

**Alan Greenspan admitted that he had put too much faith in the self-correcting power of free markets and had failed to anticipate the self-destructive power of wanton mortgage lending. With that in mind, consider what Betsy Duvall, et al, is asking you to do for Parenting Coordinators.**

- Immunity without accountability.
- Make liability limited to acts that are “willful or wanton”
- SB09-069 is asking you to give Parenting Coordinators Judicial Immunity without a means for the consumer to protect themselves from unethical, negligent, or greed driven Parenting Coordinators in a Court of Law.

“a parenting coordinator shall not be competent to testify and may not be required to produce records as to any statement, conduct, or decision, that occurred during the parenting coordinator's appointment, to the same extent as a judge of a court of this state acting in a judicial capacity.”

- Physicians are required to undergo 4 years of undergraduate work, 4 years of medical school and an additional 3 to 10 years of residency. The average income of a family medicine physician is \$130,000 a year. They are required to carry malpractice insurance in case they are negligent.
- In order for one to become a Parenting Coordinator in the State of Colorado one must do the following:

PCs shall have substantial training in relevant areas. New PCs shall complete 60 hours of training in relevant areas prior to accepting appointments. Mediation training is required before appointment. Attorneys and mental health professionals and other members of the community who are working as PCs shall complete no less than 15 hours of continuing education in relevant areas every three years.

- The average hourly rate for a Parenting Coordinator is between \$80 and \$200 per hour. This equates to \$160,000 to \$400,000 per year.<sup>i</sup> Who pays their salary? The families that agree to utilize their services.

- Medical malpractice is the failure of a professional to follow the accepted standards of practice of his/her profession. What are the professional standards for Parenting Coordinators? Why should they not **also** be held responsible for failing to follow the accepted standards of practice of his/her profession? Especially when they are given sole responsibility making decisions that affect the well being of our children.
- There are no current Standards of Practice, only Guidelines for Parenting Coordinators. Why?
- I have been told by Betsy Duvall that “The Mental Health Board of the Department of Regulatory Agencies handles complaints about therapists. The Medical Examiners Board handles complaints about physicians (psychiatrists) and nurses, too, I believe.”<sup>ii</sup>
- The fallacy in this statement lies in the fact it leads one to believe that the Mental Health Board of the DORA will actually act on a complaint. The reality is that the Mental Health Board washes its hands of all cases involving “domestic or child abuse evaluation undertaken for the purposes of legal proceedings in the courts of this state” by stating that “the Board does not have jurisdiction to intervene in this matter.”<sup>iii</sup>
- **The Association of Family and Conciliatory Courts discuss in their Guidelines for Parenting Coordinators the delineation between High Conflict divorces and Domestic Violence. High Conflict refers to child alignments, estrangements, and alienation. Domestic Violence refers to different research based types of domestic violence, including conflict-instigated violence, violence involving power, control, and coercion, female violence, and separation engendered violence.** <sup>iv</sup>
- Divorce occurs in families with domestic violence at a higher rate. The children are subjected to upheaval, exposed to violence, and emotional

abuse. Because our courts do not recognized the different types of DV, only physical violence, the children of these families are at higher risk for becoming abusers themselves. The abusive parent often exerts control and attempts to alienate the non abusive parent in order to extort revenge on them through the children.

- So who is responsible for Parenting Coordinators who act in a neglectful, unethical, or greed driven manner? No one. Who suffers the most from their actions? Our Children.

**Philosopher George Santana warned that "Those who do not learn from history are destined to repeat it".**

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<sup>i</sup> [http://www.courts.state.co.us/Courts/District/Local\\_Resources.cfm/District\\_ID/17](http://www.courts.state.co.us/Courts/District/Local_Resources.cfm/District_ID/17) Child and Family Investigator Directory

<sup>ii</sup> Email from Betsy Duvall to Amy Craig dated Sunday, March, 15, 2009.

<sup>iii</sup> Letter dated August 10, 2007 to Brian Kenny from Gayle D. Fidler, Program Director of State Board of Marriage and Family Therapist Examiners

Letter dated July 23, 2007 to Scott Lindsay from Gayle D. Fidler, Program Director of State Board of Marriage and Family Therapist Examiners.

Letter dated October 8, 2008 to Janice Whitaker from Carlotta D. Knox, Program Director of State Board of Psychologist Examiners

Letter dated January 22, 2004 to Troy Kramer from Amos D. Martinez, Program Director of State Board of Psychologist Examiners

<sup>iv</sup> Module 2, section C and D of AFCC Guidelines for Parenting Coordination.