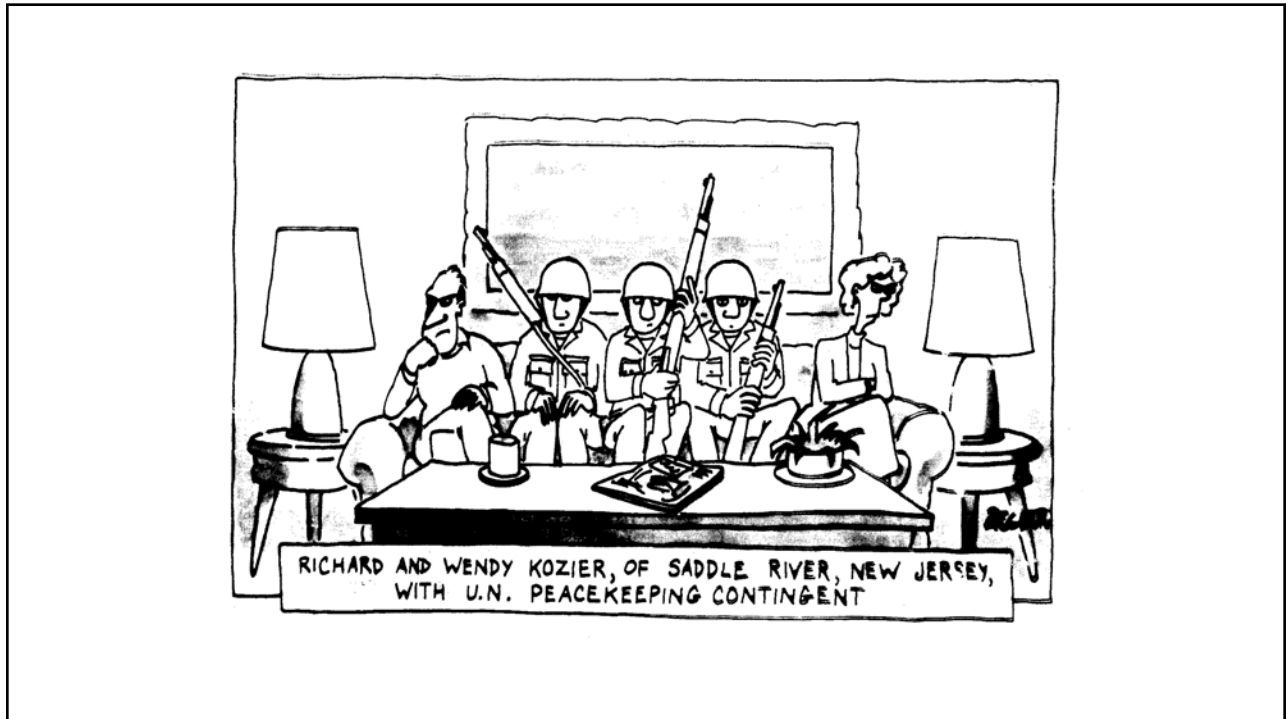
## PC Functions

- Help Parents Develop Coparenting Relationship
- Monitor Parental Access
- Is Court Order Being Followed?
- Monitor Child(ren)'s Adjustment & Safety
- Monitor Safety For All Participants & Ability To Participate In Process




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## Role Definition

**PC does not provide:**

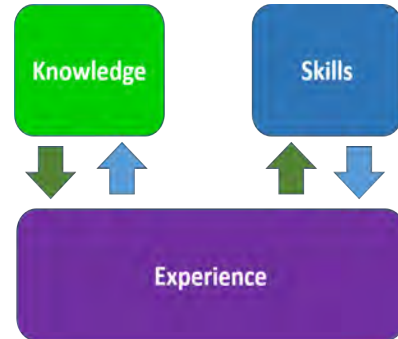
- Psychotherapy or Counseling
- Diagnostic or assessment services
- Custody or parenting plan evaluations
- Supervised Visitation
- Any other professional role with parenting coordination parties

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## What We Need to Know

- A wide breadth of knowledge and skills required, varies by jurisdiction
- Various relevant legislation and family law
- Mediation
- Arbitration
- Case management skills, protocols
- Child Interviewing: Knowledge related to child development; general & child specific interviewing skills, research on child witness, suggestibility, reliability, testimony, memory (e.g., Ceci; Loftus; Lamb; Poole)



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## What We Need to Know – cont.

- Child development, family systems
- Models of coparenting
- Effects of separation/divorce and parental conflict on children
- Domestic Violence/Abuse (Intimate Partner Violence) – risk assessment and differentiation
- High-conflict families and their personality characteristics
- Intervention techniques for difficult or resistant clients (solution focused; cognitive-behavioral, strategic, motivational interviewing)

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## Essential Skills & Knowledge for a Parenting Coordinator

- Therapist Skills
- Evaluator Skills
- Mediator Skills
- Educator Skills
- Case Management Skills
- Legal Tool Kit



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## *Therapeutic Skills*

- Building Alliances
- Establishing Boundaries
- Establishing Trust
- Validating Perspectives
- Validating Feelings



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## *Educator Skills*

Child Development  
 Family Systems  
 Effects of Divorce  
 Role of Attachment  
 Parenting Techniques  
 Communication Methods  
 Conflict Resolution Techniques



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## *Evaluation/Assessment Skills*

Assessing Vulnerability  
 Assessing Level of Conflict  
 Identifying Strengths  
 “At Risk” Factors  
 Parenting Needs  
 Children’s Developmental Needs



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## *Mediation Skills*

Impasse-Directed Mediation

Pre-negotiation Phase:

Clarifying Realities

Preparing Agenda for Negotiation

Conflict-Resolution Phase:

Principled Negotiation

Implementation Phase:

Child Adjustment



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## *Case Management Skills*

Setting Goals

Monitoring Progress

Maintaining Integrity of PC Process

Informed Consent

Releases to obtain  
confidential information

Coordinating Communication with  
Support Team

Monitor Effectiveness of PC Process



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## *Legal Tool Kit*

- Knowledge of:
  - Statutes, Rules, policies
  - Jurisdiction-specific procedures
  - National Guidelines for Parenting Coordination
  - Ethics Standards & Guidelines
  - Applicable case law



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## The Parenting Coordinator and the Court-



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## PCs must know:

- **Jurisdiction-specific qualifications and procedures**
- **Appointment and Discharge Processes**
- **Whether, how, and when to interface with the court system**
- **Legal Concepts**
  - **Parenting time adjustment**
  - **Modification of parenting plan/agreements**
  - **Relocation**

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- Courts must be cautious in not requesting the PC act in roles that exceed their scope of authority.
- While it is not uncommon for a judge to want the advice or recommendations of a skilled PC about appropriate legal decision-making or parenting time orders, **the PC rarely is vested with authority to give such a recommendation.**
- The PC can assist the court with these decisions without violating the scope of authority, by providing **specific data points on these issues** within the scope of their role without rendering an ultimate opinion or recommendation.



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# Success Starts at the Beginning

Organization  
And  
Planning



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## Managing First Referral/Query Calls & Contacts

- **Set and then maintain boundaries and structure from very first contact (email or call)**
- Parent(s) or lawyer?
- Pro Se? One or both
- Both represented by counsel?
- Are they asking for information or making a referral?
  - Do they know what parenting coordination is?
  - Important opportunity for educating professionals
- Avoid perception or reality of bias
  - Focus on process - not always so easy!



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## Do you have a court order?

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- Is your consent agreement consistent with the terms of the court order?
- Match the:
  - Term of service
  - Definition and purpose of PC role
  - Scope of authority
  - Access to information
  - Limits of confidentiality
  - PC procedures
  - Procedure for decision making
  - Do you submit anything to the court?

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## Professional Services Agreement

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Goals &amp; Objectives of PC process</li> <li>• Role &amp; Functions</li> <li>• Scope &amp; Limitation of Authority</li> <li>• Confidentiality &amp; privacy</li> <li>• Communication Protocol</li> <li>• Release/Sharing Info – Collateral sources</li> <li>• Structure of Meetings</li> </ul> | <ul style="list-style-type: none"> <li>• Testimony &amp; Evidence</li> <li>• Length of term</li> <li>• Method for decision-making by PC</li> <li>• Fees &amp; Costs (retainer &amp; billing/collection procedures)</li> <li>• Emergency Procedures</li> <li>• Grievance Procedures</li> <li>• Termination Procedures</li> </ul> |
|--|---|

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## AFCC Guidelines for Parenting Coordinat



- The AFCC Guidelines for Parenting Coordination 2019, specifically Guidelines VI(a) and (b), establish that:
- Court orders should include the essential elements necessary for parenting coordination work, including the term of service, purpose of the role, scope of authority, the PC's access to information, limits of confidentiality, procedures for the process and for decision-making, how/if reports will be submitted to the court, the extent of judicial review, fees, a grievance process, and a process for termination of parenting coordination.

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## What Decisions Can/Should the PC Make?



- Guideline XI(B) "Scope of Decision-Making" is an extensive but not exhaustive list of specific areas of a parenting plan for which parenting coordination oversight can be utilized.
- The use of the term "minor" to describe decisions in Guideline XI(b)(1) is generally interpreted to mean parenting time adjustments or changes which do not increase or decrease parenting time enough to warrant a change in child support obligations.

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## Scope of a PC's Role

- The scope of a PC's role is a delicate balance between **enough authority to enforce and implement existing court orders without encroaching on judicial functions and authority**, while also respecting individual parent's rights to make day to day decisions for their children (Montiel, 2015).
- The appointment order must not only outline what decisions the PC can make, but must also specify **what the court will do with those decisions**, once made.
- Jurisdictions vary in referring to the PC's decisions as recommendations, awards, orders, or determinations.



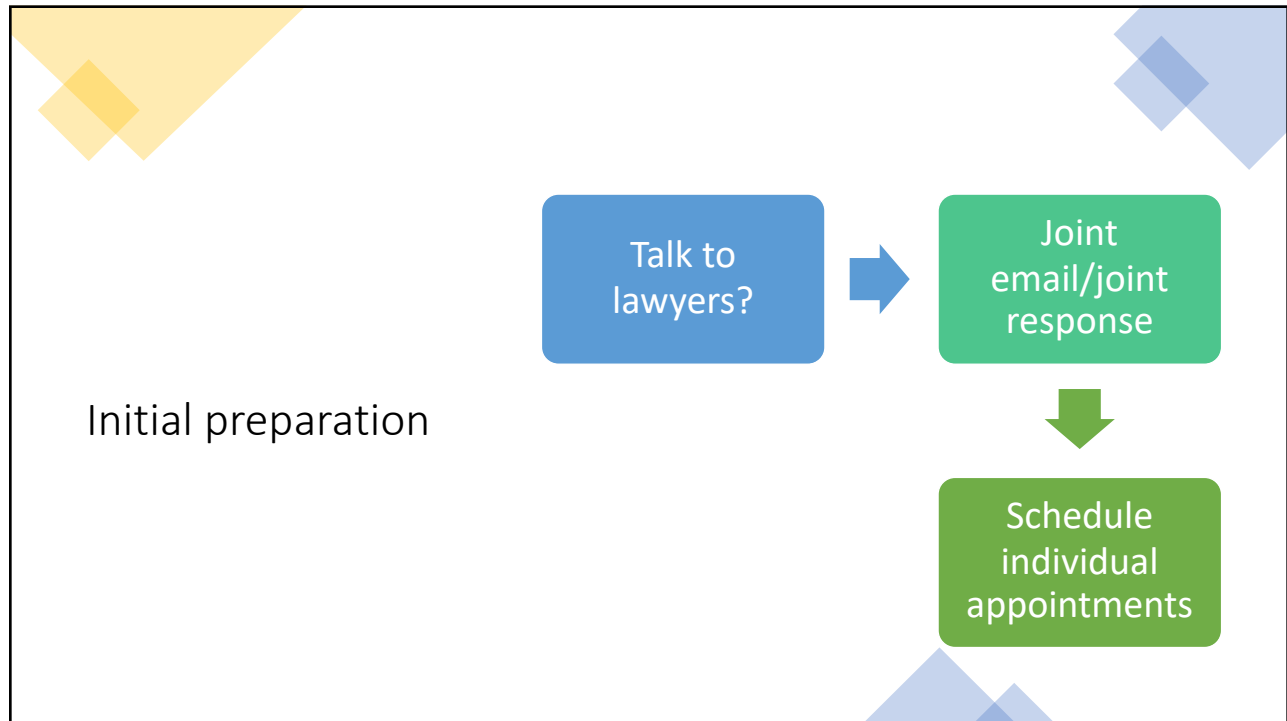
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## Documentation Checklist

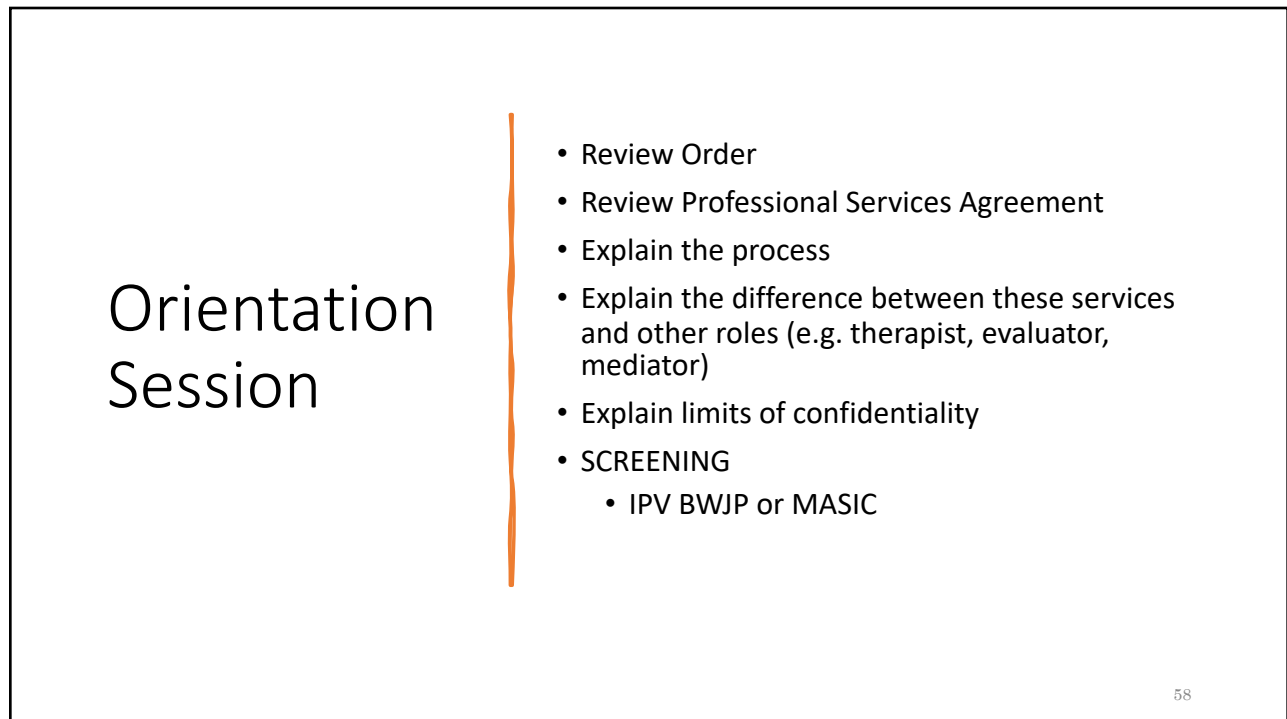
- Court, Parties, or Attorneys Request PC Services
- Clarify the Referral –
  - What is needed?
  - Within your scope of competence?
- Court Order – Direction & Authority or stipulated Agreement
- Copy of the Divorce Agreement or parenting plan
- Copy of the Custody Evaluation
- Any protection orders
- Signed PC Agreement and retainer

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Screening for Suitability of Parenting Coordination process – Guideline XIII

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Intake and Screening

- Substance Abuse Screen
- DV Screen
- Mental Health Screen
- Parenting and Coparenting Concerns

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# Orientation

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- Parents' questions
- Information about their children
  - Note child-focused process
- Nature of parenting disputes/priorities
- Rules of Engagement
- Explain team building and need for information from other professionals
- Secure releases

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# Initial questionnaire includes safety evaluation

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- History of violence
- Relationship patterns before and after separation
- Child abuse
- Health or addiction problems which affect parenting or coparenting
- Fear to be in the same room

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## Accepting IPV Cases for Parenting Coordination?

Review court and CCE materials before taking case - restraining orders? When and why?

SCREEN every case, whether IPV is alleged or not

Screen for emotional, as well as physical safety

Physical, sexual, verbal, economic aggression, power and control dynamics

Presence of intimidation, threats of harm, present of past restraining orders, power imbalances indecision making

Affirmative response to any requires follow-up to understand context (where, when, by whom), frequency, severity, intention and consequences)

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### HOW TO SCREEN

Best to use established screening measure

Two options: MASIC (Holzworth-Munroe, Beck & Applegate, 2010) – online version in development, SAFeR (Battered Women’s Justice Project, 2015)

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### INITIAL DOMESTIC ABUSE SCREENING GUIDE

<p><b>Basic Screening Questions:</b></p> <p><b>How comfortable are you interacting with _____ now?</b></p> <ul style="list-style-type: none"> <li>• Do you have any concerns, fears or anxieties that I should be aware of?</li> <li>• What worries you most?</li> </ul>	<p><b>What to Listen For:</b></p> <p><b>Personal Interactions</b></p> <p>Comfortable ↔ Uncomfortable                  Safe/Secure ↔ Fearful/Anxious                  Self-Ruled ↔ Controlled                  Connected ↔ Isolated                  Respected ↔ Disparaged                  Self-Reliant ↔ Dependent                  Supported ↔ Undermined</p>
<p><b>When you look back over time, how were practical, everyday decisions made in your relationship?</b></p> <ul style="list-style-type: none"> <li>• How did you arrive at that arrangement?</li> <li>• Are you comfortable with that?</li> <li>• What happened when disagreements arose?</li> </ul>	<p><b>Everyday Decision-Making</b> (food, shelter, finances, children)</p> <p>Equal ↔ Dominating                  Cooperative ↔ Coercive                  Responsible ↔ Irresponsible                  Fair ↔ Manipulative</p>
<p><b>Is there anything that gets in your way of doing the things you want or need to do in your daily life, like:</b></p> <ul style="list-style-type: none"> <li>• Managing your daily affairs</li> <li>• Meeting your basic needs</li> <li>• Meeting the basic needs of the children</li> <li>• Fulfilling your everyday responsibilities</li> <li>• Making your own decisions</li> <li>• Interacting with other people</li> </ul>	<p><b>Control of Everyday Life</b></p> <p>Self-Directed ↔ Controlled</p>

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<p><b>Has there ever been any physical violence between you and _____? If so, can you tell me about that?</b></p>	<p><b>Physical Violence</b></p> <p>Very rare ↔ Every d                  Very minor ↔ Very sev                  No harm ↔ Severe injury</p>
<p><b>Have you ever felt so ashamed, humiliated, embarrassed or fearful by something you or _____ said or did to the other that you didn't want anyone else to know about it? If so, can you tell me about what that was like for you (without revealing specifics)?</b></p>	<p><b>Emotional Well-being</b></p> <p>Safe/Secure ↔ Fearful/Ans                  Self-Respect ↔ Humiliator                  Autonomous ↔ Controlled</p>
<p><b>Have you or _____ ever forced the other to do sexual things the other didn't want to do or insisted on having sex when the other didn't want to? If so, can you tell me about that?</b></p>	<p><b>Sexual Autonomy</b></p> <p>Voluntary ↔ Forced                  Respectful ↔ Degradi</p>
<p><b>Have you or _____ ever been concerned that the other was going to physically or psychologically harm the other, the children, or pets? If so, please explain.</b></p>	<p><b>Fear of Physical or Psychological Ha</b> (self, children, pets, others)</p> <p>Not fearful ↔ Very fear</p>
<p><b>How are parenting time arrangements currently being worked out?</b></p> <ul style="list-style-type: none"> <li>• How did you arrive at that arrangement?</li> <li>• Are you comfortable with that?</li> <li>• Any concerns about children or fears for their safety?</li> </ul>	<p><b>Parental Decision-Making</b></p> <p>Equal ↔ Dominat                  Cooperative ↔ Coercive                  Responsible ↔ Irrespon                  Child-Focus ↔ Self-Foc                  Fair ↔ Manipul</p>

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Holtzworth-Munroe et al. THE MEDIATOR'S ASSESSMENT OF SAFETY ISSUES AND CONCERNS (MASIC) 657

- 24. Does the other parent own or have access to any weapons?  Yes  No
- 25. If yes, what kind(s) of weapons?
- 26. Do you own or have access to any weapons?  Yes  No
- 27. If yes, what kind(s) of weapons?
- 28. If the Court ordered mediation, why do you believe that the Court ordered this matter to mediate(s)?
- 29. What parenting plan or arrangements do you think would work best for your family?

Section 3

Now, I am going to ask you a series of questions about your relationship with NAME [the other parent]. I am interested in things that NAME may have done during a conflict, disagreement, fight, or in anger, or to scare you or hurt you.

First, I will ask if something ever happened, and you should answer yes or no.

Second, if you answer yes, then I will ask how often it happened within the past 12 months. Please tell me how often based on the scale I just gave you (again once and ensure it is in front of them when answering).

A = never, B = once or twice, C = three to six times (approx. once every few months), D = seven to twelve times (approx. every month or less), E = weekly, F = daily

	A. Did the other parent ever (whether alone together or not)	B. How often did that happen in the past 12 months?
1. Call you names?	Yes No	A B C D E F
2. Insult you or make you feel bad in front of others?	Yes No	A B C D E F
3. Yell or scream at you?	Yes No	A B C D E F
4. Pushed you, hit you or without hurting?	Yes No	A B C D E F
5. Try to control how much money you had or spent?	Yes No	A B C D E F
6. Try to control your activities in or outside the home?	Yes No	A B C D E F
7. Try to control your contact with family and friends?	Yes No	A B C D E F
8. Act extremely jealous, or frequently check up on where you're with or who you've been with?	Yes No	A B C D E F
9. Demanded that you obey him/her?	Yes No	A B C D E F
10. Physically abuse or threaten to abuse you to scare or hurt you, or when angry at you?	Yes No	A B C D E F
11. Punish or deprive the children because he/she was angry at you?	Yes No	A B C D E F

[https://www.researchgate.net/publication/227667044\\_The\\_Mediator%27s\\_Assessment\\_of\\_Safety\\_Issues\\_and\\_Concerns\\_MASIC\\_A\\_Screening\\_Interview\\_for\\_Intimate\\_Partner\\_Violence\\_and\\_Abuse\\_Available\\_in\\_the\\_Public\\_Domain](https://www.researchgate.net/publication/227667044_The_Mediator%27s_Assessment_of_Safety_Issues_and_Concerns_MASIC_A_Screening_Interview_for_Intimate_Partner_Violence_and_Abuse_Available_in_the_Public_Domain)

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658 FAMILY CHECK-REVIEW

12. Make threatening gestures or faces at you or shove a fist at you?	Yes No	A B C D E F
13. Threaten to take or have the children taken away from you?	Yes No	A B C D E F
14. Destroy property, for example, hit or kick a wall, chair, or furniture or throw, smash, or break an object?	Yes No	A B C D E F
15. Drive dangerously to start you, or when angry at you?	Yes No	A B C D E F
16. Throw an object at you to scare or hurt you or when angry at you?	Yes No	A B C D E F
17. Destroy or harm something you care about?	Yes No	A B C D E F
18. Threaten to hurt someone you care about? (If yes, ask for details and write them here)	Yes No	A B C D E F
19. Threaten to hurt you? (If yes, ask for details and write them here)	Yes No	A B C D E F
20. Threaten to kill him/herself? (If yes, ask for details and write them here)	Yes No	A B C D E F
21. Threaten to kill you? (If yes, ask for details and write them here)	Yes No	A B C D E F
22. Threaten you with a weapon or something like a weapon? (If yes, ask for details, including, what kind(s) of weapon(s) or object(s), write details here)	Yes No	A B C D E F
<i>I want to remind you that all my questions concern things that NAME may have done during a conflict, disagreement, or fight or in anger, or to scare or hurt you.</i>		
23. Hold you down, pinning you in place?	Yes No	A B C D E F
24. Push, shove, shake or grab you?	Yes No	A B C D E F
25. Scorch you, or pull your hair, or twist your arms, or bite you?	Yes No	A B C D E F
26. Spit you?	Yes No	A B C D E F
27. Hit or smack you?	Yes No	A B C D E F
28. Kick or shove on you?	Yes No	A B C D E F
29. Choke or strangle you?	Yes No	A B C D E F
30. Beat you with something?	Yes No	A B C D E F
31. Use a weapon or something like a weapon against you? (If yes, what kind(s) of weapon(s) or object(s)?	Yes No	A B C D E F
32. Demand or insist that you engage in sexual activities against your will?	Yes No	A B C D E F
33. Physically force you to engage in sexual activities against your will?	Yes No	A B C D E F
34. Follow or spy on you in a way that made you feel frightened or harassed?	Yes No	A B C D E F

[https://www.researchgate.net/publication/227667044\\_The\\_Mediator%27s\\_Assessment\\_of\\_Safety\\_Issues\\_and\\_Concerns\\_MASIC\\_A\\_Screening\\_Interview\\_for\\_Intimate\\_Partner\\_Violence\\_and\\_Abuse\\_Available\\_in\\_the\\_Public\\_Domain](https://www.researchgate.net/publication/227667044_The_Mediator%27s_Assessment_of_Safety_Issues_and_Concerns_MASIC_A_Screening_Interview_for_Intimate_Partner_Violence_and_Abuse_Available_in_the_Public_Domain)

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Holtzworth-Munroe et al. THE MEDIATOR'S ASSESSMENT OF SAFETY ISSUES AND CONCERNS (MASIC) 459

35.	Try to contact you against your will or in a way that made you feel frightened or harassed, for example, by unsolicited written correspondence, phone calls, or other ways of communicating, the text messages, or on Facebook or My Space?	Yes	No	A	B	C	D	E	F
36.	Stood outside your home, school, workplace, or other place where he/she had no business being, and in a way that made you feel frightened or harassed?	Yes	No	A	B	C	D	E	F
37.	Leaves items for you to find in a way that made you feel frightened or harassed?	Yes	No	A	B	C	D	E	F
38.	Do anything else similar to the kinds of behaviors we've been discussing? If yes, what kind(s) of behavior(s)?	Yes	No	A	B	C	D	E	F
<i>Now consider the things we've been discussing or similar kinds of things:</i>									
39.	<i>[If the parent endorsed any of items 22-23 and 23 above] You said that [NAME] [enter appropriate behavior, e.g., has stalked you and checked you] in the past 12 months. Have these types of behaviors been happening more often recently than before?</i>	Yes	No						
40.	<i>[If the parent endorsed any of items 22-23 and 23 above] Have these types of behaviors been getting more recently than before?</i>	Yes	No						
41.	As a result of the other parent's behaviors, did you feel fearful, scared or afraid of physical harm to yourself or a child?	Yes	No	A	B	C	D	E	F
42.	As a result of the other parent's behaviors, have you ever had a physical injury? If yes, did you seek, or should you have sought medical attention?	Yes	No	A	B	C	D	E	F
43.	As a result of the other parent's behaviors, did you ever call the police? Where and what specifically prompted the call?	Yes	No	A	B	C	D	E	F

[https://www.researchgate.net/publication/227667044\\_The\\_Mediator%27s\\_Assessment\\_of\\_Safety\\_Issues\\_and\\_Concerns\\_MASIC\\_A\\_Screening\\_Interview\\_for\\_Intimate\\_Partners\\_Violence\\_and\\_Abuse\\_Available\\_in\\_the\\_Public\\_Domain](https://www.researchgate.net/publication/227667044_The_Mediator%27s_Assessment_of_Safety_Issues_and_Concerns_MASIC_A_Screening_Interview_for_Intimate_Partners_Violence_and_Abuse_Available_in_the_Public_Domain)

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# Substance Abuse Screen

Has either parent?

- Regularly abused substances in the past?
- Been arrested for driving under the influence?
- Been arrested for any drug related charges?
- Received treatment for substance abuse?
- Been diagnosed as substance dependent?



- **What is the current substance use pattern of each parent?**

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## CAGE

- **CAGE Questions Adapted to Include Drug Use (CAGE-AID)**

1. Have you ever felt you ought to cut down on your drinking or drug use?
2. Have people annoyed you by criticizing your drinking or drug use?
3. Have you felt bad or guilty about your drinking or drug use?
4. Have you ever had a drink or used drugs first thing in the morning to steady your nerves or get rid of a hangover?

CAGE is derived from the four questions of the tool: Cut down, Annoyed, Guilty, and Eye-opener

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## Mental Health Screen – has either parent?



- Been so sad that they couldn't care for themselves or others?
- Been in treatment for a mental illness?
- Attempted or threatened suicide in the past?
- Been diagnosed with a mental illness?
- Is either parent currently under the care of a mental health provider? If so, diagnosis and provider name?

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## Children's Special Needs

- Physical Disabilities
- Mental Disabilities
- Learning Difficulties
- Chronic Medical Condition
- History of Abuse – Physical, Sexual, Emotional
- Degree of exposure to parent's conflict: where, when, what
- History of Trauma



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## Special Needs Children (SNC)

An umbrella designation for an array of diagnoses and conditions:

- Specific learning disorders
- Cognitive impairment
- Chronic development disorders
- Physical disabilities
- Serious medical conditions
- Severe psychiatric and behavioral disorders



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## Parenting Plans

- “Developmentally appropriate” plans may NOT be best
- Need for stability and consistent routine outweighs schedule that provides significant time with both parents
- Special **caution** about **multiple transitions**, especially during times that are challenging for SNCs, such as school days

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## Coordination between Caregivers

- Sharing of information
- Establishing consistency in daily routines and structures
- For families in dispute, consider:
  - Coparent counselor
  - Skilled Parenting Coordinator who can intervene decisively
  - Process for resolving medical, therapeutic, educational disputes

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## Risk Assessment Model

- Risk of poor outcomes for children is multi-determined
- Some risks inherent in the nature of the syndrome
- Mitigation of risk dependent on direct parenting skills (authoritative)
- Quality of the parent-child relationship, e.g. parent attunement, willingness of child to follow parent guidance, structure, lead
- Relationship between coparents, e.g. level of conflict, ability and willingness to communicate, agreement on treatment plan

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## Consider SAFETY FIRST!

- Some special needs children are at particular risk for self-destructive behavior or excessive risk-taking



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## Parenting Strengths – Does either parent?

- Demonstrate the ability to communicate effectively about the children's needs without conflict?
- Believe the other parent is a good parent?
- Trust the other parent to consistently use good judgment and make good decisions regarding their children?
- Demonstrate the ability to exchange the children without conflict?



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## Parenting Strengths – Does either parent?

- Keep written and/or recorded record of all contact with the other parent?
- Feel it is okay to make major decisions about the child(ren) without consulting with the other parent?
- Have serious concerns about the child(ren)'s physical, psychological, academic or social functioning?



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## Comprehensive Assessment of Parenting Skills

- Parent's knowledge of child's developmental and other needs
- Parent's ability to empathize with the child
- Availability and motivation to support the child during transitions
- Willingness and capacity to follow through on the parenting plan
- Willingness and capacity to support the child's relationship with the other parent



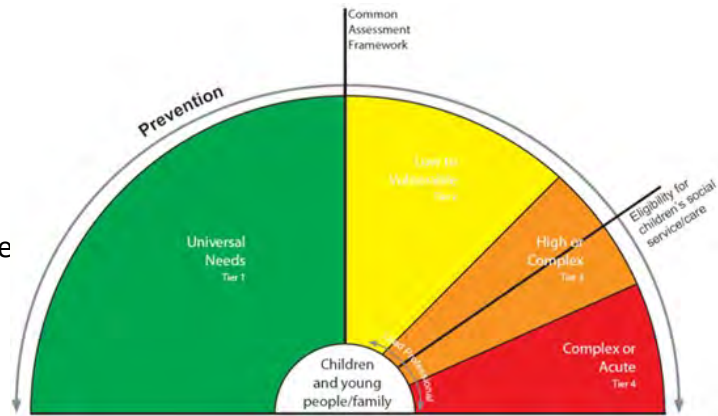
81

- **Level of Conflict** = high, throughout marriage; mom accuses dad of stalking and emotional abuse, mom believes dad touched infant inappropriately
- **CoParenting Capacity** =
  - parents do not directly communicate;
  - each sought medical intervention for child without informing the other;
  - exchanges at law enforcement;
  - Parenting Coordinator learned child had two pediatricians and had been double immunized
- **Risk/Harm to child** =
  - Apparent developmental delays;
  - undiagnosed special need?;
  - medical risk;
  - coparent conflict
- **Resources:** Social & Financial – both parents have adequate resources

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# Risk-Protection Continuum

- Safety Issues
- Parenting Skills
- Medical Needs
- Educational Needs
- Therapeutic Services
- Advocacy
- Parenting Plan Schedule Considerations
- Financial Considerations



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## Translating Risk-Protection Factors to Parenting Plan Considerations

### Three Broad Categories

1. Child Factors
  - a) Basic temperament
  - b) Nature and severity of the disorder
  - c) Nature and demands of the treatment plan
2. Parent Factors
  - a) Parent's capacity to address special circumstances and behaviors from child's disorder
  - b) Parent availability
  - c) Parent participation in the treatment plan
3. Parent-Child Factors
  - a) Parent Insightfulness and empathy for the child
  - b) Temperamental match between each parent and the child



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## Prioritize safety of all family members

- Special attention to families with violence
- Training
- Prioritize the safety of all family members. PC must take necessary measures to protect all family members and his/her own self and reject the case if they do not have the appropriate training.



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## Safety Screen – consider whether to take this case

- ▶ Seriously threatened never to return the child(ren)?
- ▶ Threatened to kill you or the child(ren)?
- ▶ Sexually abused anyone by force, threat of force or intimidation?
- ▶ Used weapons to threaten you or someone else
- ▶ Been arrested for harming or threatening to harm you or anyone else?
- ▶ Engaged in other abusive or threatening behavior?



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## Research on Parenting Coordination

- ▶ About 14 studies, incl. 3 unpublished reports, 2 of which were dissertations (Deutsch et al, 2018)
- ▶ Since then: Cyr et al. 2017; 2018, McHale, Carter et al, 2019, 2020
- ▶ Most published in *Family Court Review*



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## Research Has Explored....

- What it is? (AFCC Task Force, 2005; Backer et al., 2005)
- Who is doing it? (Beck et al, 2008; Hayes, 2010; Kirkland & Sullivan, 2008; Fieldstone et al., 2011)
- Professionals and PC's perceptions of PC's role (Beck et al, 2008; Hayes, 2010, Hayes et al. 2012; Kirkland et al. 2008; Hirsch, 2016)
- Interventions used (Belcher-Timme, et al., 2013; Fieldstone et al., 2011)
- Parents' perspectives (Armbruster, 2011; Mandarino et al., 2016; Cry et al. 2017; 2018; McHale & Carter, 2020)
- Child's views (Cyr et al. 2018)
- Outcomes/efficacy - eg., level of conflict, litigation, parent satisfaction (Belcher-Timme et al. 2013; Henry, Fieldstone & Bohac, 2009, Fieldstone et al., 2011, Fieldstone et al., 2012; Brewster et al., 2011; Mandarino et al., 2016; Scott et al., 2010; Lally & Higuchi, 2008; Ergun, 2016; Cyr et al. 2017)
- Parent characteristics--for whom it is and is not working

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## Early Research on Effectiveness of PC Programs – California (1994)

- SF Bay Area Family Court – review of case files of 16 PCs with decision-making authority
- Parents in 166 cases court had 993 court appearances in the year prior to obtaining PC
- The year following the PC appointment, same parents had 37 court appearances (93% decline)

Johnston, T. 1994, Santa Clara County, CA,  
unpublished dissertation

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## Early Research on Effectiveness of PC Programs – Colorado (1996)

- Boulder, CO survey of PCs and parents
- Majority of parents reported satisfaction with mediation/arbitration model
- Majority of parents reported decreased conflict with other parent (but no pre-PC measure of conflict)

Vick & Backerman, 1996

90

### Scott et al. (2010)

- Examined efficacy of DC PC Project (Lally & Higuchi, 2008 - results of 1<sup>st</sup> 2-year pilot)
- Small sample size
- Program for those who would ordinarily be unable to afford PC services (low income, hc, involved in custody disputes)
- Data collected when parents began and 1 or more times at least 6 months after beginning
- Stat. significant result: reduction in burden on court resources, decrease in court activities, decrease in # of cases where contempt filed, decrease in % of cases where parent found in contempt and increase in # of cases achieving resolution without court order
- No stat. sig findings for: parents' perceptions of their relationship with coparent and perceptions of their child's behavior
- Father's reports improvements in children's behavior

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### Brewster et al. (2011) - Efficacy (Arizona)

- Pilot study of 21 case files longitudinally over 2 yr
- With baseline assessment 2 yrs prior and follow up 2 yrs after
- Looked at:
  - Burden on court personnel
  - Judicial time spent
  - Additional resources consumed
  - Number of outside agencies involved
  - Length of PC retention
  - Content of motions filed
  - Cases that retained PC for 2yr period
- Significant reductions in: burden on court personnel, judicial time/hearings, judicial time/changes ordered, # of outside agencies relied
- 5 cases terminated term prematurely – 25%

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## Fieldstone et. al. (FCR, 2012)

- Survey of lawyers, judges and PC's
- Report PC as generally helpful
- Attorneys positive views about PC increase with more info about process and when they perceive PCs as responsive
- Lawyers had positive view of PC when process improved their relationships with their own clients
- Works better with parents who agree to receive PC
- PC likely to assess safety issues/concerns more than judges and attorneys

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## Survey of Best Practices Belcher-Timme, et al. FCR, 2013

- National survey of practices and practitioners
- N = 79 (from PC network list serve; experienced)
- Categories of interventions surveyed:
  - assessment and conceptualization
  - education and information
  - case and conflict management
- Legal and mhp did not differ significantly in degree to which they rated identified interventions as effective
- Different categories of interventions rated to be equally effective
  - case and conflict management rated as most effective
  - educating parents about effects of conflict on kids rated as least effective

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## Mandarino et al., FCR 2016

- FCR publication from dissertation
- N = 60 high conflict sep/divorcing parents
- 37/60 involved in PC or within last 5 yrs (other used ADR, therapy)
- Only 1 parent of couple participated (study limitation)
- ? of sample selection bias
- 30% said learned useful skills
- 26% said process focused on child's best interests
- 22% satisfied with knowledge and experience of their PC
- 13% satisfied with PCs neutrality
- Themes of dissatisfaction:
  - lack of authority, cost, lack working alliance and timing

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## Mandarino et al. 2016 (2)

- 27% dissatisfied by lack of efficiency
- PC biased toward other parent 37%
- Unqualified 33%
- Unprofessional 27%
- Equally split between feeling very dissatisfied, neutral or very satisfied
- Either very satisfied OR very dissatisfied
- Themes: attributed lack of success to the other parent
- Not feeling heard or validated
- Personality scores (on 1 parent only and self reports): Total group-score on narcissism, high on empathy and either conflicted or parallel coparenting

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## Cyr, Mace & Quigley (2017) Quebec Ministry of Justice

- Pilot project where PC was implemented in and funded by family court commencing in 2010.
- No family arbitration component – impermissible by law in Quebec
- N=10 families (10 children and 14 parents).
- Between 2012 and 2014 families deemed to have a “high conflict dynamic” by superior court judge participated in pilot project (had a c/a assessment, unsuccessful mediation, not respecting orders).
- Families received 40 hours of free PC services.
- Duration of intervention 6 - 18 months.

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## Cyr, Mace & Quigley (2017) Quebec Ministry of Justice (2)

- Utilized a solution focused and family narrative approach – parents guided to find better ways of functioning
- Restricted to providing recommendations, within the shadow of the court’s oversight and rule
- General conclusions:
  - Parents reported value in having PC despite their negative experience (and projected blame onto other parent)
  - Children appreciated meeting PC, with half reporting improvements in conflict and communication between their parents
  - Analysis of the judicial history of the participating families **indicates a decrease in judicial activity** following the intervention

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## Quigley & Cyr (2018) – Focus on VOC

- Qualitative study where the objective was to understand the views of children, parents, and PC's on child inclusion in PC.
- 10 children and 14 parents from 10 different families participating in PC pilot project
- 8/10 children reported their wish to meet with the PC at least once in the course of the PC's term
- Children's Involvement - **4 themes identified:**
  - 1) voice should be heard as decisions impact them;
  - 2) child's input helpful for PC to understand their needs and the family's issues
  - 3) "safe place" for child to open up about their feelings
  - 4) child felt informed about the situation by meeting with PC.

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## Quigley & Cyr (2018): Parents' Views (2)

- Parents (12/14) in favor of PC meeting with the child in order to:
  - 1) better understand their child's inner world;
  - 2) provided space for children to give PC relevant information;
  - 3) safe space for children;
  - 4) allows space for children to give opinion and feel like they mattered.

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## Quigley & Cyr (2018) PC's Views (3)

- PC's affirmed that child inclusion had positive impacts for the child and for the PC process as a whole
- PC's view child interview as "delicate intervention" used with caution.
- Confidentiality
- More difficult in some cases (e.g. alienation or past trauma).

Journal of Child Custody, 14, (2-3), 151-174  
Journal of Divorce & Remarriage, 59(6), 501-527

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## McHale, Carter, Miller & Fieldstone (2020, FCR, 58(1))

- Pilot study of 14 cases
- 31 interviewees (12 PCs, 11 mothers & 8 fathers)
- Retrospective accounts of child and family function pre and post parenting coordination
- Issues explored: acrimony, child-related problem-solving communication, triangulation of child in the parent conflict - impact of the PC process on coparenting?
- PCs rated their interventions as occurring more frequently and successful than did parents
- Parents disagreed with one another and/or with PC on intervention efficacy and on what interventions they experienced

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McHale, Carter, Miller & Fieldstone  
(2020, FCR, 58(1))  
(2)

- Parents rated some aspects of post PC coparenting as improved
- And, parents perceived little change in children's adjustment
- Need to study interventions – what specifically is being done and efficacy, obtaining views of both parents and PC and relationship between these views
- When asked, all parents and 88% of PCs stated there would have been benefit in interventions focusing on coparenting, child centered team-building – i.e. how to effectively discuss child-related conflicts.
  - Is this a dual role? Does this involve a therapeutic intervention?

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## Concluding Thoughts on Research

- Few studies but increasing
- Methodological limitations (e.g. small samples, limited jurisdictions and generalizability, primarily survey data, nature of training, qualifications, and experience not always queried or controlled for, PCs role/function may vary within and across studies-e.g., include arbitration?)
- Tentative conclusions pointing to what still needs to be done and how
- Promising results about efficacy and specific interventions that may be most helpful or perceived as helpful
- Works better when PC has support from other professionals, lawyers and the courts
- Disputes about financial matters may continue and not part of mandate of a PC
- Some parents (e.g. with mental illness or PD) may not be good fit for process

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## RESOURCES

- AFCC Parenting Coordinator Guidelines <https://www.afccnet.org/Portals/0/Guidelines%20for%20Parenting%20Coordination%202019.pdf?ver=2019-06-12-160124-780>
- APA Parenting Coordinator Guidelines <https://www.apa.org/practice/guidelines/parenting-coordination>
- Battered Women's Justice Project (2017). Intimate Partner Violence Screening Guide, Minneapolis, MN. [https://www.bwjp.org/resource-center/resource-results/intimate\\_partner\\_violence\\_screening\\_guide.html](https://www.bwjp.org/resource-center/resource-results/intimate_partner_violence_screening_guide.html)
- CAGE Questionnaire (4 questions)
- Amundson, J.K. & Lux, G. M. (2016). The Issue of Ethics and Authority for Licensed Mental Health Professionals Involved in Parenting Coordination, *Family Court Review*, 54(3), 446-456.
- Dale, M.D., Bomrad, D., & Jones, A. (2020). Parenting Coordination Law in the U.S. and Canada: A Review of the Sources and Scope of the PC's Authority, *Family Court Review*, 58(3), 673-709.
- S. A. Higuchi and S.J. Lally (Eds.), (2014) *Parenting Coordination in Postseparation Disputes*, Washington DC: American Psychological Association.
- Saini, M, Belcher-Timme, R., Nau, D. (2020) A multidisciplinary Perspective on the Role, Functions, and Effectiveness of Parenting Coordination, *Family Court Review*, 58(3), 658-672.
- Our Family Wizard <https://www.ourfamilywizard.com>
- Uptoparents.org

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## PARENTING COORDINATOR AGREEMENT

We, \_\_\_\_\_ and \_\_\_\_\_ have entered into an agreement with Robin M. Deutsch, Ph.D. to serve as a Parenting Coordinator for us and our children, \_\_\_\_\_ . She shall function as a Mediator/Arbitrator of disagreements that arise when our mutual consent is required. We agree that this agreement shall serve as a binding contract.

1. We understand that Parenting Coordination is a process of alternative dispute resolution, which begins as assisted negotiations and becomes arbitration in which the Parent Coordinator makes a binding decision if we are unable to resolve our disputes in the mediation process.
2. We understand that it is in children's best interests when parents do not engage in conflict. To that end we will attempt to resolve our issues in a mutually satisfactory manner between ourselves whenever possible. If issues cannot be resolved between us, either one of us may request the assistance of the Parenting Coordinator who shall first engage in a process to help us resolve disputes. If efforts to negotiate a resolution of an issue are unsuccessful, then the Parenting Coordinator shall resolve the issue through arbitration, based upon disclosures that were made in the negotiation process. Dr. Deutsch will offer a recommendation that becomes binding until the Court enters an order of Judgment altering, modifying or terminating her recommendation
3. If the Parenting Coordinator believes it would be helpful in making a decision, she may speak to the child and contact third parties including but not limited to the child, teachers, medical care providers, caregivers, or attorneys and review any relevant documents that, in her opinion, would be helpful to the decision making process. We agree to sign any necessary authorizations for the release of requested information. Dr. Deutsch will attempt to help us resolve our own disputes.
4. If efforts at mutually resolving a dispute are unsuccessful, then the Parenting Coordinator shall render a written decision, based upon the disclosures that were made in the process. The overriding concern in the resolution of all issues is the best interests of the child(ren). The decisions of the Parenting Coordinator shall be binding on the parties until either party brings the case back to the Probate and Family Court and the Court enters an order or judgment terminating, modifying or altering the Parenting Coordinator's decision.
5. The following disputes may be submitted to the Parenting Coordinator for resolution:
  - Any disputes about parenting time, including but not limited to changes in the regular schedule, parental access for special occasions, holidays or vacations
  - Any disputes regarding the child's activities or schooling
  - Any disputes related to the child's medical issues
  - Any other child-related matter upon which we cannot agree and we agree in writing to submit to the parenting coordinator

6. Appointments or telephone contacts with the Parenting Coordinator may be scheduled at the request of either parent or of the Parenting Coordinator. All parties agree to make a good faith effort to be available when contacts are requested.

7. The Parenting Coordinator's work with the family is not confidential. She may share information between us. Information relied upon may be available in an arbitration award. The Parenting Coordinator may also disclose the following information:

a) when she has a reasonable suspicion that a child may be subject to maltreatment or neglect, b) that either of us or another person may be subject to bodily harm, or c) if she learns that either of us may intend to commit a felony.

8. This contract cannot cover all the particulars that may arise in every situation. The parties agree that the Parenting Coordinator may need to establish new rules and guidelines to fit their unique relationship. The fundamental principles governing all rules and guidelines are (a) conflict for the parties will be minimized and (b) decisions will be made in the best interests of the children. The Parenting Coordinator will make every good faith effort to contain the costs to the parties.

9. If the Parenting Coordinator deems herself no longer able to work with either party in an unbiased or productive manner, then she shall provide each party with thirty days written notice and she shall notify the Court and request that the appointment be vacated. In that event the Parenting Coordinator may suggest the names of other potential Parenting Coordinators to the parties.

10. Dr. Deutsch's role as Parenting Coordinator is in effect for two years, but may be terminated by written agreement of both parties, provided, however, that if a court appointment is in effect, it shall be the responsibility of the parties to have the Court vacate the appointment. If one party wishes to terminate the services of the Parenting Coordinator and the other party does not agree, an order of the court is required to remove her. After two years, we will have the opportunity to sign a contract to continue services.

#### **FEE ARRANGEMENTS:**

- 1) We agree to pay the Parenting Coordinator at the rate of \$.00 an hour to include but not be limited to time spent reviewing documents, participating in interviews, phone conferences, telephone, mail or electronic communications with attorneys, parties or necessary third parties, travel, and the deliberation and issuance of decisions.
- 2) Upon the signing of this contract, the Parenting Coordinator shall be paid a retainer of \$.00. Periodically, we will receive an itemized statement of account, with the costs being deducted from the retainer account. When the account falls below \$.00, the Parenting Coordinator may request a further retainer which shall be paid within thirty days or services may be suspended. At the end of the Parent

Coordination process, any amounts remaining in the retainer account shall be returned to the parties equally.

- 3) Notwithstanding the above, the Parenting Coordinator reserves the right to assess costs disproportionately, if in the sole discretion of the Parenting Coordinator, either of us is acting unreasonably or not in good faith, creates unnecessary problems in the resolution of an issue, or in other ways unnecessarily utilizes a disproportionate amount of the Parenting Coordinator's time. She shall inform us of her intent, in writing, prior to any assessment of disproportionate costs.
- 4) If either of us challenges a decision of the Parenting Coordinator in court, and the court finds that the challenge is without substantial basis, or not made in good faith, the party challenging the decision shall be responsible for all costs to the Parenting Coordinator.
- 5) We understand that if an interview is cancelled with less than 24 hours notice a fee may be charged commensurate with the amount of time scheduled for that day. If one of us fails to show up for a scheduled appointment, that person shall be responsible for the entire cost of the scheduled time.

I have read the above contract and have had the opportunity to discuss it with my attorney if I so wished. I enter into this contract with the full understanding that if we cannot resolve conflicts between ourselves, Robin Deutsch, Ph.D. will have the right to make decisions that will affect me and our child. We each retain the right to request court review of any decision.

\_\_\_\_\_ (signature)

DATE \_\_\_\_\_

\_\_\_\_\_  
Robin M. Deutsch, Parenting Coordinator



## Parenting Coordination Citations:

AFCC Guidelines for Parenting Coordination, (2020). *Family Court Review*, 58(3), 644-657.

AFCC Parenting Coordinator Guidelines

<https://www.afccnet.org/Portals/0/PDF/Guidelines%20for%20PC%20with%20Appendex.pdf?ver=JJ0WBtWuvC39Ic9K96eoZQ%3d%3d>

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APA Parenting Coordinator Guidelines

<https://www.apa.org/practice/guidelines/parenting-coordination>

Battered Women's Justice Project (2017). *Intimate Partner Violence Screening Guide*, Minneapolis, MN.

<https://bwjp.org/site-resources/intimate-partner-violence-screening-guide/> and  
<https://www.bwjp.org/assets/ipv-screening-guide-3-28-17.pdf>

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Fidler, B.J., & McHale, J. (2020). Efficacious co-parenting in parenting coordination. *Family Court Review*, 58(3). 747-759.

Kelly, J. (2012). Risk and protective factors associated with child and adolescent adjustment following separation and divorce: Social science applications. In K. Kuehnle and L. Drozd (Eds.). *Parenting plan evaluations: applied research for the family court* (pp. 49-84). New York: Oxford U Press.

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McHale, J., Carter, D.K., Miller, M., & Fieldstone, L. (2020). Perspectives of mothers, fathers, and parenting coordinators concerning the process and impact of parenting coordination. *Family Court Review*, 58(1), 211-226.

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Uptoparents

<https://www.uptoparents.org>