

Chicago Daily Law Bulletin®

Volume 160, No. 79

Parenting coordinators help to bridge the gap between couples

The trauma of separation and divorce does not end when the parenting plan is entered. High-conflict parents often reappear in court to resolve even the most routine issues using the court to express their anger and punish the other parent. The children are often put in the middle of the conflict and forced to witness arguments, choose between parents, hide positive feelings about a parent and are used as messengers between the parents.

Without positive structures in place to protect them, these children become anxious, depressed, aggressive and withdrawn. They also often suffer from poor academic performance and lack social and conflict resolution skills.

In early March, the Association of Family and Conciliation Courts (AFCC) hosted training seminars on a relatively new form of dispute resolution known as "parenting coordination."

The first session, "The Essentials of Parenting Coordination: Helping High Conflict Parents Resolve Post-Separation Disputes" and led by nationally recognized research expert, mediator and child psychologist Joan Kelly, was held at Loyola University Chicago Law School. Immediately following the basic workshop, "Pitfalls, Process and Prescriptions: Advanced Strategies for Managing Parenting Coordination Cases," was led by Robin Deutsch.

Both presenters are respected and experienced practitioners in the field of parenting coordination and were involved in drafting the AFCC guidelines for parenting coordinators.

High-conflict families can benefit from a parenting coordinator by providing them with a structured intervention from a professional who has more authority than a mediator. Morgan McGough Rosenberg, a mediator for seven years, explains why she felt the training was important.

"Some families I worked with needed a mediator with more 'teeth.' Someone who wasn't

bound by confidentiality, and who could talk to all parties involved including the children. A parenting coordinator can also coach the parents and manage the way the parents communicate.

"These families often need someone to offer/impose a solution, make a referral or tell a parent when their communication style is preventing them from breaking the conflict cycle."

High-conflict couples need this added support and intervention to get them back on track and to refocus on their children. These parents must be reminded to disengage from one another and to move on with their lives in a way that best supports and protects their children from the risks associated with high-conflict parenting.

Parenting coordination is described as a combination of mediation and arbitration, as the parenting coordinator decides or recommends solutions to the disputes the parents are unable to resolve.

A good parenting coordinator must be adept at gathering information, managing conflict and disputes, making decisions, educating parents, coordinating/case managing, overseeing communication between parents and providing communication skills training and coaching to parents when necessary.

The success of the parenting coordinator's interventions requires the full support of the respective counsels and the court. It is essential that the parameters of the parent coordinator's authority are clear to all parties.

Research shows that when these high-conflict families began working with a parenting coordinator, the number of court filings for these families declined. Additionally, research has shown that the majority of the parents reported satisfaction with the parenting coordination model and a decrease in conflicts with the other parent.

A parenting coordinator is typically engaged with the family for a term of 18 months to two years.

COLLABORATIVE CONCEPTS



**BETH
FAWVER
McCORMACK**

Beth Fawver McCormack is a partner at Beermann, Pritikin, Mirabeli, Swerdlove LLP. She practices exclusively in family law matters and is a collaborative law fellow, mediator and child representative.

The length of engagement allows the parenting coordinator to be a stabilizing presence for children and families. Also, the parenting coordinator gains a deeper understanding of the dynamics between the parents for the children's benefit.

The parenting coordinator can talk to parents, children, extended family, significant others, therapists, social workers, attorneys and teachers. In Illinois, parenting coordinators are not limited by confidentiality. This uniquely empowers them to serve as a conduit of information for children, buffer the child's therapy, or report non-compliance with court orders if necessary.

The parenting coordinator's role is not limited to being reactive. With proper drafting, communication structures can be put in place to prevent or to reduce conflict. They can also schedule and facilitate advance calendaring to handle typical problems (school year, holidays and vacations). With proper planning and structure to manage negotiation of challenging and emotion-ridden decisions, conflict can be prevented or managed more effectively which reduces time in court.

Parenting coordinators can act more quickly than courts and with more information about the parents' conflict patterns. A parenting coordinator has the unique ability to do a quick analysis and resolution of child-related

parental disputes. This rapid response can prevent conflict escalation which often occurs while waiting for a court date.

Finally, through providing education, structure and child emphasis as the frame for all discussions, the parenting coordinator can help refocus the parents on the children's needs. This focus can help parents develop a workable parallel or cooperative parenting arrangement post-separation and divorce.

Parenting coordination fills a gap that litigation and other methods of dispute resolution cannot. The adversarial forum of litigation does not help these families.

While the court ultimately makes a decision, it is limited and reactionary. In the litigation model, judges and attorneys are unable to give parents the structure, skills or information they need to learn how to parent their children in the context of their new reality.

Mediation or collaborative law does not work for these families, as one or both parents either cannot or will not disengage from the conflict, or one or both of the parents does not have the skills or interest in communicating effectively, problem-solving or focusing on their children instead of their marital conflict.

There is a wide variation in jurisdictions in the authority for appointment and decision-making of parenting coordinators, their relationship to the court, when they are appointed, whether the process is confidential and whether children can be involved.

In Illinois, McLean County has recently instituted a court ordered parenting coordination program while Cook County has Local Rule 10.3 designating the scope of authority, qualifications and conditions for either a court-appointed or voluntarily appointed parenting coordinator.

For more information on parenting coordination, contact myself at 312-621-1212 or Morgan Rosenberg at 224-764-0878.