

VERMONT FAMILY COURT MEDIATION PROGRAM

Parent Coordination updated protocols July 2007

CASE MANAGEMENT FLOW FOR PARENT COORDINATION (the process for high conflict parents)

1. Judge or staff identifies a case as appropriate for Parent Coordination (a process that addresses parent child contact issues and parenting issues).

Note: attorneys may not request a specific parent coordinator, but if the court would like to request a specific PC, please call the program director and explain. Sometimes the program will request that a specific PC be assigned to a case for purposes of supervision, etc.

2. Parent Coordination begins with an Order of Referral for Parent Coordination by a Family Court Judge following the filing of a motion.

- NOTE: The Court must establish Parental Rights and Responsibilities before ordering Parent Coordination (may be temporary PR&R).
- NOTE: Under a new provision in the rules, the judge must describe the “scope” of the parent coordination, i.e. what issues the parent coordinator should address. The judge should address
 1. Whether this is a newly filed or post judgment case;
 2. If it is post judgment, and issue is parent child contact, the judge must indicate whether the scheduling changes should be consistent with the underlying order of parent-child contact in terms of percentage of time with each parent;
 3. If the judge is requesting a modification in the percentage of time with each parent, the judge must indicate that it has been determined that the moving party has made a prima facie case of the issue of changed circumstances which would support a modification in the allocation of time;
 4. The court should also specify other issues related to parent-child contact that it wishes the parent coordinator to address, i.e. transportation, exchanges, etc.
- If the referral is made during a hearing or status conference, the Judge should advise parties that there is a fee for parent coordination, based on the Vermont Family Court Mediation Program’s sliding fee scale.
- The parents receive the Order for Referral, a parent packet which contains relative information and forms, including the fee information and application
- In the Order, the parents are directed to meet with the PC to learn more about the process.

The Parent Coordinator is named in the Order. The parties are directed to contact the PC within 7 days of receipt of the order. When contacting the PC, the initial meeting is set up. If a parent does not contact the PC within 7 days (not counting the

weekend and allowing for the mail delay for the parent to receive the order from the court) the PC shall then send *the Notice of Appointment* form to the parent.

If the parent does not respond to *the Notice of Appointment*, then the PC shall fill out the *Interview Outcome Form*.

- Initial meetings between the Parent Coordinator and the parties (the parents) are usually held at the courthouse and are always held separately. At this initial meeting the PC Reviews the parent's *Intake Questionnaire* and determines if the parties can agree to participate in the process. If they agree to enter into the process, the PC assigns a case track (10 – 25 hrs) and sets the fee the parent shall pay in advance (\$5hr- \$80hr), the Parent Coordinator asks the parents to sign the *Agreement to Enter Into Parent Coordination*, parents also sign a release for information so that the PC may talk with individuals involved with the family.
- ❑ Parties are notified that if during this process, they cannot agree on a parenting plan with the help of the Parent Coordinator, the Parent Coordinator shall submit a report to the court, including a narrative summary of the Parent Coordinator's meetings with the parties and others and detailed recommendations for a parenting / parent-child contact plan.
- ❑ After the parties understand the process and paperwork is complete, discussion then moves to the central issues affecting the conflict
- ❑ At this meeting, each party is also required to pay in advance for 5 - 12.5 hours of the Parent Coordinator's time based upon the sliding fee scale.
- ❑ If both parents agree, the PC notifies the Court sending *Interview Outcome Form* that the case shall go forth into PC. The Order for Parent Coordination is sent to the Judge for signature.
- ❑ At the initial meeting if the parties cannot agree to participate in the process of Parent Coordination, the Parent Coordinator sends *Interview Outcome Form* to the court noting that the process will not go forward, indicating which party refused the service.

3. What happens after the Order for Parent Coordination?

- ❑ A status conference is ordinarily set at the time of the Order of Referral for Parent Coordination for 10– 12 weeks following the Order. This is to give the parents and PC a deadline in which to operate.
- ❑ The Parent Coordinator meets with and has phone conferences with both parents; meets with the children; meets with or has phone conferences with professionals and other people who know the children well.
- ❑ A visitation and communication plan addressing when, where and how contact will take place is drafted based upon these conferences.
- ❑ The plan often undergoes several reviews and amendments over the course of the ten-week period before the first scheduled status conference *and may also undergo several revisions after the initial ten- week period*.

- ❑ The goal of the process is to produce either a signed stipulation, or a written recommendation from the Parent Coordinator near the end of the ten – twelve weeks.
- ❑ If parents have stipulated, the Judge may choose to order the stipulation as a temporary order or final order with or without a status conference or hearing
- ❑ The status conference should produce either a final or temporary order (if parties have signed a stipulation) or a temporary order based on the Parent Coordinator's recommendations (if there are objections to the recommendation). *It is imperative to have some type of order in effect, even if it is a temporary order.*
- ❑ If parties cannot agree on a parent-child contact/parenting plan, the Parent Coordinator shall submit a report to the Family Court, including a narrative summary of meetings with the parties and others and detailed recommendations for a parent-child contact/ parenting plan. The report shall be filed with the Family Court and mailed to the parties at least 14 days prior to the date set for the status conference. The Court may schedule a hearing on any objections filed within 10 days.
- ❑ A party who objects to the parent child contact plan proposed by the Parent Coordinator shall file their objections in writing with the Family Court within ten (10) days of the filing and mailing (postmark) of the Parent Coordinator's report/ recommendations.
- ❑ The court may schedule a hearing on any objections filed within the 10 days.
- ❑ The Judge may generate a temporary order, which may be based upon the Parent Coordinator's recommendations, which remains in effect until the hearing on objections.
- ❑ The Judge may choose to adopt and order all or some of the parent coordinator's recommendations if no objection is filed within 10 days, with or without a hearing.

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