



THE SUPREME COURT *of* OHIO

Parenting Coordination Local Rule Guide

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Overview

The Rules of Superintendence for the Courts of Ohio governing parenting coordination, effective April 1, 2014, state that “A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall adopt a local rule governing all ordered parenting coordination...”

To meet these requirements, the Supreme Court of Ohio Dispute Resolution Section has prepared resources to assist in creating a local court rule providing for parenting coordination and the implementation of a parenting coordination program.

The Supreme Court of Ohio Dispute Resolution Section gratefully acknowledges the assistance of the Supreme Court of Ohio Commission on Dispute Resolution members and other individuals who helped develop, review and refine these resources by dedicating their collective effort, experience and expertise. We wish to extend special recognition and tremendous gratitude to:

- **Dick Altman**, Magistrate, Henry County Court of Common Pleas, Domestic Relations and Juvenile Divisions; member, Supreme Court of Ohio Commission on Dispute Resolution.
- **Serpil Ergun**, Chief Magistrate, Cuyahoga County Court of Common Pleas, Domestic Relations Division.
- **Lisa Gorrasi**, Esq., Administrator, Hamilton County Court of Common Pleas, Domestic Relations Division; member Supreme Court Advisory Committee on Case Management.
- **Marcie Patzak-Vendetti**, Magistrate and Director, Court Mediation Services, Mahoning County Court of Common Pleas, Juvenile Division; member, Supreme Court of Ohio Commission on Dispute Resolution.



Standards for Parenting Coordination in Ohio

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Introduction

Dispute resolution processes are becoming integral tools used for case management throughout all of the courts of Ohio, including the Supreme Court of Ohio (hereinafter Supreme Court). Ohio courts have been using mediation since the late 1970s² but are now recognizing that mediation may not always be the most appropriate dispute resolution process for a case.

As a result, courts are increasingly offering a child-focused dispute resolution process called “parenting coordination.” Qualified impartial professionals, known as “parenting coordinators,” assist parties with the implementation of parental rights and responsibilities or companionship time orders. As a result, parties minimize court involvement with parenting issues, allowing for more timely resolution of disputes. Parties also learn communication and negotiation skills necessary to prevent and resolve future disputes without court intervention. This article provides an overview of parenting coordination in Ohio; authority, qualifications, and responsibilities of parenting coordinators; requirements and responsibilities of the court using parenting coordination; and Supreme Court Resources.

Overview of Parenting Coordination in Ohio

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² “Night Prosecutor” Programs for the resolution of minor criminal complaints began in Cleveland and Columbus as early as 1978. The Franklin County Municipal Court offered telephone and in-person conciliation in the early 1980s; the Pre-filing Mediation Program starting in 1988; all of the mediators in this program are volunteers. Programs supported by the Supreme Court of Ohio began in 1991–1992 with the “Circuit Rider” Project that offered technical assistance to three Municipal Courts to replicate the success of the Franklin County Municipal Court Program. Parenting mediation began in the mid-1980s. Interview with C. Eileen Pruett, Supreme Court Commission on Dispute Resolution Member, Former Association of Family and Conciliation Courts (AFCC) Board Member, and Manager, Small Claims Division and Dispute Resolution Department, Franklin County Municipal Court, Columbus, Ohio (February 14, 2014) (notes on file with author).

A number of Ohio courts are currently using parenting coordination. However, since no state-wide rules or standards currently govern parenting coordination, its use can differ from court-to-court. As a result of the lack of uniform standards, the Supreme Court's Dispute Resolution Section and its former Advisory Committee on Dispute Resolution have developed the new Parenting Coordination Rules of Superintendence for the Courts of Ohio,³ effective April 1, 2014.⁴ These rules will ensure that parties are best served by courts developing high-quality programs; appointing qualified professionals; and complying with nationally recognized guidelines published by the Association of Family and Conciliation Courts (AFCC).⁵

The rules apply to all courts that choose to use parenting coordination either by a court sua sponte or upon request of one or both parties. The rules set forth definitions, the responsibilities of the court to adopt local rules governing the use of parenting coordination, reasons for ordering and requirements of an appointment order, the responsibilities and qualifications of a parenting coordinator, confidentiality, privilege and public access. The rules also address factors necessary for ordering parenting coordination, including required conditions when domestic abuse or domestic violence is alleged, suspected or present. They also address inappropriate uses of parenting coordination and compliance with the AFCC national guidelines.⁶

Sup. R. 90(C) defines parenting coordination as “a child-focused dispute resolution process...to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making.”

The term “high-conflict” is not included in the definition for three reasons: 1) there is no uniform definition for “high-conflict” so judges do not want to have to find that parties are “high-conflict” prior to ordering parenting coordination; 2) courts do not want parties to

³ Art. IV, Sec. 5(A)(1) of the Ohio Constitution grants the Supreme Court general superintendence over all courts in the state. The superintendence power grants the Supreme Court administrative authority over local courts. The Supreme Court adopts Rules of Superintendence for the Courts of Ohio to serve the public interest that mandates prompt disposition of all causes, at all times, in all courts of this state. The fair, impartial, and speedy resolution of cases without unnecessary delay maintains this confidence, safeguards the rights of litigants to the just processing of their causes, and earns the trust of the public. Using dispute resolution processes such as mediation and parenting coordination accomplish this goal. Ohio is a home rule state with 88 counties creating local rules that meet the needs of their communities within the parameters of the Rules of Superintendence. In 1992, the Supreme Court created the Dispute Resolution Section with the purpose of promoting effective and efficient operations of the judicial system through the facilitation of dispute resolution services throughout all Ohio courts.

⁴ In May of 2011, the Court published the advisory committee's proposed rules for public comment. Following the public comment period, the advisory committee continued to revise the proposed rules, with the work completed by the Commission on Dispute Resolution. (In March of 2012, the Advisory Committee on Dispute Resolution was reestablished as the Commission on Dispute Resolution). In August of 2013, the Court published the revised proposed rules for a second public comment period. The final Parenting Coordination Rules of Superintendence were adopted on January 9, 2014, with an effective date of April 1, 2014. The adopted rules can be found at: http://www.supremecourt.ohio.gov/JCS/disputeResolution/resources/rules_legislation.asp

⁵ See *Guidelines for Parenting Coordination* published by the Association of Family and Conciliation Court (2005).

⁶ See *id.*

have a less than favorable label attached to them; and 3) not including a requirement of “high-conflict” gives judges broader discretion to order parties into parenting coordination. The term “parties” is also used in lieu of “parents” to include other individuals, such as grandparents.

Authority, Qualifications, and Responsibilities of Parenting Coordinators

The rules provide parenting coordinators with standards regarding authority, qualifications, and responsibilities. There are also provisions for the confidentiality, privilege, and public access to parenting coordinator files. Courts may create by local rule requirements above and beyond those prescribed in the Rules of Superintendence.⁷

Although parenting coordinators are required to have extensive mediation training, apply mediation skills and have decision-making authority, they are not mediators or arbitrators under the rules. Therefore, mediation and arbitration rules and statutes do not apply. A parenting coordinator’s decision-making authority is prescribed in the appointment order. Mediators may serve as the parenting coordinator for the same case, provided there is written consent by the parties and approval by the court to ensure the parties understand the role change. This deviation from the AFCC national guidelines⁸ meets the needs of rural counties that may have limited qualified dispute resolution professionals.

Due to the nature of cases appropriate for parenting coordination, it is imperative for parenting coordinators to have specific education, experience, and training to effectively assist parties. The training requirements mirror those of a family court mediator with an additional twelve hours of specialized training in parenting coordination. These requirements are set forth in Sup. R. 90.05, which mandate that individuals have all of the following qualifications in order to be appointed as a parenting coordinator:

- A master’s degree or higher, law degree, or education and experience satisfactory to the court or division;
- At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other experience satisfactory to the court or division; and
- Completed at least:
 - twelve hours of basic mediation training;
 - forty hours of specialized family or divorce mediation training;
 - fourteen hours of specialized training in domestic abuse and mediation; and
 - twelve hours of specialized training in parenting coordination.⁹

⁷ See Sup. R. 90.01.

⁸ See supra note 3.

⁹ Pursuant to Sup. R. 90.05(C) the individual must have completed the training in the order listed and the training must have been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution.

Sup. R. 90.06 states that a court may appoint a parenting coordinator in an abuse, neglect, or dependency case if the parenting coordinator has both of the following additional qualifications:

- Significant experience working with family disputes; and
- At least thirty-two hours of specialized child-protection mediation training approved by the Supreme Court.

Sup. R. 90.07 requires that parenting coordinators complete at least three hours per calendar year of continuing education relating to children and also outlines the reporting requirements necessary to be eligible to continue to serve as a parenting coordinator.

The rules also outline the responsibilities of a parenting coordinator including compliance with the appointment order which includes powers and duties (scope of authority), term of appointment, scope of confidentiality, and parties' responsibility for fees and expenses; independence, objectivity, and impartiality; conflicts of interest; ex parte communications; legal advice; report of activity affecting ability to perform; and the disclosure of abuse, neglect, and harm.¹⁰

Communications made as part of the parenting coordination process are neither confidential nor privileged. The files maintained by a parenting coordinator but not filed with the clerk of court are not available for public access.¹¹

Requirements and Responsibilities of the Court or Division Using Parenting Coordination

The rules include requirements and responsibilities of the court using parenting coordination. Sup. R. 90.01 requires courts that order parenting coordination to have a local rule that addresses all of the following:

- Selection and referral
- Domestic abuse and domestic violence screening
- Referrals to legal counsel and other support services
- Participation
- Prohibiting dual roles that cause a conflict of interest, with an exception for mediators with written consent of the parties and court approval
- Issuance of parenting coordination agreements and reports or decisions
- Terms and conditions for fees (including waiver for indigent parties)
- Effect of and objections to a parenting coordinator's decision (some judges may require approval prior to the decision being effective)
- Appointment and termination of a parenting coordinator
- Periodic evaluation of parenting coordinators
- Submission, investigation, and hearing of complaints

Sup. R. 90.02 provides a list of factors to consider when ordering parenting coordination, while Sup. R. 90.03 outlines circumstances in which parenting coordination would be inappropriate. Courts are encouraged to order parenting

¹⁰ See Sup. R. 90.08 and Sup. R. 90.10.

¹¹ See Sup. R. 90.12.

coordination where the county determines the process would benefit the parties by resolving case and developing skills to prevent future conflict.

Responsibilities of a court using parenting coordination are contained in Sup. R. 90.09, which include maintaining a roster of parenting coordinators; a current resume documenting compliance with parenting coordinator qualifications under Sup. R. 90.05 and, if applicable, Sup. R. 90.06 and a list of all continuing education completed by the parenting coordinator. On or before February 1 of each year, the court must file a copy of the local rule, roster, resume(s), and continuing education of parenting coordinators listed on the roster with the Supreme Court.

Finally, where no conflict exists, the courts using parenting coordination must comply with the “Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination.

Supreme Court Resources

The Supreme Court is committed to providing resources to the courts for the implementation of high-quality dispute resolution services through the Supreme Court’s Dispute Resolution Section. To promote quality services there are currently rules of superintendence governing arbitration, mediation, and now parenting coordination. The Dispute Resolution Section is currently developing resources for parenting coordination including a model local rule, parenting coordination agreement, appointment order, processes and procedures for the evaluation of parenting coordinators, a complaint process, and other resources necessary for the implementation of parenting coordination in a court.¹²

Conclusion

The multi-door courthouse concept has evolved in Ohio with courts recognizing that dispute resolution begins with negotiation and includes litigation, with the judges and magistrates serving as the third party neutral to assist the parties in resolving disputes. Dispute resolution processes such as negotiation, **collaborative law, conciliation, early neutral evaluation, facilitation, mediation, parenting coordination, and arbitration are all integral tools within the judicial system.**

¹² Courts needing training, assistance with their current programs, and/or want assistance building a new program consistent with the new rules, should contact Jacqueline Hagerott at jacqueline.hagerott@sc.ohio.gov.

AMENDMENTS TO THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

The following amendments to the Rules of Superintendence for the Courts of Ohio (Sup.R. 90 through 90.12) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

August 5, 2013	Initial publication for comment
January 9, 2014	Final adoption by conference
April 1, 2014	Effective date of amendments

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 90. Definitions.

As used in Sup.R. 90 through 90.12:

(A) Domestic abuse

“Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.

(B) Domestic violence

“Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).

(C) Parenting coordination

“Parenting coordination” means a child-focused dispute resolution process ordered by a court of common pleas or division of the court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710 or Sup.R. 16.

(D) Parenting coordinator

“Parenting coordinator” means an individual appointed by a court of common pleas or division of the court to conduct parenting coordination.

RULE 90.01. Local Parenting Coordination Rule.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall adopt a local rule governing all ordered parenting coordination that does all of the following:

- (A) Addresses the selection and referral of a case to parenting coordination at any point after a parental rights and responsibilities or companionship time order is filed;
- (B) Addresses domestic abuse and domestic violence screening, both before and during parenting coordination;
- (C) Addresses appropriate referrals to legal counsel, counseling, parenting courses, and other support services for all parties, including but not limited to victims and suspected victims of domestic abuse and domestic violence;
- (D) Allows parties, their attorneys, and any other individuals designated by the parties to attend and participate in parenting coordination sessions;
- (E) Prohibits a parenting coordinator, even with consent of the parties, from serving in multiple roles with the same family that creates a professional conflict, including but not limited to a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party;
- (F) Allows a mediator to also serve as a parenting coordinator with the same family, provided there is written consent of the parties and it is approved by the court or division;
- (G) Addresses the issuance of parenting coordination agreements and reports or decisions by a parenting coordinator;
- (H) Addresses terms and conditions for fees, including provisions for waiver of fees for indigent parties;
- (I) Provides that the decision of a parenting coordinator is effective immediately and remains effective unless ordered otherwise by the court or division;
- (J) Allows for objections to the decision of a parenting coordinator;
- (K) Addresses the appointment and termination of appointment of a parenting coordinator;
- (L) Establishes procedures for the periodic evaluation of parenting coordinators;

(M) Establishes procedures for the submission, investigation, and hearing of complaints regarding a parenting coordinator;

(N) Addresses other provisions as the court or division considers necessary and appropriate.

RULE 90.02. Reasons for Ordering Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division may order parenting coordination when the court or division determines one or more of the following factors are present:

(A) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;

(B) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;

(C) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the court or division, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(D) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the court or division, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(E) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;

(F) Any other factor as determined by the court or division.

RULE 90.03. Inappropriate Uses of Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not order parenting coordination to determine any of the following:

(A) Whether to grant, modify, or terminate a protection order;

- (B) The terms and conditions of a protection order;
- (C) The penalty for violation of a protection order;
- (D) Changes in the designation of the primary residential parent or legal custodian;
- (E) Changes in the primary placement of a child.

RULE 90.04. Use of Parenting Coordination when Domestic Abuse or Domestic Violence is Alleged, Suspected, or Present.

When domestic abuse or domestic violence is alleged, suspected, or present, parenting coordination may proceed only if all of the following conditions are satisfied:

- (A) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the parenting coordination process and of the option to have a support person present at parenting coordination sessions;
- (B) Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic abuse or domestic violence and all other persons involved in the parenting coordination process;
- (C) Procedures are in place for the parenting coordinator to terminate a parenting coordination session if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.

RULE 90.05. General Parenting Coordinator Appointment Qualifications.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator unless the individual meets all of the following qualifications:

- (A) Possesses a master's degree or higher, law degree, or education and experience satisfactory to the court or division;
- (B) Possesses at least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the court or division;

(C) Has completed in the following order the following training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution:

- (1) At least twelve hours of basic mediation training;
- (2) At least forty hours of specialized family or divorce mediation training;
- (3) At least fourteen hours of specialized training in domestic abuse and dispute resolution;
- (4) At least twelve hours of specialized training in parenting coordination.

RULE 90.06. Parenting Coordinator Qualifications in Abuse, Neglect, or Dependency Cases.

In addition to the qualifications under Sup.R. 90.05, a court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator in an abuse, neglect, or dependency case unless the individual meets both of the following qualifications:

- (A) Possesses significant experience working with family disputes;
- (B) Has completed at least thirty-two hours of specialized child-protection mediation training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution.

RULE 90.07. Parenting Coordinator Continuing Education.

(A) Requirement

A parenting coordinator shall complete at least three hours per calendar year of continuing education relating to children. The continuing education may include continuing education for lawyers, social workers, psychologists, or other licensed mental health professionals and professional development events that are approved by the Dispute Resolution Section of the Supreme Court and that meet standards established by the Supreme Court Commission on Dispute Resolution.

(B) Annual report

On or before January 1st of each year, a parenting coordinator shall report to each court or division from which the parenting coordinator receives appointments a list of all continuing education training completed during the previous year pursuant to division (A) of this rule, including the sponsor, title, date, and location of each training.

(C) Failure to comply

If a parenting coordinator fails to comply with the continuing education requirement of division (A) of this rule, the parenting coordinator shall not be eligible to serve as a parenting coordinator until the requirement is satisfied. The parenting coordinator shall complete three hours of continuing education for each calendar year of deficiency.

RULE 90.08. Appointment Order.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division, when ordering parenting coordination, shall issue a written appointment order providing information regarding the appointment of the parenting coordinator, including but not limited to the following:

- (A) The name of the parenting coordinator and any contact information for the parenting coordinator the court may choose to include;
- (B) The specific powers and duties of the parenting coordinator;
- (C) The term of the appointment;
- (D) The scope of confidentiality;
- (E) The parties' responsibility for fees and expenses for services rendered by the parenting coordinator.

RULE 90.09. Responsibilities of Court or Division Using Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall do all of the following:

- (A) Maintain a roster of all parenting coordinators appointed by the court or division, including the name; address; telephone number; and, if available, electronic mail address of each parenting coordinator. The court or division shall require each parenting coordinator to notify the court or division of any changes to this information.
- (B) Require each parenting coordinator appointed by the court or division to submit to the court or division a resume documenting compliance with the parenting coordinator

qualifications under Sup.R. 90.05 and, if applicable, Sup.R. 90.06. The court or division shall require each parenting coordinator to provide an updated resume to the court or division in the event of any substantive changes to the information contained in the resume.

(C) Require each parenting coordinator appointed by the court or division to submit to the court or division on or before January 1st of each year a list of continuing education training completed by the parenting coordinator during the previous calendar year pursuant to Sup.R. 90.07(A), including the sponsor, title, date, and location of each training;

(D) On or before February 1st of each year, file with the Dispute Resolution Section of the Supreme Court all of the following:

(1) A copy of the local rule adopted by the court or division pursuant to Sup.R. 90.01;

(2) A copy of the current roster of parenting coordinators appointed by the court or division maintained by the court or division pursuant to division (A) of this rule;

(3) A copy of each new or updated resume received by the court or division from a parenting coordinator during the previous year pursuant to division (B) of this rule;

(4) A copy of each list of continuing education training received by the court or division from a parenting coordinator pursuant to division (C) of this rule.

RULE 90.10. Responsibilities of Parenting Coordinator During Parenting Coordination.

(A) Compliance with appointment order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the court of common pleas or division of the court pursuant to Sup.R. 90.08.

(B) Independence, objectivity, and impartiality

A parenting coordinator shall maintain independence; objectivity; and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.

(C) Conflicts of interest

(1) A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may benefit, directly or indirectly, except from services as a parenting coordinator.

(2) Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the appointing court or division and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court or division.

(D) Ex parte communications

A parenting coordinator shall have no ex parte communications with the appointing court or division regarding substantive matters or issues on the merits of the case.

(E) Legal advice

A parenting coordinator shall not offer legal advice.

(F) Report of activity affecting ability to perform

A parenting coordinator shall have an ongoing duty to report any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.

(H) Disclosure of abuse, neglect, and harm

(1) A parenting coordinator shall inform the parties the parenting coordinator will report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party to child protective services, law enforcement, or other appropriate authority.

(2) A parenting coordinator shall report child abuse or neglect pursuant to the procedures in R.C. 2151.421.

RULE 90.11. Compliance with Guidelines for Parenting Coordination.

A court of common pleas or division of the court that chooses to use parenting coordination in the court or division and a parenting coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the guidelines and Sup.R. 90 through 90.13, the rules shall control.

RULE 90.12. Confidentiality, Privilege, and Public Access.

(A) Confidentiality

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the court, shall not be confidential.

(B) Privilege

Except as provided by law, parenting coordination shall not be privileged.

(C) Public access to parenting coordinator files.

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for **public access** pursuant to Sup.R. 44 through 47.

Instructions for the Parenting Coordination Local Rule Guide

1. Review the list of titles (below) and select the titles you wish to include in your local rule. Sup.R. 90.01 requires the local court to adopt provisions for all titles underlined in **RED** to be adopted by local rule by a court that chooses to use parenting coordination. Titles italicized in **BLUE** are required by Sup.R. 90, 90.02-90.12 but are not required to be in the local rule. The language in bold **GREEN** denotes decisions to be made by the local court. All other titles are optional.

2. Download the Local Rule Guide and complete all of the following steps:

Step One: Insert the title of your local rule.

Step Two: Customize an Introduction, if one is desired.

Step Three: Delete all of the optional titles and provisions italicized in **BLUE** that you did not select.

Step Four: For the titles you selected make decisions for the language in bold **GREEN**, review the remaining recommended language and accept it as-is, modify it, or create your own provision. See the sample local rule – you may download it, insert your court name and rule number and adopt it.

3. Review your local rule to make sure it contains all the required provisions in Sup.R. 90.01.

4. Documents and Forms - Contact the Dispute Resolution Section for samples of the following:

- Appointment Order
- Brochure
- Case Management Data Quality Assessment Form
- Domestic Abuse and Domestic Violence Screening Form
- Independent Contractor Agreement
- Intake Form
- Notice of Parenting Coordination Session
- Parenting Coordinator Evaluation
- Parenting Coordinator Decision Form
- Parenting Coordinator Questionnaire
- Sample Parenting Coordinator Decision
- Parenting Coordinator Report for the Court Form

5. For assistance, contact Jacqueline C. Hagerott, Manager Dispute Resolution Section of the Supreme Court of Ohio at

Note: Sup.R. 90.01 requires all titles underlined in **RED** to be adopted by local rule by a court that chooses to use parenting coordination. Titles italicized in **BLUE** are required by Sup.R. 90, 90.02-90.12 but are not required to be in the local rule. The language in bold **GREEN** denotes decisions to be made by the local court. All other titles are optional.

Title

Introduction

- (A) *Definitions* [Sup.R. 90]
- (B) **Purpose**
- (C) *Scope* [Sup.R. 90.03]
- (D) **Appointment** [Sup.R. 90.01(A),(E),(F),(K); Sup.R. 90.02; 90.05; 90.06; 90.07(A); 90.08]
- (E) *Parenting Coordinator Responsibilities*
 - (1) *Ability to Perform Duties* [Sup.R. 90.10(F)]
 - (2) *Compliance with Appointment Order* [Sup.R. 90.10(A)]
 - (3) *Independence, Objectivity, and Impartiality* [Sup.R. 90.10(B)]
 - (4) *Conflicts of Interest* [Sup.R. 90.10(C)]
 - (5) *Ex Parte Communications* [Sup.R. 90.10(D)]
 - (6) *Legal Advice* [Sup.R. 90.10(E)]
 - (7) *Reporting* [Sup.R. 90.07(B),(C); 90.09(A),(B)]
 - (8) **[Insert additional qualifications as applicable]**
- (F) **Procedures**
 - (1) **Screening and Disclosure for Domestic Abuse and Domestic Violence** [Sup.R. 90.01(B); Sup.R. 90.04]
 - (2) *Disclosure of Abuse, Neglect and Harm* [Sup.R. 90.10(H)]
 - (3) **Attendance and Participation** [Sup.R. 90.01(D)]

- (4) **Referrals to Support Services** [Sup.R. 90.01(C)]
- (5) **Parenting Coordination Agreements, Reports and Decisions** [Sup.R. 90.01(G),(I),(J)]
- (6) **Parenting Coordinator Evaluations and Complaints** [Sup.R. 90.01(L),(M)]
- (7) **Fees** [Sup.R. 90.01(H)]
- (8) **Stay of Proceedings**
- (9) **[Insert any other procedures the Court deems appropriate]**

- (G) *Confidentiality and Privilege* [Sup.R. 90.12 (A),(B)]
- (H) *Public Access* [Sup.R. 90.12(C)]
- (I) *Model Standards* [Sup.R. 90.11]
- (J) *Court Reporting Requirements* [Sup.R. 90.09]
- (K) **Sanctions**
- (L) **[Insert any other provisions the Court deems appropriate]**

Parenting Coordination Local Rule Guide

Note: Sup.R. 90.01 requires all provision titles underlined in **RED** to be adopted by local rule by a court that chooses to use parenting coordination. Provision titles italicized in **BLUE** are required by Sup.R. 90, 90.02-90.12 but are not required to be in the local rule. Instructions in bold **GREEN** represent decisions to be made by the local court. All other provision titles are optional.

Title

Rule **[Insert the applicable rule number]**. Parenting Coordination.

Introduction

The **[Insert Court Name]** adopts Local Rule **[Insert applicable rule number]** effective **[Insert date]**.

(A) *Definitions* **[Sup.R. 90]**

As used in this rule:

- (1) “Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.
- (2) “Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).
- (3) “Parenting coordination” means a child-focused dispute resolution process ordered by the Court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710, R.C. 3109.052 or Sup.R. 16 nor arbitration subject to R.C. Chapter 2711 or Sup.R. 15.
- (4) “Parenting Coordinator” means an individual appointed by the Court to conduct parenting coordination.
- (5) **[Insert additional applicable definitions.]**

(B) Purpose

This rule allows for the earliest possible resolution of disputes related to parental rights and responsibilities or companionship time orders.

(C) *Scope* **[Sup.R. 90.03]**

At any point after a parental rights and responsibilities or companionship time order is filed, the Court may order parenting coordination except to determine the following:

- (1) Whether to grant, modify, or terminate a protection order;

- (2) The terms and conditions of a protection order;
- (3) The penalty for violation of a protection order;
- (4) Changes in the designation of the primary residential parent or legal guardian;
- (5) Changes in the primary placement of a child.

(D) Appointment

- (1) The Court may order parenting coordination, sua sponte or upon written or oral motion by one or both parties **[Sup.R. 90.01(A)]**, when one or more of the following factors are present:
 - (a) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;
 - (b) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;
 - (c) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the Court, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
 - (d) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the Court, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
 - (e) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;
 - (f) Any other factor as determined by the Court. **[Sup.R. 90.02]**
- (2) Prior to appointment, the Court may appoint a parenting coordinator who has the following:
 - (a) A master's degree or higher, a law degree, or education and experience satisfactory to the Court;
 - (b) At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the Court;
 - (c) Training that has been approved by the Dispute Resolution Section of the Supreme Court, in the following order:
 - (i) At least twelve (12) hours of basic mediation training;
 - (ii) At least forty (40) hours of specialized family or divorce mediation training;

- (iii) At least fourteen (14) hours of specialized training in domestic abuse and dispute resolution;
 - (iv) At least twelve (12) hours of specialized training in parenting coordination.
- (3) In addition to the qualifications under Division (D)(2) of this rule, the Court may appoint a parenting coordinator to an abuse, neglect or dependency case provided the parenting coordinator meets both of the following qualifications:
 - (i) Significant experience working with family disputes;
 - (ii) At least thirty-two (32) hours of specialized child protection training that has been approved by the Dispute Resolution Section of the Supreme Court. [\[Sup.R. 90.06\]](#)
- (4) To maintain eligibility for appointment, a parenting coordinator shall complete at least three (3) hours per calendar year of continuing education relating to children approved by the Dispute Resolution Section of the Supreme Court. [\[Sup.R. 90.05; 90.07\(A\)\]](#)
- (5) The appointment order [\[Sup.R. 90.01\(K\)\]](#) shall set forth the following:
 - (a) The name of the parenting coordinator and any contact information the Court may choose to include; [\[Sup.R. 90.08\(A\)\]](#)
 - (b) The specific powers and duties of the parenting coordinator; [\[Sup.R. 90.08\(B\)\]](#)
 - (c) The term of the appointment; [\[Sup.R. 90.08\(C\)\]](#)
 - (d) The scope of confidentiality; [\[Sup.R. 90.08\(D\); 90.12\(A\)\]](#)
 - (e) The parties' responsibility for fees and expenses for services rendered by the parenting coordinator; [\[Sup.R. 90.08\(E\)\]](#)
 - (f) Parenting coordination terms and conditions; and
 - (g) [\[Insert other information the Court deems appropriate\]](#).
- (6) The parenting coordinator who meets the qualifications in Division (D)(2) and, if applicable, (D)(3) shall be selected using one of the following:
 - (a) Use of a court employee;
 - (b) Random selection from the Court's roster of parenting coordinators;
 - (c) Specific appointment based on the type of case and the qualifications and caseload of the parenting coordinator;
 - (d) Parties select a parenting coordinator from the Court roster to be approved by the Court; or
 - (e) [\[Insert any other applicable method\(s\)\]](#). [\[Sup.R. 90.01\(K\)\]](#)
- (7) The Court shall not appoint a parenting coordinator who does not have the qualifications in Division (D)(2) and, if applicable, Division (D)(3) of this rule or who has served or is serving in a role that creates a professional conflict including, but not limited to, a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party. Parties may not waive this conflict. [\[Sup.R. 90.01\(E\)\]](#)
- (8) With written consent of the parties, the Court may appoint a mediator to serve as the parenting coordinator with the same family. [\[Sup.R. 90.01\(F\)\]](#)

- (9) Upon motion of a party, for good cause shown, or sua sponte, the Court may terminate or modify the parenting coordinator appointment. **[Sup.R. 90.01(K)]**

(E) *Parenting Coordinator Responsibilities*

(1) *Ability to Perform Duties* [Sup.R. 90.10(F)]

A parenting coordinator shall report to the Court any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.

(2) *Compliance with Appointment Order* [Sup.R. 90.10(A)]

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the Court pursuant to Division (D) of this rule.

(3) *Independence, Objectivity, and Impartiality* [Sup.R. 90.10(B)]

A parenting coordinator shall maintain independence; objectivity; and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.

(4) *Conflicts of Interest* [Sup.R. 90.10(C)]

A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may benefit, directly or indirectly, except from services as a parenting coordinator. Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the Court and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the Court.

(5) *Ex Parte Communications* [Sup.R. 90.10(D)]

A parenting coordinator shall not have ex parte communications with the Court regarding substantive matters or issues on the merits of the case.

(6) *Legal Advice* [Sup.R. 90.10(E)]

A parenting coordinator shall not offer legal advice.

(7) *Reporting* [Sup.R. 90.07(B),(C); 90.09(A),(B)]

- (a) A parenting coordinator shall submit a resume to the Court documenting compliance with Division (D)(2) and, if applicable, Division (D)(3) of this rule; provide an updated resume to the court in the event of any substantive changes; and notify the Court of any changes to name, address, telephone number and, if available, electronic mail address.
- (b) On or before January 1st of each year, a parenting coordinator shall report to the Court a list of all continuing education training completed during the previous year pursuant to Division (D)(4) of this rule including the sponsor, title, date and location of each training. A parenting coordinator shall not be eligible for appointment until this requirement is satisfied. The parenting coordinator shall complete three (3) hours of continuing education for each calendar year of deficiency.

(8) [Insert additional qualifications as applicable]

(F) Procedures

(1) Screening and Disclosure for Domestic Abuse and Domestic Violence

- (a) All cases shall be screened for domestic abuse and domestic violence by **[Insert parenting coordinator or other individual/staff position responsible for preliminary screening]** before the commencement of the parenting coordination process and by the parenting coordinator during the parenting coordination process. **[Sup.R. 90.01(B)]**

All parties and counsel shall immediately advise the **[Insert whom the parties should advise such as the parenting coordinator, Court (be specific), or other individual/staff position]** of any domestic violence convictions and/or allegations known to them or which become known to them during the parenting coordination process.

- (b) When domestic abuse or domestic violence is alleged, suspected or present, before proceeding, a parenting coordinator shall:
 - (i) Fully inform the person who is or may be the victim of domestic abuse or domestic violence about the parenting coordination process and the option to have a support person present at parenting coordination sessions;
 - (ii) Have procedures in place to provide for the safety of all persons involved in the parenting coordination process;
 - (iii) Have procedures in place to terminate the parenting coordination session/process if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties. **[Sup.R. 90.04]**

(2) **Disclosure of Abuse, Neglect and Harm** [Sup.R. 90.10(H)]

A parenting coordinator shall inform the parties that the parenting coordinator shall report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party, to child protective services, law enforcement, or other appropriate authority. A parenting coordinator shall report child abuse or neglect pursuant to the procedures set forth in R.C. 2151.421.

(3) **Attendance and Participation**

(a) Parties shall attend parenting coordination sessions. Requests to reschedule parenting coordination sessions shall be approved by the parenting coordinator.

(b) A parenting coordinator shall allow attendance and participation of the parties and, if the parties wish, their attorneys and/or any other individuals designated by the parties. [Sup.R. 90.01(D)]

(4) **Referrals to Support Services**

A parenting coordinator shall provide information regarding appropriate referrals to resources including legal counsel, counseling, parenting courses/education and other support services for all parties, including, but not limited to, victims and suspected victims of domestic abuse and domestic violence. [Sup.R. 90.01(C)]

(5) **Parenting Coordination Agreements, Reports and Decisions** [Sup.R. 90.01(G),(I),(J)]

(a) Parties shall sign and abide by agreements reached during a parenting coordination session which shall be maintained in the parenting coordination file. The parenting coordinator shall provide a copy to each party and their attorneys, if any.

(b) Upon request by the Court, the parenting coordinator shall prepare a written report including, but not limited to, the following:

(i) Dates of parenting coordination session(s);

(ii) Whether the parenting coordination session(s) occurred or was terminated;

(iii) Requests to reschedule a parenting coordination session including the name of the requestor and the whether the request was approved;

(iv) Whether an agreement was reached on some, all or none of the issues;

(v) Who was in attendance at each session; and

- (vi) The date and time of a future parenting coordination session(s).
 - (vii) **[Insert any information required by the Court not pertaining to the merits of the case].**
- (c) The parenting coordinator shall first attempt to assist the parties in reaching an agreement that resolves the dispute(s). If the parties are unable to reach an agreement, the parenting coordinator shall issue a written decision that is **[Insert “effective immediately and remains effective unless ordered otherwise by the Court” or “effective upon approval of the Court”]**. The parenting coordinator shall provide copies to the parties and their attorneys, if any. The decision shall be immediately filed with the Court and include all of the following:
- (i) Case caption, including the case number;
 - (ii) Date of the decision;
 - (iii) Facts;
 - (iv) Reasons supporting the decision;
 - (v) The manner in which the decision was provided to the parties; and
 - (vi) Any other necessary information.
- (d) A party may file written objection(s) to a parenting coordinator’s decision, with the Court and serve all other parties to the action, within fourteen (14) days of the **[Insert “filing date of the decision” if the decision is effective immediately or “filing date of the Court decision” – make consistent with in Division (5)(c) above]**. If any party timely files objection(s), any other party may also file objection(s) with the Court and serve all other parties to the action, not later than ten (10) days after the first objection(s) are filed. A hearing may be scheduled, upon request, at the discretion of the Court. A judge or magistrate shall issue a ruling on the objection(s) within thirty (30) days from the date of the last objection filed.

(6) Parenting Coordinator Evaluations and Complaints [Sup.R. 90.01(L),(M)]

- (a) A parenting coordinator shall provide participants with the Parenting Coordinator Evaluation form, provided by the Court, prior to the first parenting coordination session and at the end of the term of the appointment.
- (b) The Court shall complete a review of the parenting coordinator(s) on the Court’s roster in January of each year.
- (c) A party to a case appointed to parenting coordination may file a complaint regarding the parenting coordinator within one year from the termination of the appointment. The complaint shall be submitted to the **[Insert to whom the complaint shall be submitted to such as “filed, upon motion, with the Court” or “submitted to the judge/magistrate who made the**

appointment” or “submitted to the Court Administrator” or other], and include all of the following:

- (i) Case caption, including the case number;
 - (ii) The name of the parenting coordinator;
 - (iii) The name and contact information for the person making the complaint;
 - (iv) The nature of any alleged misconduct or violation;
 - (v) The date(s) of the alleged misconduct or violation occurred; and
 - (vi) [Insert any other information required by the Court].
- (d) The [Insert to whom the complaint was submitted in Division (6)(c), above] shall provide a copy of the complaint to the parenting coordinator;
- (e) The parenting coordinator has fourteen (14) days from the date of the receipt of the complaint to respond in writing to [Insert to whom the complaint was submitted in Division (c), above].
- (f) The [Insert to whom the complaint was submitted in Division (6)(c), above] shall conduct an investigation into the allegations and shall issue a response within thirty (30) days from the date the complaint was [Insert “received” or “filed” if filed with the Court].

(7) Fees [Sup.R. 90.01(H)]

A parenting coordinator shall be paid [Insert “by the Court” or “[\$]/hour”], unless otherwise ordered by the Court. All fees shall be determined by the Court and included in the appointment order. [If the parenting coordinator is not a Court employee, insert “Fees shall be waived for indigent parties.”]

(8) Stay of Proceedings

Unless otherwise provided by court order, referral of a case to parenting coordination stays a case until further notice. The Clerk of Court shall not accept for filing any documents while a case is in parenting coordination with the following exceptions:

- (a) An objection to a parenting coordinator’s decision;
- (b) A motion to lift the stay;
- (c) A response to a motion to lift the stay;
- (d) An application to dismiss the case;
- (e) A notice related to counsel;
- (f) A motion for changes in the designation of the primary residential parent or legal guardian;
- (g) A motion for changes in the primary placement of a child; or
- (h) [Insert other exceptions].

(9) [Insert any other procedures the Court deems appropriate]

(G) *Confidentiality and Privilege* [Sup.R. 90.12 (A),(B)]

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the court, shall not be confidential. Except as provided by law, parenting coordination shall not be privileged.

(H) *Public Access* [Sup.R. 90.12(C)]

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for public access pursuant to Rules 44 through 47 of the Rules of Superintendence for the Courts of Ohio.

(I) *Model Standards* [Sup.R. 90.11]

The Court and a parenting coordinator shall comply with the “Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the Guidelines for Parenting Coordination and this local rule, this local rule shall control.

(J) *Court Reporting Requirements* [Sup.R. 90.09]

On or before February 1st of each year, the Court shall file with the Dispute Resolution Section of the Supreme Court all of the following:

- (a) A copy of this local rule;
- (b) A copy of the current roster of parenting coordinators;
- (c) A copy of each new or updated resume received by the court from a parenting coordinator during the previous year;
- (d) A copy of each list of continuing education training received by the court from each parenting coordinator.

(K) **Sanctions**

The Court may impose sanctions for any violation of this rule which may include, but not limited to, attorney’s fees and other costs, contempt or other appropriate sanctions at the discretion of the Court.

(L) **[Insert any other provisions the Court deems appropriate]**

Parenting Coordination Sample Local Rule

Rule 27. Parenting Coordination.

The County Court adopts Local Rule 27 effective April 1, 2014.

(A) Definitions

As used in this rule:

- (1) “Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.
- (2) “Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).
- (3) “Parenting coordination” means a child-focused dispute resolution process ordered by the Court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710, R.C. 3109.052 or Sup.R. 16 nor arbitration subject to R.C. Chapter 2711 or Sup.R. 15.
- (4) “Parenting Coordinator” means an individual appointed by the Court to conduct parenting coordination.

(B) Purpose

This rule allows for the earliest possible resolution of disputes related to parental rights and responsibilities or companionship time orders.

(C) Scope

At any point after a parental rights and responsibilities or companionship time order is filed, the Court may order parenting coordination except to determine the following:

- (1) Whether to grant, modify, or terminate a protection order;
- (2) The terms and conditions of a protection order;
- (3) The penalty for violation of a protection order;
- (4) Changes in the designation of the primary residential parent or legal guardian;
- (5) Changes in the primary placement of a child.

(D) Appointment

- (1) The Court may order parenting coordination, sua sponte or upon written or oral motion by one or both parties, when one or more of the following factors are present:
 - (a) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;

- (b) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;
- (c) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the Court, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
- (d) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the Court, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
- (e) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;
- (f) Any other factor as determined by the Court.

(2) Prior to appointment, the Court may appoint a parenting coordinator who has the following:

- (a) A master's degree or higher, a law degree, or education and experience satisfactory to the Court;
- (b) At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the Court;
- (c) Training that has been approved by the Dispute Resolution Section of the Supreme Court, in the following order:
 - (i) At least twelve (12) hours of basic mediation training;
 - (ii) At least forty (40) hours of specialized family or divorce mediation training;
 - (iii) At least fourteen (14) hours of specialized training in domestic abuse and dispute resolution;
 - (iv) At least twelve (12) hours of specialized training in parenting coordination.

(3) In addition to the qualifications under Division (D)(2) of this rule, the Court may appoint a parenting coordinator to an abuse, neglect or dependency case provided the parenting coordinator meets both of the following qualifications:

- (i) Significant experience working with family disputes;
- (ii) At least thirty-two (32) hours of specialized child protection training that has been approved by the Dispute Resolution Section of the Supreme Court.

(4) To maintain eligibility for appointment, a parenting coordinator shall complete at least three (3) hours per calendar year of continuing education relating to children approved by the Dispute Resolution Section of the Supreme Court.

- (5) The appointment order shall set forth the following:
- (a) The name of the parenting coordinator and any contact information the Court may choose to include;
 - (b) The specific powers and duties of the parenting coordinator;
 - (c) The term of the appointment;
 - (d) The scope of confidentiality;
 - (e) The parties' responsibility for fees and expenses for services rendered by the parenting coordinator;
 - (f) Parenting coordination terms and conditions.
- (6) The parenting coordinator who meets the qualifications in Division (D)(2) and, if applicable, (D)(3) shall be selected using one of the following:
- (a) Use of a court employee;
 - (b) Random selection from the Court's roster of parenting coordinators;
 - (c) Specific appointment based on the type of case and the qualifications and caseload of the parenting coordinator;
 - (d) Parties select a parenting coordinator from the Court roster to be approved by the Court.
- (7) The Court shall not appoint a parenting coordinator who does not have the qualifications in Division (D)(2) and, if applicable, Division (D)(3) of this rule or who has served or is serving in a role that creates a professional conflict including, but not limited to, a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party. Parties may not waive this conflict.
- (8) With written consent of the parties, the Court may appoint a mediator to serve as the parenting coordinator with the same family.
- (9) Upon motion of a party, for good cause shown, or sua sponte, the Court may terminate or modify the parenting coordinator appointment.

(E) Parenting Coordinator Responsibilities

(1) Ability to Perform Duties

A parenting coordinator shall report to the Court any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.

(2) Compliance with Appointment Order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the Court pursuant to Division (D) of this rule.

(3) Independence, Objectivity, and Impartiality

A parenting coordinator shall maintain independence; objectivity; and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.

(4) Conflicts of Interest

A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case.

A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may benefit, directly or indirectly, except from services as a parenting coordinator. Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the Court and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the Court.

(5) Ex Parte Communications

A parenting coordinator shall not have ex parte communications with the Court regarding substantive matters or issues on the merits of the case.

(6) Legal Advice

A parenting coordinator shall not offer legal advice.

(7) Reporting

(a) A parenting coordinator shall submit a resume to the Court documenting compliance with Division (D)(2) and, if applicable, Division (D)(3) of this rule; provide an updated resume to the court in the event of any substantive changes; and notify the Court of any changes to name, address, telephone number and, if available, electronic mail address.

(b) On or before January 1st of each year, a parenting coordinator shall report to the Court a list of all continuing education training completed during the previous year pursuant to Division (D)(4) of this rule including the sponsor, title, date and location of each training. A parenting coordinator shall not be eligible for appointment until this requirement is satisfied. The parenting coordinator shall complete three (3) hours of continuing education for each calendar year of deficiency.

(F) Procedures

(1) Screening and Disclosure for Domestic Abuse and Domestic Violence

(a) All cases shall be screened for domestic abuse and domestic violence by the parenting coordinator before the commencement of the parenting coordination process and by the parenting coordinator during the parenting coordination process. All parties and counsel shall immediately advise the parenting coordinator of any domestic violence convictions and/or allegations known to them or which become known to them during the parenting coordination process.

(b) When domestic abuse or domestic violence is alleged, suspected or present, before proceeding, a parenting coordinator shall:

- (i) Fully inform the person who is or may be the victim of domestic abuse or domestic violence about the parenting coordination process and the option to have a support person present at parenting coordination sessions;
- (ii) Have procedures in place to provide for the safety of all persons involved in the parenting coordination process;
- (iii) Have procedures in place to terminate the parenting coordination session/process if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.

(2) Disclosure of Abuse, Neglect and Harm

A parenting coordinator shall inform the parties that the parenting coordinator shall report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party, to child protective services, law enforcement, or other appropriate authority. A parenting coordinator shall report child abuse or neglect pursuant to the procedures set forth in R.C. 2151.421.

(3) Attendance and Participation

- (a) Parties shall attend parenting coordination sessions. Requests to reschedule parenting coordination sessions shall be approved by the parenting coordinator.
- (b) A parenting coordinator shall allow attendance and participation of the parties and, if the parties wish, their attorneys and/or any other individuals designated by the parties.

(4) Referrals to Support Services

A parenting coordinator shall provide information regarding appropriate referrals to resources including legal counsel, counseling, parenting courses/education and other support services for all parties, including, but not limited to, victims and suspected victims of domestic abuse and domestic violence.

(5) Parenting Coordination Agreements, Reports and Decisions

- (a) Parties shall sign and abide by agreements reached during a parenting coordination session which shall be maintained in the parenting coordination file. The parenting coordinator shall provide a copy to each party and their attorneys, if any.
- (b) Upon request by the Court, the parenting coordinator shall prepare a written report including, but not limited to, the following:
 - (i) Dates of parenting coordination session(s);
 - (ii) Whether the parenting coordination session(s) occurred or was terminated;
 - (iii) Requests to reschedule a parenting coordination session including the name of the requestor and the whether the request was approved;
 - (iv) Whether an agreement was reached on some, all or none of the issues;
 - (v) Who was in attendance at each session; and

- (vi) The date and time of a future parenting coordination session(s).
- (c) The parenting coordinator shall first attempt to assist the parties in reaching an agreement that resolves the dispute(s). If the parties are unable to reach an agreement, the parenting coordinator shall issue a written decision that is effective immediately and remains effective unless ordered otherwise by the Court. The parenting coordinator shall provide copies to the parties and their attorneys, if any. The decision shall be immediately filed with the Court and include all of the following:
 - (i) Case caption, including the case number;
 - (ii) Date of the decision;
 - (iii) Facts;
 - (iv) Reasons supporting the decision;
 - (v) The manner in which the decision was provided to the parties; and
 - (vi) Any other necessary information.
- (d) A party may file written objection(s) to a parenting coordinator's decision, with the Court and serve all other parties to the action, within fourteen (14) days of the filing date of the decision. If any party timely files objection(s), any other party may also file objection(s) with the Court and serve all other parties to the action, not later than ten (10) days after the first objection(s) are filed. A hearing may be scheduled, upon request, at the discretion of the Court. A judge or magistrate shall issue a ruling on the objection(s) within thirty (30) days from the date of the last objection filed.

(6) Parenting Coordinator Evaluations and Complaints

- (a) A parenting coordinator shall provide participants with the Parenting Coordinator Evaluation form, provided by the Court, prior to the first parenting coordination session and at the end of the term of the appointment.
- (b) The Court shall complete a review of the parenting coordinator(s) on the Court's roster in January of each year.
- (c) A party to a case appointed to parenting coordination may file a complaint regarding the parenting coordinator within one year from the termination of the appointment. The complaint shall be submitted to the Court Administrator, and include all of the following:
 - (i) Case caption, including the case number;
 - (ii) The name of the parenting coordinator;
 - (iii) The name and contact information for the person making the complaint;
 - (iv) The nature of any alleged misconduct or violation;
 - (v) The date(s) of the alleged misconduct or violation occurred.
- (d) The Court Administrator shall provide a copy of the complaint to the parenting coordinator;
- (e) The parenting coordinator has fourteen (14) days from the date of the receipt of the complaint to respond in writing to the Court Administrator.
- (f) The Court Administrator shall conduct an investigation into the allegations and shall issue a response within thirty (30) days from the date the complaint was received.

(7) Fees

A parenting coordinator shall be paid \$60/hour, unless otherwise ordered by the Court. All fees shall be determined by the Court and included in the appointment order. Fees shall be waived for indigent parties.

(8) Stay of Proceedings

Unless otherwise provided by court order, referral of a case to parenting coordination stays a case until further notice. The Clerk of Court shall not accept for filing any documents while a case is in parenting coordination with the following exceptions:

- (a) An objection to a parenting coordinator's decision;
- (b) A motion to lift the stay;
- (c) A response to a motion to lift the stay;
- (d) An application to dismiss the case;
- (e) A notice related to counsel;
- (f) A motion for changes in the designation of the primary residential parent or legal guardian;
- (g) A motion for changes in the primary placement of a child.

(G) Confidentiality and Privilege

Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the court, shall not be confidential. Except as provided by law, parenting coordination shall not be privileged.

(H) Public Access

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for public access pursuant to Rules 44 through 47 of the Rules of Superintendence for the Courts of Ohio.

(I) Model Standards

The Court and a parenting coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the Guidelines for Parenting Coordination and this local rule, this local rule shall control.

(J) Court Reporting Requirements

On or before February 1st of each year, the Court shall file with the Dispute Resolution Section of the Supreme Court all of the following:

- (a) A copy of this local rule;
- (b) A copy of the current roster of parenting coordinators;

- (c) A copy of each new or updated resume received by the court from a parenting coordinator during the previous year;
- (d) A copy of each list of continuing education training received by the court from each parenting coordinator.

(K) Sanctions

The Court may impose sanctions for any violation of this rule which may include, but not limited to, attorney's fees and other costs, contempt or other appropriate sanctions at the discretion of the Court.