

PARENTING COORDINATOR

DEFINITION:

- “A parenting coordinator is a neutral third party who assists in the resolution of disputes between the parties concerning parental responsibilities, including but not limited to implementation of the court-ordered parenting plan.” §14-10-128.1 (1)
- Does not make decisions like Decision-Maker (§12-10-128.3) or arbitrate like Arbitrator (§14-10-128.5), nor make recommendations about best interests of the children like Child and Family Investigator (§14-110-116.5)
- Unlike DM or Arbitrator, a PC can be appointed over parties’ objection when the judge makes certain findings §14-10-128.1 (2) a, b:
 - That the parties have failed to adequately implement the parenting plan;
 - That mediation has been determined by the court to be inappropriate, or, if not inappropriate, that mediation has been attempted and was unsuccessful;
 - That the appointment of a parenting coordinator is in the best interests of the child or children involved in the parenting plan.
 - In addition, the court shall consider the effect of any documented evidence of domestic violence on the parties’ ability to engage in parent coordination

WHY PCs ARE APPOINTED

- Reduce litigation
- Help children by focusing and educating the parents on the needs of the children.
- Minimize chronic conflict
- Implement the parenting plan
- Improve communication

WHY IMMUNITY FOR PARENTING COORDINATORS

- Parenting Coordinator is the only one of the Court-appointed roles for divorced families that does not have some kind of statutory immunity.
- In particular, it is the only dispute resolution role that does not have immunity. Mediators, Decision-makers, and Arbitrators all have immunity.
- It is also the only §14-10-128 role that the Court can appoint over the parties’ objection. The parents must agree to the appointment of a Decision-Maker or Arbitrator.
- The cases where the parties do not want a PC but the judge appoints one because of concerns for the children can be some of the most difficult families to work with.
- There are many qualified, talented people who will not take PC appointments because of the lack of immunity.
- In many cases the Parenting Coordinator is also functioning as the family’s Decision-Maker. The two roles are complementary and often intertwine. Yet only the DM work has immunity. The distinction between the two roles is not as clear in practice as it is on paper.