

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR DESOTO, MANATEE AND SARASOTA COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER 2010-2.12

IN RE: PARENTING COORDINATION IN FAMILY LAW CASES

WHEREAS, children caught in the middle of high parental conflict are more likely to be harmed; and

WHEREAS, it is the public policy of the State of Florida to assure that each minor child has frequent and continuing contact with both parents after the parents separate or the marriage of the parties is dissolved and to encourage parents to share the rights, responsibilities, and joys of childrearing; and

WHEREAS, the Florida Supreme Court adopted a guiding principle encouraging a family court process to “empower families through skills development, assist them to resolve their own disputes, provide access to appropriate services, and offer a variety of dispute resolution forums where the family can resolve problems without additional emotional trauma,” as set forth in *In re Report of the Family Court Steering Committee (Family Courts IV)*, 794 So. 2d 518, 522 (Fla. 2001); and

WHEREAS, parenting coordination is a process whereby an impartial third person, called a parenting coordinator, helps the parties implement their parenting plan by facilitating the resolution of disputes between parents and/or legal guardians, providing education, making recommendations to the parties and, with the prior approval of the parties and the court, making limited decisions within the scope of the court order of appointment; and

WHEREAS, the use of parenting coordinators promotes the best interests of minor children and their parents in high conflict cases by reducing the duration and severity of parental conflict, thereby protecting children from the harmful effects of such conflict; and

WHEREAS, in that parenting coordination provides a form of alternative dispute resolution that enhances the purposes of Chapter 61, Florida Statutes, the legislature enacted Section 61.125, Florida Statutes, to establish the procedures for the proper administration of parenting coordination within the State of Florida; and

WHEREAS, Section 61.125, Florida Statutes, became effective on October 1, 2009; and

WHEREAS, this Circuit entered Administrative Order 2009- 20.12, **IN RE: Rescinding “Parenting Coordination in Family Law Cases,”** repealing its prior Administrative Order on Parenting Coordination in Family Law Cases (Administrative Order 2007-1.12); and

WHEREAS, this Circuit has developed forms and procedures not inconsistent with Section 61.125, Florida Statutes, that are relevant to this Circuit that will assist with the effectuation of the provisions set forth in Section 61.125, Florida Statutes; and

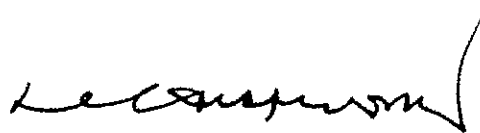
WHEREAS, there are no state-wide adopted ethical guidelines for parenting coordination at this time. This Circuit endorses the general practices and procedures of the Guidelines of Parenting Coordination, developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination (2005), to the extent the Guidelines are not inconsistent with Section 61.125, Florida Statutes.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The provisions set forth Section 61.125, Florida Statutes, shall be followed in this Circuit regarding parenting coordination.
2. The following forms, attached hereto, are hereby adopted and may be used in carrying out the provisions of Section 61.125, Florida Statutes. Any modified version of these forms must be in substantial compliance with these forms. These forms should be used until the Florida Supreme Court has adopted its own forms for statewide application.
 - a. Order of Referral to Parenting Coordinator
 - b. Report of General Magistrate on Motion for Referral to Parenting Coordinator
 - c. Response by Parenting Coordinator
 - d. Request for Discharge as the Parenting Coordinator

This Administrative Order shall be effective as of February 1, 2010, and shall remain in effect until further order of the Court.

DONE AND ORDERED in Sarasota, Sarasota County, Florida, this 12th day of January, 2010.



**LEE E. HAWORTH, CHIEF JUDGE
TWELFTH JUDICIAL CIRCUIT
STATE OF FLORIDA**

Distribution:

Original: Clerk of Circuit Court, Sarasota County

Copy to: All Judges of the Twelfth Judicial Circuit
All Magistrates and Hearing Officers of the Twelfth Judicial Circuit
Walt Smith, Trial Court Administrator of the Twelfth Judicial Circuit
Clerk of Circuit Court, Manatee County
Clerk of Circuit Court, Desoto County
Sarasota County Bar Association
Manatee County Bar Association
Desoto County Bar Association
Gulf Coast Legal Services
Legal Aid of Manasota
Florida Rural Legal Services
Florida Legal Services

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Petitioner,

and

Case No.

Respondent.

_____/

ORDER OF REFERRAL TO PARENTING COORDINATOR

The Court considered the motion of the court, joint motion of the parties, motion of a party, reviewed the court file, considered the testimony presented. Based on this information, the court finds that:

A. **Appropriateness of Process.** This matter is appropriate for parenting coordination and it is in the best interest of the child(ren). This is not a Chapter 741 proceeding.

B. **Parenting Coordination Process.** Parenting coordination is a child-focused alternative dispute resolution process whereby a parenting coordinator assists the parties in creating or implementing their parenting plan by facilitating the resolution of disputes, providing education and making recommendations to the parties; and, with the prior consent of the parties and approval of the court, making limited decisions within the scope of this order of referral.

C. **Parenting Coordinator.** A parenting coordinator is an impartial third person whose role is to assist the parties in successfully creating or implementing a parenting plan.

D. **Selection of Parenting Coordinator.** The parenting coordinator was selected by:

the parties' agreement.

the court.

E. **History of Domestic Violence.** Based upon testimony and evidence presented and a review of related court records, the court has determined:

There is no history of domestic violence.

There has been a history of domestic violence, and there is an injunction for protection in place, and:

Each party has had an opportunity to consult with an attorney or domestic violence advocate before this court has accepted the parties' consent.

- Each party has consented to this referral and the consent has been given freely and voluntarily.
- There has been a history of domestic violence, and there is no current injunction for protection, and:
 - Each party has had an opportunity to consult with an attorney or domestic violence advocate before this court has accepted the parties' consent.
 - Each party has consented to this referral and the consent has been given freely and voluntarily.

Domestic Violence safeguards should be considered.

It is therefore, **ORDERED**:

1. **Parenting Coordinator.** The parties are referred to the following parenting coordinator for an initial period of _____ months:

Name: _____
 Address: _____
 Telephone No. _____
 Fax Number: _____

a. The parenting coordinator shall file a response to this Order within 30 days accepting or declining the appointment. The response to the appointment must be in substantial compliance with the form Response by Parenting Coordinator adopted by the 12th Judicial Circuit.

b. The parties or their attorneys must provide to the parenting coordinator copies of all pleadings and orders related to domestic violence and any other pleadings and orders requested by the parenting coordinator related to parenting coordination.

2. **Meetings.** Unless prohibited herein as a domestic violence safeguard or by another court order, the parenting coordinator may meet with the parties and/or child(dren) together or separately, in person or by any electronic means.

3. **Domestic Violence Safeguards.** The parties shall adhere to all provisions of any injunction for protection or conditions of bail, probation, or a sentence arising from criminal proceedings.

- There has been a history of domestic violence, and there is no current injunction for protection. Therefore, the following domestic violence safeguards should be implemented:
 - None are necessary.

- No joint meetings
- No direct negotiations
- No direct communications
- Other: _____

4. **Role, Responsibility, and Authority of Parenting Coordinator.** The parenting coordinator shall have the following role, responsibility, and authority:

- a. Assist the parties in creating and implementing a parenting plan;
- b. Facilitate the resolution of disputes regarding the creation or implementation of the Parenting Plan;
- c. Recommend to parties strategies for creating or implementing the Parenting Plan. Such recommendations may include that one or both parents avail themselves of accessible and appropriate community resources, including, but not limited to, random drug screens, parenting classes, and individual psychotherapy or family counseling, if there is a history or evidence that such referrals are appropriate;
- d. Recommend to the parents changes to the Parenting Plan;
- e. Educate the parties to effectively:
 - i. Parent in a manner that minimizes conflicts;
 - ii. Communicate and negotiate with each other and their child(ren);
 - iii. Develop and apply appropriate parenting skills;
 - iv. Understand principles of child development and issues facing child(ren) when their parents no longer live together;
 - v. Disengage from the other parent when engagement leads to conflicts and non-cooperation;
 - vi. Identify the sources of their conflict with each other and work jointly to minimize conflict and lessen its deleterious effects on the child(ren); and,
 - vii. Allow the child(ren) to grow up free from the threat of being caught in the middle of their parents' disputes.
- f. Facilitating the ability of both parents to maintain ongoing relationships with their children;
- g. Report or communicate with the court concerning non-confidential matters as provided in paragraph 7 of this order;
- h. Communicate with the parties and their child(ren), separately or together, in person or by telephone, unless otherwise prohibited by court order or applicable law;

5. **Scope of Authority.** The parenting coordinator shall make limited decisions within the scope of this order of referral. A parenting coordinator shall not have decision making authority to resolve substantive disputes between the parties. A dispute is substantive if it would:

- a. Significantly change the quantity or decrease the quality of time a child spends with either parent;
- b. Modify parental responsibility;

The parenting coordinator may have additional authority with express written consent. If there has been a history of domestic violence the court must find that consent has been freely and voluntarily given.

- a. With the expressed written consent of both parties, the parenting coordinator may:
 - i. Have temporary decision-making authority to resolve specific non-substantive disputes between the parties until such time as a court order is entered modifying the decision.
 - ii. Make recommendations to the court concerning modifications to the parenting plan or time-sharing.
- b. With the express written consent of a party, a parenting coordinator may:
 - i. Have access to confidential and privileged records and information of that party;
 - ii. Provide confidential and privileged information for that party to health care providers and to any other third parties.
- c. With the express approval of the court, the parenting coordinator may:
 - i. Have access to a child's confidential and privileged records and information.
 - ii. Provide confidential and privileged information for that child to health care

6. **Fees and Costs for Parenting Coordination.**

- a. The parties have consented to this referral to parenting coordination and have agreed that they have the present ability to pay parenting coordination fees.
- The parties have consented to this referral to parenting coordination and the Court finds that: ___ petitioner ___ respondent ___ both parties has/have the present financial ability to pay parenting coordination fees.
- This order is without the consent of the parties and the court has determined that: ___ petitioner ___ respondent ___ both parties has/have the financial ability to pay the parenting coordination fees and costs.

b. The court allocates payment of fees and costs for parenting coordination as follows: _____% shall be paid by the Father.
_____% shall be paid by the Mother.

c. If a party has caused the parenting coordinator to expend an unreasonable and unnecessary amount of time, the Court may later determine that party will be solely responsible for payment of the parenting coordinator's fees and costs for such time expended or that the party shall reimburse the other party for the parenting coordinator's fees and costs paid by the other party for such time expended. Failure to pay the parenting coordinator's fees and costs in a timely manner may subject the party to sanctions for contempt of court.

d. The parenting coordinator shall not proceed until he/she is satisfied with the terms and conditions of payment for his/her services. Further, the parenting coordinator shall not perform nor continue to perform the parenting coordination services in this case unless all of his/her fees and costs are paid by the parties as ordered, and, in the event of nonpayment, the parenting coordinator shall file a Request for Status Conference, and the court will address the issue of non-payment of fees and costs.

7. **Confidentiality.** All communications made by, between, or among the parties and the parenting coordinator during parenting coordination sessions are confidential. The parenting coordinator and each party may not testify or offer evidence about communications made by a party or the parenting coordinator during the parenting coordination sessions, except if:

a Necessary to identify, authenticate, confirm, or deny a written agreement entered into by the parties during parenting coordination;

b The testimony or evidence is necessary to identify an issue for resolution by the court without otherwise disclosing communications made by any party or the parenting coordinator;

c The testimony or evidence is limited to the subject of a party's compliance with the order of referral to parenting coordination, orders for psychological evaluation, counseling ordered by the court or recommended by a health care provider, or for substance abuse testing or treatment;

d The parenting coordinator reports that the case is no longer appropriate for parenting coordination;

e The parenting coordinator is reporting that he or she is unable or unwilling to continue to serve and that a successor parenting coordinator should be appointed;

f The testimony or evidence is necessary pursuant to s. 61.125 (5)(b) or s. 61.125(8);

g The parenting coordinator is not qualified to address or resolve certain issues in the case and a more qualified coordinator should be appointed;

h The parties agree that the testimony or evidence be permitted; or

i The testimony or evidence is necessary to protect any person from future acts that would constitute domestic violence under chapter 741; child abuse, neglect, or abandonment under chapter 39; or abuse, neglect, or exploitation of an elderly or disabled adult under chapter 825.

8. **Agreement on Non-confidentiality.** The parties can agree to waive confidentiality of a specific communication or all communications. The waiver must be in writing, signed by the parties and their respective counsel. The waiver shall be filed with the court and a copy served on the parenting coordinator. Either party may revoke their waiver of confidentiality by providing written notice signed by the party. The revocation shall be filed with the court and a copy served on the other party and the parenting coordinator.

9. **Scheduling.** Each party shall contact the parenting coordinator within 10 days of the date of this order to schedule the first appointment. The parenting coordinator shall determine the schedule for subsequent appointments.

10. **Withdrawal Procedure.** With Court approval, the parenting coordinator may withdraw from the role of parenting coordinator. The parenting coordinator shall apply directly to the Court with a request to be discharged, and shall provide notice to the parties and their counsel of their request to withdrawal. Either party may seek to terminate the parenting coordinator's services by filing a motion with the Court. The parenting coordinator's services may not be terminated by either of the parties (or at the request of both parties) without order of this court.

11. **Reservation of Jurisdiction.** This Court specifically reserves jurisdiction to enforce and/or modify the terms and conditions of this Order.

DONE AND ORDERED in _____,
County, Florida, on this ____ day of _____, 2010_.

Circuit Judge

Copies to:
Parenting Coordinator
Address of Parenting Coordinator

Name of Party:
Counsel for Party
Address of Counsel

Name of Party:
Counsel for Party
Address of Counsel

Guardian ad Litem
Address of GAL

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Petitioner,

and

Case No.

Respondent.

_____ /

**REPORT OF GENERAL MAGISTRATE ON MOTION FOR REFERRAL TO
PARENTING COORDINATOR**

The above cause came before the undersigned General Magistrate on this _____ day of _____, _____, upon the joint motion of the parties motion of a party, pursuant to the Order of Referral that was entered by the Court on _____, 20___. No objections were filed or made to the Magistrate hearing this cause pursuant to *Fla. Fam. L.R.P. 12.490 (b)(1)*. Both parties appeared and the Magistrate having heard sworn testimony, observed the parties' demeanor, and being otherwise fully advised in the premises, makes the following **findings of fact and conclusions of law**:

A. **Appropriateness of Process.** This matter is appropriate for parenting coordination and it is in the best interest of the child(ren). This is not a Chapter 741 proceeding.

B. **Parenting Coordination Process.** Parenting coordination is a child-focused alternative dispute resolution process whereby a parenting coordinator assists the parties in creating or implementing their parenting plan by facilitating the resolution of disputes, providing education and making recommendations to the parties; and, with the prior consent of the parties and approval of the court, making limited decisions within the scope of this order of referral.

C. **Parenting Coordinator.** A parenting coordinator is an impartial third person whose role is to assist the parties in successfully creating or implementing a parenting plan.

D. **Selection of Parenting Coordinator.** The parenting coordinator was selected by:

- the parties' agreement.
- the court.

E. **History of Domestic Violence.** Based upon testimony and evidence presented and a review of related court records, the court has determined:

- There is no history of domestic violence.
- There has been a history of domestic violence, and there is an injunction for protection in place, and:

- Each party has had an opportunity to consult with an attorney or domestic violence advocate before this court has accepted the parties' consent.
- Each party has consented to this referral and the consent has been given freely and voluntarily.

- There has been a history of domestic violence, and there is no current injunction for protection, and:
 - Each party has had an opportunity to consult with an attorney or domestic violence advocate before this court has accepted the parties' consent.
 - Each party has consented to this referral and the consent has been given freely and voluntarily.

Domestic Violence safeguards should be considered.

Therefore:

1. **Parenting Coordinator.** The parties are referred to the following parenting coordinator for an initial period of _____ months:

Name: _____
 Address: _____
 Telephone No. _____
 Fax Number: _____

- a. The parenting coordinator shall file a response to this Order within 30 days accepting or declining the appointment. The response to the appointment must be in substantial compliance with the form Response by Parenting Coordinator adopted by the 12th Judicial Circuit.
- b. The parties or their attorneys must provide to the parenting coordinator copies of all pleadings and orders related to domestic violence and any other pleadings and orders requested by the parenting coordinator related to parenting coordination.

2. **Meetings.** Unless prohibited herein as a domestic violence safeguard or by another court order, the parenting coordinator may meet with the parties and/or child(dren) together or separately, in person or by any electronic means.

3. **Domestic Violence Safeguards.** The parties shall adhere to all provisions of any injunction for protection or conditions of bail, probation, or a sentence arising from criminal proceedings.

- There has been a history of domestic violence, and there is no current injunction for protection. Therefore, the following domestic violence safeguards should be implemented:

- None are necessary.
- No joint meetings
- No direct negotiations
- No direct communications
- Other: _____

4. **Role, Responsibility, and Authority of Parenting Coordinator.** The parenting coordinator shall have the following role, responsibility, and authority:

- a. Assist the parties in creating and implementing a parenting plan;
- b. Facilitate the resolution of disputes regarding the creation or implementation of the Parenting Plan;
- c. Recommend to parties strategies for creating or implementing the Parenting Plan. Such recommendations may include that one or both parents avail themselves of accessible and appropriate community resources, including, but not limited to, random drug screens, parenting classes, and individual psychotherapy or family counseling, if there is a history or evidence that such referrals are appropriate;
- d. Recommend to the parents changes to the Parenting Plan;
- e. Educate the parties to effectively:
 - i. Parent in a manner that minimizes conflicts;
 - ii. Communicate and negotiate with each other and their child(ren);
 - iii. Develop and apply appropriate parenting skills;
 - iv. Understand principles of child development and issues facing child(ren) when their parents no longer live together;
 - v. Disengage from the other parent when engagement leads to conflicts and non-cooperation;
 - vi. Identify the sources of their conflict with each other and work jointly to minimize conflict and lessen its deleterious effects on the child(ren); and,
 - vii. Allow the child(ren) to grow up free from the threat of being caught in the middle of their parents' disputes.
- f. Facilitating the ability of both parents to maintain ongoing relationships with their children;
- g. Report or communicate with the court concerning non-confidential matters as provided in paragraph 7 of this order;

h. Communicate with the parties and their child(ren), separately or together, in person or by telephone, unless otherwise prohibited by court order or applicable law;

5. **Scope of Authority.** The parenting coordinator shall make limited decisions within the scope of this order of referral. A parenting coordinator shall not have decision making authority to resolve substantive disputes between the parties. A dispute is substantive if it would:

- a. Significantly change the quantity or decrease the quality of time a child spends with either parent;
- b. Modify parental responsibility;

The parenting coordinator may have additional authority with express written consent. If there has been a history of domestic violence the court must find that consent has been freely and voluntarily given.

- a. With the expressed written consent of both parties, the parenting coordinator may:
 - i. Have temporary decision-making authority to resolve specific non-substantive disputes between the parties until such time as a court order is entered modifying the decision.
 - ii. Make recommendations to the court concerning modifications to the parenting plan or time-sharing.
- b. With the express written consent of a party, a parenting coordinator may:
 - i. Have access to confidential and privileged records and information of that party;
 - ii. Provide confidential and privileged information for that party to health care providers and to any other third parties.
- c. With the express approval of the court, the parenting coordinator may:
 - i. Have access to a child's confidential and privileged records and information.
 - ii. Provide confidential and privileged information for that child to health care

6. **Fees and Costs for Parenting Coordination.**

- a. The parties have consented to this referral to parenting coordination and have agreed that they have the present ability to pay parenting coordination fees.
- The parties have consented to this referral to parenting coordination and the Court finds that: ___ petitioner ___ respondent ___ both parties has/have the present financial ability to pay parenting coordination fees.

This order is without the consent of the parties and the court has determined that: ___ petitioner ___ respondent ___ both parties has/have the financial ability to pay the parenting coordination fees and costs.

b. The court allocates payment of fees and costs for parenting coordination as follows: _____% shall be paid by the Father.
_____ % shall be paid by the Mother.

c. If a party has caused the parenting coordinator to expend an unreasonable and unnecessary amount of time, the Court may later determine that party will be solely responsible for payment of the parenting coordinator's fees and costs for such time expended or that the party shall reimburse the other party for the parenting coordinator's fees and costs paid by the other party for such time expended. Failure to pay the parenting coordinator's fees and costs in a timely manner may subject the party to sanctions for contempt of court.

d. The parenting coordinator shall not proceed until he/she is satisfied with the terms and conditions of payment for his/her services. Further, the parenting coordinator shall not perform nor continue to perform the parenting coordination services in this case unless all of his/her fees and costs are paid by the parties as ordered, and, in the event of nonpayment, the parenting coordinator shall file a Request for Status Conference, and the court will address the issue of non-payment of fees and costs.

7. **Confidentiality.** All communications made by, between, or among the parties and the parenting coordinator during parenting coordination sessions are confidential. The parenting coordinator and each party may not testify or offer evidence about communications made by a party or the parenting coordinator during the parenting coordination sessions, except if:

a Necessary to identify, authenticate, confirm, or deny a written agreement entered into by the parties during parenting coordination;

b The testimony or evidence is necessary to identify an issue for resolution by the court without otherwise disclosing communications made by any party or the parenting coordinator;

c The testimony or evidence is limited to the subject of a party's compliance with the order of referral to parenting coordination, orders for psychological evaluation, counseling ordered by the court or recommended by a health care provider, or for substance abuse testing or treatment;

d The parenting coordinator reports that the case is no longer appropriate for parenting coordination;

e The parenting coordinator is reporting that he or she is unable or unwilling to continue to serve and that a successor parenting coordinator should be appointed;

f The testimony or evidence is necessary pursuant to s. 61.125 (5)(b) or s. 61.125(8);

g The parenting coordinator is not qualified to address or resolve certain issues in the case and a more qualified coordinator should be appointed;

h The parties agree that the testimony or evidence be permitted; or

i The testimony or evidence is necessary to protect any person from future acts that would constitute domestic violence under chapter 741; child abuse, neglect, or abandonment under chapter 39; or abuse, neglect, or exploitation of an elderly or disabled adult under chapter 825.

8. **Agreement on Non-confidentiality.** The parties can agree to waive confidentiality of a specific communication or all communications. The waiver must be in writing, signed by the parties and their respective counsel. The waiver shall be filed with the court and a copy served on the parenting coordinator. Either party may revoke their waiver of confidentiality by providing written notice signed by the party. The revocation shall be filed with the court and a copy served on the other party and the parenting coordinator.

9. **Scheduling.** Each party shall contact the parenting coordinator within 10 days of the date of this order to schedule the first appointment. The parenting coordinator shall determine the schedule for subsequent appointments.

10. **Withdrawal Procedure.** With Court approval, the parenting coordinator may withdraw from the role of parenting coordinator. The parenting coordinator shall apply directly to the Court with a request to be discharged, and shall provide notice to the parties and their counsel of their request to withdrawal. Either party may seek to terminate the parenting coordinator's services by filing a motion with the Court. The parenting coordinator's services may not be terminated by either of the parties (or at the request of both parties) without order of this court.

11. **Reservation of Jurisdiction.** The Court shall have specific reserved jurisdiction to enforce and/or modify the terms and conditions of the Order on this Report.

12. The parties have been advised of their right to file objections to the General Magistrate's Report and Recommended Order.

_____ **Both parties waive their right to file objections to the Report and Recommendations of the General Magistrate, and agree that the Order shall be submitted immediately to the Circuit Judge for signature without a ten (10) day waiting period.**

_____ **One or both parties did not waive their right to file objections to the Report and Recommendations of the General Magistrate. Any party may serve exceptions to the report within ten (10) days from the date of service of same. The party filing exceptions will be required to provide the Court with a record sufficient to support the exceptions or the exceptions will be denied. A record ordinarily includes a written**

transcript of all relevant proceedings. The party seeking review must have the transcript prepared if necessary for the Court's review. If no exceptions are filed within that time period, the Court shall take appropriate action on the Report. If exceptions are timely filed, they shall be heard on reasonable notice by either party or the Court. *Rule 12.490(f), Fla. Fam. L.R.P.* The party filing exceptions is required to send copies of the exceptions directly to the Judge assigned to this case, as well as to the undersigned Magistrate.

FOUND AND RECOMMENDED at _____, _____ County, Florida, this _____ day of _____, _____.

General Magistrate

Copies to:

Parenting Coordinator
Address of Parenting Coordinator

Name of Party:
Counsel for Party
Address of Counsel

Name of Party:
Counsel for Party
Address of Counsel

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA
FAMILY DIVISION 3**

_____,
Petitioner,

and

CASE NO. 20____ DR

_____,
Respondent.

_____ /

ORDER/JUDGMENT ENTRY

Pursuant to *Fla. Fam. L. R. P.* 12.490 the Court has by specific order of reference directed that this cause be referred to a General Magistrate. The General Magistrate filed a Report and Recommended Order dated _____, and copies thereof were furnished to the parties and/or their attorneys of record and the Court finding that the parties have waived their right to file objections to the recommendations of the General Magistrate and agreed that the order should be submitted immediately to the Circuit Judge for signature, or that the General Magistrate filed a Report and Recommended Order and no exceptions to the General Magistrate's decision were filed within the ten day time period provided by *Fla. Fam. L. R. P.* 12.490(f). A record of the proceedings before the General Magistrate was established by electronic means pursuant to *Fla. Fam. L. R. P.* 12.490(d)(2). This Court having considered the findings of fact, conclusions of law, and recommendations therein it is thereupon:

ORDERED AND ADJUDGED that:

1. The Court approves the Magistrate's Report and Recommended Order and adopts each and every finding of fact, conclusion of law, and recommendation therein as this Courts order/judgment herein.

2. The Court hereby incorporates by reference the attached Magistrate's decision and makes the same an order/judgment of this Court.

3. The Court reserves jurisdiction to enforce this order and to enter such other orders as may be necessary.

ORDERED at _____, _____ County, Florida this ____ day of _____ 20____.

Circuit Court Judge

Copies to:

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
RESPONSE BY PARENTING COORDINATOR

The 12th Judicial Circuit has temporarily adopted the following form and instructions. The form and instructions were acquired from a proposed Family Law Form created by an ad hoc committee of the Florida Bar Rules and Forms Committee and has been revised to meet the needs of the 12th Judicial Circuit. The Parenting Coordination Program will utilize this form and instructions until the Supreme Court officially adopts a Family Law Form.

When should this form be used?

A person appointed as a parenting coordinator must accept or decline the appointment. If you accept the appointment, you must complete paragraphs 1(a) and 2 and sign it. If you decline the appointment, you must complete only paragraph 1 (b) and sign the form. This form should be typed or printed in black ink.

Important Consideration Before Responding.

A Qualified Parenting Coordinator or other licensed mental health professional under chapter 490 or chapter 491, shall abide by the ethical and other professional standards imposed by his or her licensing authority, certification board, or both, as applicable.

A person that is not a Qualified Parenting Coordinator or a licensed mental health professional under chapter 490 or chapter 491 shall not accept an appointment to serve as parenting coordinator in a matter that presents an apparent or undisclosed conflict of interest. A conflict of interest arises when any relationship between the parenting coordinator and either party compromises or appears to compromise the parenting coordinator's ability to serve. The burden of disclosure of any potential conflict of interest rests on the parenting coordinator. Disclosure shall be made as soon as practical after the parenting coordinator becomes aware of the potential conflict of interest. If a parenting coordinator makes an appropriate disclosure of a conflict of interest or a potential conflict of interest, he or she may serve if all parties agree. However, if a conflict of interest substantially impairs a parenting coordinator's ability to serve, the parenting coordinator shall decline the appointment or withdraw regardless of the express agreement of the parties.

A parenting coordinator shall not provide any services to either party that would impair the parenting coordinator's ability to serve as a neutral.

What should I do next?

After completing and signing this form, you must file the original with the clerk of the circuit court in the county in which the action is pending and keep a copy for your records.

You must mail or hand-deliver a copy of this form to the attorney(s) for the parents or, if not represented by an attorney, to the party.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For more information, see section 61.125, Florida Statutes, The 12th Judicial Circuit’s Administrative Order on Parenting Coordination, 12th Judicial Circuit policies and procedures located at www.jud12.flcourts.org under the “Family Division Programs” link, and the Order of Referral to Parenting Coordinator.

Special notes

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of Disclosure from Nonlawyer, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also must put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Petitioner,

and

Case No.

Respondent.

_____ /

RESPONSE BY PARENTING COORDINATOR

I, {name} _____, notify the Court and affirm the following:

1. Acceptance [check **one** only]
 - I accept the appointment as parenting coordinator.
 - I decline the appointment as parenting coordinator.

2. Qualifications [check **one** only]
 - I meet the qualifications in section 61.125(4), Florida Statutes.
 - I do not meet the qualifications in section 61.125(4), Florida Statutes. However, the parties have chosen me by mutual consent and I believe I can perform the services of a parenting coordinator because: _____

3. I am not aware of any conflict, circumstance, or reason that renders me unable to serve as the parenting coordinator in this matter and I will immediately inform the court and the parties if such arises.

4. I understand my role, responsibility, and authority under the Order of Referral to Parenting Coordinator, the 12th Judicial Circuit Administrative Order for Parenting Coordination, 12th Judicial Circuit adopted policies and procedures, and section 61.125, Florida Statutes.

I hereby affirm the truth of the statements in this acceptance and understand that if I make any false representations in this acceptance, I am subject to sanctions by the Court.

Printed Name: _____ Signature _____ Date _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Professional License # (if applicable) _____ Professional Certification # (if applicable) _____

Copies to:

Father's Attorney, or Father, _____

Mother's Attorney, or Mother, _____

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Petitioner

v.

Case No.

Respondent
_____ /

REQUEST FOR DISCHARGE AS THE PARENTING COORDINATOR

The undersigned Parenting Coordinator, appointed by the Court, hereby requests an order discharging the Parenting Coordinator and would show:

1. The Parenting Coordinator was appointed on the ____ day of _____, 20____, and has served in that capacity to date.

2. The Parenting Coordinator should now be discharged by the Court because:
(check all that apply)

_____ a. The Parties have now achieved a satisfactory level of cooperation such that the parenting plan ordered by the Court is being regularly followed by the parties.

_____ b. The parties are unlikely to achieve a satisfactory level of cooperation to implement the Court's Parenting Plan with the undersigned Parenting Coordinator. The Court may wish to consider appointing another parenting coordinator, or consider other options.

_____ c. The parties have not achieved a satisfactory level of cooperation, though with more time and effort it is reasonably possible. However, the parties can no longer financially afford the services of the Parenting Coordinator.

_____ d. Other:

Wherefore, the undersigned Parenting Coordinator requests the Court enter an Order discharging the Parenting Coordinator from all duties and responsibilities in this matter.

Parenting Coordinator,
Name

I hereby certify that on this _____ day of _____, 20____, true copies of this Request for Discharge as the Parenting Coordinator have been served by mail to:

1. Father, _____, whose address is _____

2. Mother, _____ whose address is _____

3. Attorney for Father, _____ whose address is _____

4. Attorney for Mother, _____, whose address is _____

Parenting Coordinator,

Name: _____

Address: _____

Phone: _____