

Re: Parenting Coordinator appointment, No. _____

Dear :

I have been notified that I was appointed Parenting Coordinator (PC) in your case by Judge _____. A copy of the Order appointing me as PC is enclosed with this letter. This order specifies the terms and conditions under which an PC is appointed and serves, and the matters which a PC is authorized to hear. Please read this Order from the court very carefully, as it explains much of what a PC is appointed to do.

My hourly rate for PC services is \$_____. I require an advance deposit against fees in the amount of \$_____ from each party to commence services for that party. If Mother wishes to initiate a consultation for a particular service, for example, Mother would pay her \$_____ advance deposit and schedule an initial appointment to discuss the issue. I would then contact Father who would be required to pay his \$_____ advance deposit and would schedule an appointment with Father to get his input on the issue. If the fee split ordered by the Court is other than a 50/50 fee split, I require a total retainer in the amount of \$_____ to be apportioned and paid to me by each party as ordered by the Court. (i.e. if the fee split is 60/40 Father/Mother, then Father must pay \$_____ and Mother would pay the remaining \$_____) Because the fee allocation ordered by the Court may cause one parties' advance deposit to be inadequate as an advance fee deposit, in the event both parties do no initiate services, I may require, at my discretion, that the advance fee deposit be paid in equal halves by the parties or in some other proportion. The parties will then be billed against their advance fee deposit in accordance with the fee allocation ordered by the Court. If at any time, either parties' advance fee deposit is depleted and further PC services are requested, I will ask for additional advance fee deposits to be paid to my office by each party for future billings.

After I have obtained sufficient information from both parties on the issue which was raised, and after I have determined that the two of you are not likely to reach an agreement on that issue, I make a recommendation to your trial judge on that issue. I issue that recommendation in a written report which is copied to your trial judge and to both parties.

PC services are most successful if both parties initiate and use my services if a dispute arises concerning custody or parenting time issues. You need to be aware, however, that I am obligated to perform my duties as a PC even if only one party requests my services and the other party chooses not to participate.

If either of you wishes to set up an initial meeting, please provide me with your final Decree of Dissolution, your Parenting Plan, and copies of any subsequent court Orders which affect custody or parenting time. Other documents may be required as I become familiar with your case. I will need copies of the documents listed above prior to any consultations I have with either of you.

A copy of my Fee Agreement for Parenting Coordinator services is enclosed. Each of you should review the agreement, sign it, and return the signed agreement to me prior to our first appointment. This Agreement spells out the items for which you are charged.

Also enclosed is the Supreme Court's "Parent Information Regarding the Use of Parenting Coordinators", which is designed to give you more information about the use of Parenting Coordinators.

The services of a PC may be performed in many different ways, including personal meetings, joint meetings with both of you, telephone consultations, and email. I usually find that it is best to ***meet with each party separately*** on at least one occasion before defining the issues in a case. Personal meetings generally require more time and expense than telephone appointments or email, which you should take into account when using my services. ***I will be meeting with each of you separately***, because I have found that to be the best way to determine the issues and try to find means of resolving them. ***If you have ANY concerns about the fact that I will meeting separately with each of you as Parenting Coordinator, please discuss those issues with your own attorney and with me at the outset of this case.***

Another important point is that the things you say, write and send to me are NOT confidential. Although I am an attorney, I am not your attorney, and our communications are not confidential or privileged. In all your conversations and writings to me, you should assume that the information you give me may be shared with the other party.

_____ PC
_____, 2009
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I look forward to being of service to you and your family in my capacity as Parenting Coordinator.

Very truly yours,

Annette T. Burns

ATB:sp
Enclosure

PARENT INFORMATION REGARDING THE USE OF ANNETTE BURNS AS PARENTING COORDINATOR

Using a Parenting Coordinator to help make recommendations to the court about your children can be a useful alternative to repeatedly going to court on minor issues that are not covered by your parenting plan or parts of your parenting plan that are being interpreted differently by the parents.

A Parenting Coordinator is a professional appointed by the court to assist parents in resolving those disputes. Most disputes are discussed with the Parenting Coordinator individually, and if an agreement cannot be reached, the Parenting Coordinator will make recommendations to the court for Orders that should be entered to resolve the conflict.

Parents may want to hire a Parenting Coordinator when other avenues of problem resolution have not resulted in a decision and if there are continued disagreements about such issues as schedules, overnight parenting time, choice of schools, extracurricular activities, exchanging the children, holiday scheduling, the handling of the children's behavior, religious training, health issues, and problematic behaviors on the part of one or both parents. Many times, the family has already participated in a custody/access evaluation and the parent may have been involved in mediation. Parenting Coordination is NOT mediation. While the Parenting Coordinator will see if an agreement can be reached, regular mediation processes and sessions do not take place and the Parenting Coordinator will make a decision on disputed issues as quickly as possible.

The amount of time required with the Parenting Coordinator or the number of meetings with the Parenting Coordinator will be determined by the conduct of the parties and the seriousness and number of issues brought up by each parent. The Parenting Coordinator will determine the actual number of meetings that are necessary for any specific issue, whether or not those meetings will be in person or telephonic, whether some issues can be handled by email, and whether joint or individual meetings should be held.

When a dispute is presented to the Parenting Coordinator, the PC may want to get other information such as the children's opinion, information from doctors, therapists, schools or other caretakers. It is important that you give those other caretakers or professionals permission to speak with your PC .

If one parent is opposed to the recommendation made by the PC, that parent can file an objection with the Court and the Court will review the recommendations. The Court may accept, modify or reject the recommendations of the Parenting Coordinator, or the Court may set the matter for hearing. In a time-sensitive situation, a recommendation of the Parenting Coordinator may be made effective immediately pending approval by the court and without prejudice to the parties.

Hiring a Parenting Coordinator is a serious matter. A PC is especially helpful for families who continue to have disagreements and find themselves back in court often. A Parenting Coordinator is usually appointed for twelve (12) months. If the Parenting Coordinator feels that he or she cannot be helpful to the family, the Parenting Coordinator can resign. If one parent is unhappy with the Parenting Coordinator, that parent cannot alone discharge the Parenting Coordinator. If the Parenting Coordinator acts in a manner

that seems unprofessional, the parent should first talk with the Parenting Coordinator about that parent's concerns. If the parent is still unsatisfied, that parent should submit a written statement of that parent's concern to the two attorneys (if represented), the Parenting Coordinator, and to the other parent. The Court will ultimately resolve any disputes about one parent who wants the PC removed from the case.

The Parenting Coordinator's goals are different than the goals of a judge. A judge's job is to make orders that are based on the law, including the best interests of the children. A Parenting Coordinator's job is to first see if the issues can be resolved between the parents or if the issues are already resolved by the parenting plan that the parents already have. Whenever possible, a major goal is to keep the decision-making power about the children in the hands of the parents. An outsider (the PC or the Judge) should only make decisions for your children if the two parents are absolutely unable to do so.

The parents pay the fees for the Parenting Coordinator, as ordered by the court. Annette Burns requires an advance deposit against fees before the PC work is begun. You must enter into an advance deposit agreement and pay your portion of the advance deposit before Ms. Burns' services can be used.

Using a Parenting Coordinator will usually reduce the need to go to court, and, therefore, should be cost effective. In most cases, the parents can be seen far sooner by the PC than by the Court, resulting in quicker decisions.

*This is an adaptation of the form provided by the Supreme Court of Arizona as part of the Arizona Rules of Family Law Procedure. ARFLP Rule 97, Form 11.