

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA**

Family Division

Case # _____

IN RE:

_____,
Former Husband/Husband/Father,

And

_____.
Former Wife/Wife/Mother.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 N. Dixie Highway, Room 5.2500, West Palm Beach, Florida 33401; telephone number (561)-355-4380 within two (2) working days of your receipt of this order; if you are hearing or voice impaired, call 1-800-955-8771.

ORDER APPOINTING PARENTING COORDINATOR

THIS MATTER came before the Court, on:

- The stipulation of the parties; or
- The **MOTION** of _____; or
- Pursuant to recommendation of the Domestic Relations Magistrate/General Master; or
- Sua sponte* by the Court in conjunction with other issues pending before the Court involving these Parties and their Child(ren).

It appears that the Parties hereto and their Child(ren) would be served and benefit from the appointment of a Parenting Coordinator in the above-style case. Accordingly, it is therefore hereby

ORDERED AND ADJUDGED that this Court appoints:

Name of specific **Parenting Coordinator**:

(Address) _____

(Telephone) 1- () _____

IT IS FURTHER ORDERED AND ADJUDGED as follows, to-wit:

SCHEDULING PARENTING COORDINATOR SESSION: That within ten (10) business days from the entry of this **ORDER** Counsel shall contact the Parenting Coordinator Program Coordinator, currently **MARY ELLEN FEINBERG**, at **1-(561)-355-4510** to co-ordinate the date and time for the first Parenting Coordinator session. If there is no Counsel of record for either Party, then, in that event, the Parties shall contact the Program Coordinator within the ten (10) day time frame. If no contact is made with the Program Coordinator, then, in that event, the Program Coordinator shall initiate contact and attempt to coordinate a date and time. If there is no response, or the session cannot be reasonably coordinated within fifteen (15) days from entry

of this **ORDER**, then, in that event, the Program Coordinator shall by default unilaterally pick a date and time for the session which shall be binding on the parties and for which they shall be financially liable if they fail to appear, absent good cause.

ISSUES TO BE ADDRESSED AT PARENTING COORDINATOR SESSION: The issues to be addressed at the Parenting Coordinator Session are:

- Time-sharing
- Daycare
- Education
- Healthcare (including health insurance)
- Extracurricular activities
- Mechanisms for fostering Parents' communication
- Mechanisms for fostering Parent(s)/Child(ren) communication
- Other: _____

If Counsel of record exists Counsel may supplement this list by delivering same to the Parenting Coordinator for dissemination within ten (10) days from entry of this **ORDER**.

At a minimum, the above are the issues to be addressed by the Parenting Coordinator during the initial session.

In addition to the above enumerated issues, the Parenting Coordinator will confer with the Parties to address any other non-economic issues the parties may wish to address during the session. The Parties shall be prepared and bring with them a written list of issues and exchange that list no later than the first session, with a copy of the written list being provided to the Parenting Coordinator no later than five (5) days before the commencement of the first session.

SPECIAL REQUIREMENTS: One (1) or more of the parties requires a Parenting Coordinator who is fluent in:

Spanish Creole Other: _____
Specify

or have other special requirements such as:

Location: _____
Specify

Sign language The _____
has/have been declared INDIGENT.

Other: _____
Specify

PARENTING COORDINATOR GENERAL INFORMATION AND ACKNOWLEDGMENT FORM:

Attached hereto and made a part hereof is a "**Parenting Coordinator General Information and Acknowledgment Form**" which is incorporated herein as referenced and is binding upon the parties. Each Party is required to read the **Parenting Coordinator General Information and Acknowledgment Form** prior to commencement of the session and is obliged to sign an acknowledgment thereof at the commencement of the Parenting Coordinator session. The Parenting Coordinator shall file the original **Parenting Coordinator General Information and Acknowledgment Form** from the session with the Clerk of the Circuit Court.

THIS COURT RESERVES JURISDICTION TO ENFORCE THE TERMS OF THIS ORDER WHICH INCLUDE SANCTIONS SUCH AS CONTEMPT.

DONE AND ORDERED at _____, Palm Beach County, Florida this _____ day of _____, 200__.

Circuit Judge

Copies provided to:

[] _____ Telephone: _____
Father

[] _____ Telephone: _____
Mother

[] _____ Telephone: _____
Attorney for Father

[] _____ Telephone: _____
Attorney for Mother

[] _____ Telephone: _____
Parenting Coordinator

[] Mary Ellen Feinberg Telephone: 1-(561)-355-4510
Parenting Coordinator Program Coordinator

[] Domestic Relations Magistrate _____

[] Case Manager _____

PARENTING COORDINATOR GENERAL INFORMATION AND ACKNOWLEDGMENT FORM

The **PARTIES** and the **PARENTING COORDINATOR** herein acknowledge that this first parenting conference is occurring on _____, 200__ at _____.M. with _____ as the Parenting Coordinator and that this document has been executed at the commencement of the session.

General Contact Information (Parties and Counsel)

Case No. _____

Father: _____
(Home Telephone#): _____ (Work Telephone#): _____
(Cellular Telephone#): _____
(Mailing Address): _____

Father is represented by: _____ Esquire
(Telephone#): _____
(Address): _____

Mother: _____
(Home Telephone#): _____ (Work Telephone#): _____
(Cellular Telephone#): _____
(Mailing Address): _____

Mother is represented by: _____ Esquire
(Telephone#): _____
(Address): _____

1. Settlement. The Parenting Coordinator shall file an *original* Report with the Clerk of the Circuit Court, with copies furnished to Circuit Judge, Domestic Relations Magistrate and Case Manager noted on the Order Appointing Parenting Coordinator and shall indicate if a settlement has or has not been reached. The Report may also indicate whether one or more parties failed to appear. The Report is limited solely to procedural information for the benefit of the Court, with the exception of a written settlement agreement as hereinafter described, and shall not otherwise communicate substantive information to the Court. Any written settlement agreement is binding upon all parties. The Parenting Coordinator shall reduce the agreement to a written form and shall file the *original* settlement agreement with the Clerk of the Circuit Court; and shall contemporaneously furnish a copy of the written document with all persons copied with the Report. In the event the parties are desirous of having the Court ratify the written settlement agreement and incorporate same into an Order of the Court, the Parenting Coordinator shall indicate such in the Report.

2. Recommendation if No Settlement. If settlement is not reached, the Parenting Coordinator shall file a Memorandum with each Party or his/her Counsel, if represented, outlining any issues that are unresolved and his/her specific recommendations as to resolution of the issues. The Memorandum SHALL NOT be filed with the Circuit Court but shall be privileged and confidential and inadmissible in Court. The Parenting Coordinator shall contemporaneously file an *original* "no settlement" Report with the Clerk of the Circuit Court, with copies being furnished to Parties, Counsel, Circuit Judge, Domestic Relations Magistrate and Case Manager noted on the Order Appointing Parenting Coordinator stating only that Parenting Coordinator session(s) have concluded and that no settlement was reached.

3. General Responsibilities of Parenting Coordinator. Under Florida law, children are entitled to access and contact with both parents, without interference from either parent or anyone else. The Parenting Coordinator shall assist the Parties and their Child(ren) to promote the Child(ren)'s rights to access to both Parents, and to protect the Child(ren)'s best interests in general. The Parenting Coordinator is entitled to communicate with the Parties, Child(ren), health care providers and any other persons necessary to facilitate the delivery of parenting coordination services. The parties will cooperate with the Parenting Coordinator, including signing any and all releases of information requested by the Parenting Coordinator.

4. Abuse or Neglect. If the Parenting Coordinator receives information of child abuse or neglect during the course of the facilitation/parenting sessions, the Parenting Coordinator is obliged to and will report said allegations to the Department of Children and Families for further investigation as obligated to do so by law.

5. Facilitator. The Parenting Coordinator is hereby appointed as facilitator of all disputes concerning the children's access to and contact with either parent while still a Parent Coordinator.

6. Parenting Coordinator Responsibilities. The Parenting Coordinator has the following broad responsibilities:

- A. Creating a parenting plan and/or creating approaches to carrying out the parenting plan that are designed to reduce conflict between the parents and focus on the Child(ren)'s needs.
- B. Encouraging compliance with any parenting plan or parenting schedule in the Court's orders.
- C. If necessary, writing detailed guidelines or rules for communication between the Parents and practicing those guidelines or rules with the Parents. If parenting skills are lacking, the Parenting Coordinator shall refer one or both Parents to a mental health professional agreed upon by both Parents or in the absence of agreement, appointed by the Court.
- D. Crafting a modified parenting plan or parenting schedule when the Parents agree to the modification and submitting that plan in written form to the Court for review and, if appropriate, approval via the entry of a Court Order.
- E. Deciding how a particular element of the parenting plan or parenting schedule will be implemented including, without limitation, the frequency and length of timeshare, temporary changes in the parenting schedule, holiday or vacation planning, logistics of pick up and drop offs, suitability of accommodations, as well as issues dealing with stepparents and significant others.
- F. Working with both Parents to update and fine tune their parenting schedule over time. All possible changes in the Family's circumstances can not be foreseen when the parenting plan originates. Parenting schedules may need to be adjusted to children's changing developmental needs, new schools, new blended families, or evolving outside interests.

G. Encouraging both Parents in maintaining ongoing relationships with the Child(ren).

7. Communication Between Parties. The Parenting Coordinator may serve, if necessary, as a conduit for information; however, if the services rendered by the Parenting Coordinator exceed the term of the initial appointment, the Party initiating the use as a conduit is initially financially responsible for the time connected with this function. The Parenting Coordinator is not the ally of either parent. The Parenting Coordinator's role is active and specifically focused on helping the Parents herein work together for the benefit of their Children, improving communication, creating a timesharing plan and addressing other issues enumerated hereinabove with regard to the Parenting Coordinator Responsibilities. The Parenting Coordinator's fundamental aim is to minimize the conflict to which the Child(ren) are exposed from continuing hostilities between the Parties.

8. Not a Custody Evaluator. The Parenting Coordinator is not a custody evaluator. Making a decision about where to place the children most of the time would seriously compromise the Parenting Coordinator's neutrality. The Parenting Coordinator will also not generally be called as a witness in any Court proceedings except by order of Court when exceptional circumstances demonstrate a compelling need for such testimony. For example: If abuse of a minor child occurs in the presence of the Parenting Coordinator.

9. Supervised Visitation. The Parenting Coordinator may recommend supervised timesharing to protect the children, but not as a sanction. The Parenting Coordinator may also recommend, orally or in writing, that timeshare move from supervised to unsupervised. Such recommendations will not be used as evidence in any Court proceeding and if in writing shall be directed to the Parties and their Counsel of record *only*.

10. Crisis/Long Term Therapeutic Services Not Intended. Assistance provided by the Parenting Coordinator is not intended to be a crisis service and the Parenting Coordinator should not be contacted outside of normal working hours. Issues will be brought to the Parenting Coordinator in the ordinary course of business. The Parenting Coordinator's goal is to teach both Parents conflict resolution techniques and to shield the Child(ren) from the conflict. Moreover, it is not the role of the Parenting Coordinator to provide the Family with long term therapeutic services.

11. Economic Issues Not Subject of Parenting Coordination Session(s). Economic/financial matters such as child support, alimony and equitable distribution will not be addressed by the Parenting Coordinator in parenting co-ordination sessions but are more appropriately resolved within the confines of mediation.

12. Parental Education. The Parenting Coordinator will refer both parents to resources to address their deficiencies and the effect on the Child(ren). Both parents should understand what constitutes a "loyalty bind," that is, a child being caught in the middle between both parents. When a loyalty bind is occurring, the Parenting Coordinator shall point it out and help both Parents stop the behavior leading to this dilemma for the Child(ren). The Parenting Coordinator shall help both Parents accept the relevance of the other Parent in the Children's lives and understand the serious emotional consequences of losing a Parent.

13. Not A Therapist. The Parenting Coordinator is not serving in the role of therapist but rather as a coordinator/facilitator of the crafting, with the parents, of an appropriate timeshare plan for the children at issue. Any issue indicating a need for therapy, individually or as a group, is to be immediately referred to a mental health professional agreed upon by the Parents or in the absence of an agreement, appointed by the Court.

It is not the Parenting Coordinator's function to furnish long term therapeutic services to the Parents or Child(ren). If the dynamics of the family situation of the Parents and/or Child(ren) require consistent, repeated intervention, such that long term therapeutic care is appropriate, then, it is the obligation of the Parenting Coordinator to refer the specific Family member(s) in need of such service(s) to the appropriate therapeutic service provider(s) and/or program(s) for continuing, on-going intervention. The Parenting Coordinator is disqualified from the delivery of long term therapeutic care to the Family members to whom Parenting Coordinator facilitation services have been rendered.

14. Meeting with the Parenting Coordinator.

A. The Parenting Coordinator will work with both Parents, the Children, and with others when necessary to observe their communication styles including any aggressive or defensive attitudes. The Coordinator may meet with the parties or the children jointly or separately. The Parenting Coordinator shall determine whether appointments will be joint or separate, by telephone or in person. Attorneys for both parties may be included in an appointment if requested in order to explain issues and conflicts. However, it is understood that this is a non-adversarial process designed to encourage the development of communication and parenting skills between the parents. The Parenting Coordinator shall be in charge of the process at all times and shall direct the course of the proceedings.

B. The initial parenting coordinating session is comprised of a total of two (2) hours which, at the option of the Parenting Coordinator, may be divided into two (2) sessions or be completed in one (1) session. The initial parenting coordinating session shall be scheduled at a charge of \$150.00, with each party being responsible for fifty (50%) percent thereof or \$75.00 each. If the issues referred by the Court have not been resolved within that time frame, then, in that event, the Parenting Coordinator may extend the sessions for up to an additional four (4) hours *without further Court order* and the parties are required to comply therewith on those initial issues. Thereafter, either Parent may contact the Parenting Coordinator to schedule and arrange convenient times for meetings concerning new timeshare or parenting issues involving the Children. The Parties are free to return to the Parenting Coordinator they initially consulted or upon mutual agreement, any other Parenting Coordinator recognized as qualified by this Circuit. Subsequent sessions, beyond the initial two (2) hour session, with the Parenting Coordinator used today will be charged at \$100.00 per hour thereafter, with each Party being responsible for fifty (50%) percent thereof or \$50.00 each.

C. Each Parent shall direct any timesharing disagreements regarding the Child(ren) to the Parenting Coordinator. The Parenting Coordinator will work with both Parents to resolve the conflict and, if necessary, will recommend an appropriate resolution to the Court, the Parties and their Counsel.

D. In addition to the issues referred to the Parenting Coordinator under the **ORDER APPOINTING PARENTING COORDINATOR**, the Parenting Coordinator will confer with the Parties to address any other non-economic issues (see prohibition in paragraph 11. hereinabove) the parties may wish to address during the session. The Parties shall be prepared and bring with them a written list of issues to be addressed and shall exchange that list no later than the first parenting coordination session, with a copy of the written list being provided to the Parenting Coordinator no later than five (5) days before the commencement of the first session.

15. Therapy for the children.

A. If the Parenting Coordinator believes therapy is needed for one or more of the Child(ren) to prevent further emotional or psychological damage to them, the parties may agree to send the Child(ren) or the Parenting Coordinator may make a written recommendation for therapy to the parties and their Counsel. The Parent Coordinator's recommendation will be privileged and confidential and inadmissible as evidence. The therapist for the Child(ren) shall be a mental health professional agreed upon by the parties or appointed by the Court. The Parenting Coordinator may consult with the Child(ren)'s therapist to obtain information and input solely regarding any timesharing issues being addressed by the Parenting Coordinator.

B. The parties may not take any of the children to a mental health professional for any reason without written notification to the Parenting Coordinator while the parenting mediation is on-going.

C. If therapy for the Child(ren) is instituted by Court order or by written parental agreement while the parenting coordination session is on-going, all Parties will also sign a release agreement allowing the Parenting Coordinator to consult with the therapist solely regarding any timesharing issues.

16. Term of appointment: The Parenting Coordinator is appointed for the term of the initial session only, *unless otherwise indicated by Court*. Thus, ordinarily the Parenting Coordinator's term is automatically discharged contemporaneous with the submission of the Memorandums and Reports referenced hereinabove.

17. Filing of Parenting Coordinator General Information and Acknowledgment Form:

The Parenting Coordinator shall file this *original* **PARENTING COORDINATOR GENERAL INFORMATION AND ACKNOWLEDGMENT FORM** with the Clerk of the Circuit Court, disseminate duplicate executed copies to the parties and retain a copy for the Parenting Coordinator's own records.

18. Filing Date: The Parenting Coordinator is required to issue and/or file certain documents as hereinabove enumerated more particularly in this form including but not limited to the *original* of this form, as well as Reports and Memorandums. The Parenting Coordinator shall file same no later than five (5) days after the conclusion of the parenting coordination session.

Acknowledgment: I HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE TERMS OF THIS PARENTING COORDINATOR GENERAL INFORMATION FORM

By: _____ Dated: _____
Mother

By: _____ Dated: _____
Father

Acknowledgment:

By: _____ Dated: _____
Parenting Coordinator

Instructions for completing the “Order Appointing Parenting Coordinator” and the “Parenting Coordinator General Information and Acknowledgment Form”

The “Order Appointing Parenting Coordinator” should **ALWAYS** be accompanied by the “Parenting Coordinator General Information and Acknowledgment Form”.

Both forms should be filled out completely **BEFORE** they are signed by the Judge.

Whoever is initiating the order—such as Attorney, Case Manager or Judicial Assistant can obtain a Parenting Coordinator and a date and time for the first session by contacting Mary Ellen Feinberg, the Program Coordinator at (561)-355-4510. In cases where there is no Counsel of record, the parties themselves are instructed to contacting Mary Ellen Feinberg to obtain a Parenting Coordinator and a date and time for the first session. Subsequent sessions will be scheduled by the parties directly with the Parenting Coordinator.

It is extremely important that the Mother’s and Father’s correct phone numbers are noted on the forms so that the Parenting Coordinator can contact the parties to schedule or confirm the first appointment.

Whoever initiates the Parenting Coordinator session should send out both the “Order Appointing Parenting Coordinator” and the “Parenting Coordinator General Information and Acknowledgment Form” to all concerned parties, including, if applicable, the judge, the magistrate, the case manager, both parents, all involved attorneys and the specific parenting coordinator.

The “Parenting Coordinator General Information and Acknowledgment Form” must be brought to the first parenting co-ordination session and signed by both parents and the parenting coordinator. The parenting coordinator must then distribute copies to all concerned parties and file the original signed copy with the Clerk of the Court.