

A Referee for Mom and Dad --- Increasingly, Divorced Couples Enlist Professionals to Help Resolve Parenting Disputes

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19 September 2007

The Wall Street Journal

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English

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Bill Cumming, of Lake Elmo, Minn., got divorced a number of years ago, but as his son grew older, problems arose between Mr. Cumming and his ex-wife. They couldn't agree whether their son should hold a job during school, when he should be allowed to drive and what high-school classes he should take, among other issues. "There was really no effective communication that could take place between my ex-wife and me," says Mr. Cumming, 51 years old.

Then Mr. Cumming's lawyer suggested they turn to an increasingly popular option for divorced couples: a "parenting coordinator."

Professional parenting coordinators help ex-spouses work through the nitty-gritty decisions of child care: who should pick the kids up from school, what summer camps the children should attend, even when it's okay for kids to get their ears pierced. If parents can't resolve an issue, the coordinator can often make a decision for them, although the parents may be able to challenge it in court.

Generally, parenting coordinators are recommended by family-court judges or lawyers to ex-spouses who are in longstanding disputes. But in some places, such as Oklahoma, courts can mandate the use of a parenting coordinator even if the parents object. The service can get expensive, with coordinators typically charging anywhere from about \$50 to \$350 an hour.

Some of the issues parenting coordinators help resolve may be minor, but if left unaddressed, they can be the source of nasty fights that wind up in the courthouse, cost thousands of dollars in legal fees and clog family-court dockets. Robert Ross, supervising judge of the Nassau County, N.Y., matrimonial courts, had a case

several weeks ago in which one parent was furious that the other parent was taking their child to McDonald's rather than Burger King.

"We have a limited amount of time during the day to deal with really important stuff," says Judge Ross. In the past few years, he says, parenting coordinators have helped reduce visits to his court over relatively small issues.

Parenting coordinators typically hold regular meetings or email or phone conversations with parents, either individually or together, and they sometimes meet with the kids to get their point of view. They observe clients' parenting and communication styles and try to teach parents how to communicate more effectively, documenting their progress. Above all, they say, they try to help parents resolve disputed issues themselves. But if parents still can't agree, the coordinator can often make the final call.

Some parents and legal professionals worry that parenting coordinators may only complicate a conflict or that they may have too much authority, making some decisions best left to judges. Still, as awareness of parenting coordinators improves among lawyers and judges, the field is growing.

The coordinators, who usually have backgrounds as mental-health professionals, lawyers or mediators, say they generally set rules to help parents work together more effectively. Kathleen M. Newman, a Minneapolis family-law attorney and parenting coordinator, says she often has parents call each other only after the children go to bed, so the children can't hear arguments, or has them communicate via email. For scheduling vacations or visits, she recommends clients use OurFamilyWizard.com, an online scheduling program for divorced parents.

In Mr. Cumming's case, meetings with a parenting coordinator helped him and his ex-wife make decisions more effectively, he says. The coordinator took careful notes of the former couple's comments, for instance. "You couldn't go back and say 'I didn't say that' or 'I never agreed to that,' because we were coming back to the same person and her written record," says Mr. Cumming, a lawyer. His ex-wife declined to comment after being contacted by intermediaries.

Parenting coordinators say that demand for their services is brisk. Robin Deutsch, a Boston psychologist, currently has about 15 parenting-coordinating cases, three times as many as a couple of years ago. More people are also being trained to serve as coordinators. A decade ago, says Matthew Sullivan, a Palo Alto, Calif., parenting coordinator and psychologist, there tended to be a handful of people at training workshops. Now, some workshops draw more than 100 people.

In the past decade, more states and counties have put in place statutes or programs spelling out rules and qualifications for parenting coordinators, though practices still vary widely across the country. About a dozen states, including Colorado, North Carolina and Oklahoma, now have statutes giving authority to parenting coordinators, most of them also setting rules for how they should practice, says Barbara Bartlett, a Tulsa, Okla., attorney who has tracked the laws. A growing number of jurisdictions, such as some counties in New York and New Jersey, use coordinators regularly even without state statutes.

The Association of Family and Conciliation Courts, a group of family-law and mental-health professionals, issued guidelines in 2005 outlining appropriate practices and training. The group, based in Madison, Wis., also holds parenting-coordinator training sessions around the country. Still, states have yet to adopt formal licensing or accreditation for parenting coordinators.

As the field grows, with wide variation among states and counties in how the coordinators are used, some parents and legal professionals are becoming concerned. Some coordinators may not be well-equipped to handle extremely high-conflict parents or really tough situations involving domestic violence, substance abuse or severe mental illness.

Brian Schwartz, a Summit, N.J., family-law attorney, says that although parenting coordinators can be very valuable, they may have too much authority in some cases and may limit parties from going to court when it may be in their best interest. He's also concerned about the cost of the service, especially if the two parents have very different financial circumstances. "Unfortunately, parenting coordinators are used too often as a crutch," he says.

"Judges believe if two people can't get along, a parenting coordinator will solve everything."

Parents may also chafe at strangers essentially making decisions on how to raise their children, or may feel a parenting coordinator is biased toward their ex. "There are certainly concerns about decision-making being in the hands of people other than judges," acknowledges Peter Salem, the executive director of the Association of Family and Conciliation Courts. "It's a reasonable concern."

Parents usually share coordinators' fees, though courts may have one parent pay a bigger slice, depending on financial circumstances. Parents may be able to remove a parenting coordinator, depending on the terms of the parenting coordinator agreement, but they may need a judge's approval to do so.

There are some issues that are considered off-limits for parenting coordinators. Generally, courts don't allow them to address major issues that can substantially change the terms of the divorce agreement or affect the rights of parents, such as custody arrangements, relocation decisions or substantial decisions regarding religion. They typically can only decide a range of issues that the parents and the court agree on.

Despite these caveats, some clients say the service has been invaluable. Jennifer Johnston was divorced several years ago and got along decently with her ex-husband. Earlier this year, however, their young son was in an accident and needed to have part of his leg amputated. "When this came up, there were some pretty big decisions that had to be made. Our communication with each other bottomed out," says Ms. Johnston, 37, an information-technology manager in Atlanta.

Susan Boyan, an Atlanta parenting coordinator and psychologist, helped the two parties work on their communication, encouraging them to limit oral communication and use emails. She also recommended that they tone down sarcasm in emails and avoid using all-capital letters.

"A parenting coordinator has the ability to defuse the emotion," says Ms. Johnston. "She kept us out of court." That, she notes, is "hugely beneficial to our son. Anything we can do to keep him away

from additional conflict and keep his life stable is good." Her ex-husband didn't respond to a request for an interview via an intermediary.