

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA, FAMILY DIVISION

Petitioner

Petitioner's Attorney

vs.

FD Case No.: _____

Respondent

Respondent's Attorney

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, it is hereby ordered as follows:

1. APPOINTMENT AND TERM:

Pursuant to Pa.R.C.P. No. 1915.11-1, _____ is appointed as the parties' parenting coordinator for a term of _____ months (not exceeding 12 months).

Legal counsel for _____, or either party, if unrepresented, shall provide copies of all orders, pleadings and custody evaluations in this case to the parenting coordinator within ten (10) days of the date of this order.

2. ROLE OF THE PARENTING COORDINATOR:

- (a) The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and if, unable to reach an agreement, recommend a resolution to the court.
- (b) The parenting coordinator shall not function as the attorney, advocate, counselor, or psychotherapist for the parties, the parties' child(ren), or family. However, the parenting coordinator is permitted and encouraged to facilitate communication and agreement between the parties when conflicts arise and shall always act in a manner conducive to the best interests of the child(ren).

3. PARENTING COORDINATOR'S SCOPE OF AUTHORITY:

To implement the custodial arrangement set forth in the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

- (a) places and conditions for transitions between households;
- (b) temporary variation from the schedule for a special event or particular circumstance;
- (c) school issues, apart from school section;
- (d) the child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;
- (e) child-care arrangements;
- (f) clothing, equipment, toys, and personal possessions of the child(ren);

- (g) information exchanges (e.g., school, health, social) and communication with or about the child(ren);
- (h) coordination of existing or court-ordered services for the child(ren) (e.g., psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management);
- (i) behavioral management of the child(ren); and
- (j) other related custody issues that parties mutually have agreed in writing to submit to the parenting coordinator, which are not excluded in Paragraph 4.

4. EXCLUSIONS FROM PARENTING COORDINATOR'S AUTHORITY:

- (a) The following specific issues are excluded from the parenting coordinator's scope of authority:
 - (1) a change in legal custody as set forth in the custody order;
 - (2) a change in primary physical custody set forth in the custody order;
 - (3) other than as set forth in Paragraph 3(b), a change in the court-ordered scheduled that reduces or expands the child(ren)'s time with a party;
 - (4) a change in the residence (relocation) of the child(ren);
 - (5) determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in Pa.R.C.P 1915.11-1(g)(1);
 - (6) major decisions affecting the health, education, or religion of the child(ren); and
 - (7) Other: _____
- (b) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). The parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals. Any communication with the collateral sources or child(ren) shall be limited to the issue(s) currently before the parenting coordinator.

5. COMMUNICATIONS:

- (a) The parenting coordinator shall determine the protocol of all communications, interviews, and sessions, including who shall attend the sessions (including the children), and whether the sessions will be conducted in person or by other means. The protocol shall include measures addressing the safety of all participants.
- (b) Communication between the parties or their attorneys and the parenting coordinator is not confidential.
- (c) The parties and their attorneys shall have the right to receive, but not initiate, oral *ex parte* communication with the parenting coordinator. The parenting coordinator shall promptly advise the other party or the other party's attorney of the communication. A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator must be promptly made available to the other party or the other party's attorney for inspection and copying.
- (d) Communication between the parenting coordinator and the court shall be in writing and copies of the written communication shall be sent contemporaneously to the parties or the parties' attorneys.
- (e) A party cannot compel the testimony of a parenting coordinator without an order of court.

6. PARENTING COORDINATION PROCESS:

- (a) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.
- (b) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. no. 1915.23 and sent to the court for review within two days after hearing from the parties on the issues. The parenting coordinator shall serve a copy of the Summary and Recommendation on the parties or the parties' attorneys. The Summary and Recommendation, along with proof of service, shall also be filed on the case docket with the Allegheny County Department of Court Records.
- (c) A party objecting to the recommendation shall file a petition for a record hearing before the court within five days of service of the Summary and Recommendation of the Parenting Coordinator form with the Allegheny County Department of Court Records and a copy to the Judge of record. The petition must specifically state the issues to be reviewed and include a demand for a record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No 440, the objecting party shall serve the petition upon the other party or the party's attorney and the parenting coordinator.

7. RECORD HEARING:

- (a) If the parties do not file an objection within five days of service of the parenting coordinator's recommendation, the court shall:
 - (1) approve the recommendation;
 - (2) approve the recommendation in part and conduct a record hearing on issues not approved;
 - (3) remand the recommendation to the parenting coordinator for more specific information; or
 - (4) not approve the recommendation and conduct a record hearing on the issues.
- (b) As soon as practical, the court shall conduct a record hearing on the issues specifically set forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.5(d).
- (c) If a party makes a timely objection, the recommendation may be entered an interim order of court pending further disposition by the court.

8. ALLOCATION OF FEES:

- (a) The parties will share the obligation to pay the fees of the parenting coordinator as follows: _____% Mother, _____% Father, _____% Third party. Fees may be reallocated by the court or the parenting coordinator if a party has disproportionately caused the need for services of the parenting coordinator.
- (b) The judicial district's established hourly rate of up to \$300/hour shall be set forth in a separate written agreement entered into between the parties and parenting coordinator.
- (c) The parties will pay a joint retainer to the parenting coordinator in the percentages set forth above in an amount to be set forth in a separate agreement between the parties and

the parenting coordinator. After each session, or at least once monthly, the parenting coordinator shall provide the parties with an invoice of charges incurred. The retainer may be replenished as services are rendered. Funds remaining at the conclusion of the parenting coordinator's appointment shall be returned to the parties.

9. TERMINATION/WITHDRAWAL OF PARENTING COORDINATOR:

- (a) The parties may not terminate the parenting coordinator's services without court approval.
- (b) A party seeking the termination of the parenting coordinator's services shall serve the other party or the party's attorney and parenting coordinator with a copy of the petition for termination.
- (c) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court and provide a copy of the petition to the parties or the parties' attorneys.

10. APPEAL:

If there is an appeal of the underlying custody order or this order, then this order shall be stayed during the pendency of the appeal.

BY THE COURT:

_____, J.