

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

In the Matter of:

Petitioner,

Case No. _____

and

Division No. _____

Respondent.

ORDER FOR APPOINTMENT OF PARENTING COORDINATOR

The Court finds that parenting coordination is appropriate for this case. Parenting coordination is a non-confidential, child(ren)-focused process in which a neutral person assists the parties with implementation of court orders or daily parenting matters through: assessing parties' parenting skills and the child(ren)'s needs; educating the parties regarding the needs of the child(ren); coordinating professional services for the family; and assisting the parties in reducing harmful family conflicts. A parenting coordinator helps the parties implement court orders and with daily parenting matters. A parenting coordinator does not make decisions that would change legal or physical custody from one parent to the other or substantially change the parenting plan.

The court has determined that parenting coordination is appropriate in this case because:

- the child(ren)'s parents are persistently in conflict with one another over child(ren)-related issues;
- parenting coordination is in the best interests of the child(ren); and
- one or more of the following circumstances exist:
 - parental problem-solving or communication is ineffective;
 - a parent has a history of substance abuse;
 - a history of domestic violence is present;
 - concerns exist about the mental health or behavior of a parent;
 - a child(ren) has special needs; or
 - the court otherwise determines parenting coordination is appropriate.

The court therefore orders:

1. **APPOINTMENT & TERM.** _____ is appointed parenting coordinator for a period of _____ months from the date of this Order (not to exceed 24 months). The parenting coordinator serves and functions under the direction and control of the Court and shall have qualified quasi-judicial immunity. If the parenting coordinator is also a licensed attorney, he or she is not representing either party or offering legal advice to the parties concerning their rights in this case.

The address, contact telephone number, fax number, and email of the parenting coordinator:

a. The parties are:

PETITIONER

RESPONDENT

b. The child(ren) and their ages are [INITIALS only]:

_____ age _____
_____ age _____
_____ age _____
_____ age _____

2. **ROLE & AUTHORITY.** The court authorizes the parenting coordinator to make the following decisions:

- Establish specific dates, times of pickup and conditions for exchanges of the child(ren)(ren) in transition between parents.
- Sharing of vacations and holidays.
- Method of exchange of child(ren) and belongings.

- Parenting plan schedule or conditions, telephone contact and correspondence contact for so long as the timesharing is in keeping with the Parenting Plan's timesharing and residential provisions.
- Temporary or one-time variation from the schedule for a special event or particular circumstance.
- Transportation of the child(ren).
- Participation in a parent's time with the child(ren) (by significant others, relatives, etc.).
- Educational, daycare, and/or extracurricular or enrichment activities for the child(ren)(ren).
- Communication between parents with regard to the child(ren) including means of communication, frequency and time of communication, and rules regarding content of communication.
- Communication between the child(ren) and the parent they are not with when they are in one parent's care.
- Alteration of the child(ren)'s appearance, such as haircuts, pierced ears, body piercing, tattoos.
- Parenting roles, including participation in a child(ren)'s school or extracurricular activities during the other parent's scheduled time. This includes accommodation for a parent who coaches sports, leads a Scout group, etc.
- Ordering either or both parents to substance abuse testing and having access to any generated reports or results.
- Making orders more specific so as to avoid violation of Court's orders.
- Make up for missed time.
- Clothing exchange.
- Health care management.
- All of the above.
- Other as specified below and initialed by each parent:

Initials: _____

Initials: _____

Initials: _____

3. Procedure.

- a. Process:** Both parents shall participate in the dispute resolution processes as defined by the parenting coordinator which shall include, at a minimum, the opportunity for each of the parents to be heard. They shall be present when requested by the parenting coordinator. In the event a parent does not attend a meeting set by the parenting coordinator, the parenting coordinator may make decisions and orders despite the parent's absence.
- b. Third Party Contact:** The parenting coordinator may communicate with a nonparty, such as any person involved with the family, including a stepparent, the custody evaluator, an attorney, a school official, a physical or mental health provider, or any person the parenting coordinator determines to have a significant role in contributing to or resolving the dispute between the parties. The parties will execute a release or written consent authorizing such communication.

4. Written Reports to the Court. The parenting coordinator will file written reports or recommendations to the court. The reports and recommendations will include all decisions made. If in writing, the decisions will be binding and effective when signed by the parenting coordinator. Decisions need not be in writing and may be made orally if circumstances involving severe time constraints and/or possible emergencies so warrant. Oral decisions shall be binding and effective when communicated to both parents, and such orders shall be further confirmed in writing to both parents and counsel as soon as practicable.

A party may, within fourteen calendar days of the date of the submission of a parenting coordinator's report or recommendations, file a written motion (objection) with the court requesting review. The motion should state whether a hearing is requested. The court may direct that additional arguments and authorities be submitted in such form and manner as the court deems appropriate. Costs of the procedure and professional time may be assessed against a party who objects to a recommendation. In the absence of timely filing of a written motion (objection), any objection to the parenting coordinator's recommendations shall be deemed waived, and the Court may enter its orders without further review, hearing or notice.

5. Confidentiality. Parenting coordination is not a confidential process. The parties waive confidentiality of the proceeding under K.S.A. 5-512 and Supreme Court Rule 909(c)(2), and the parenting coordinator has the responsibility to report to the court and to other authorities as the court order directs.

6. **Mandatory Reporter.** The parties are advised that the parenting coordinator is a mandated reporter for child(ren) abuse pursuant to KSA 38-2223(a)(1)(D).

7. **Domestic Violence.** The parenting coordinator must screen and continually monitor each dispute for domestic violence.

8. **Fees.**

- a. The parenting coordinator's hourly fee is _____. An advance deposit will be paid of _____.
- b. Petitioner shall pay _____% of the parenting coordinator's fees, expenses and advance deposit;
- c. Respondent shall pay _____% of the parenting coordinator's fees, expenses and advance deposit.
- d. Both parents are responsible for the payment of fees associated with such services regardless of the decisions or recommendations made by the parenting coordinator.
- e. The parenting coordinator may recommend a reallocation of the percentage of sharing of fees if he/she believes a substantial change of the financial circumstances of one or both parents warrants it. The parents may agree to the reallocation as recommended by the parenting coordinator, but they are not obligated to do so.
- f. The court has the ultimate responsibility to determine the proper allocation between the parents of the fees of the parenting coordinator and may require reimbursement by one parent to the other for any payment to the parenting coordinator.

IT IS SO ORDERED:

DATED: _____

JUDGE

Counsel for Petitioner: _____

Petitioner: _____

Petitioner's Address: _____

Petitioner's Phone #: Work _____ Home _____ Cell _____

Petitioner's E-mail Address: _____

Counsel for Respondent: _____

Respondent: _____

Respondent's Address: _____

Respondent's Phone #: Work _____ Home _____ Cell _____

Respondent's E-Mail Address: _____

Counsel for Third Party: _____

Third Party: _____

Third Party's Address: _____

Third Party's Phone #s: Work _____ Home _____ Cell _____
Third Party's E-Mail Address: _____

Guardian ad Litem/Other: _____
GAL/Other's Address: _____
GAL/Other's Phone #s: Work _____ Home _____ Cell _____
GAL/Other's E-Mail Address: _____