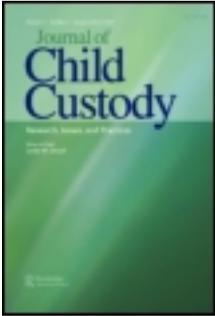


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### Positive Coping Among Experienced Parenting Coordinators: A Recipe for Success

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## **Positive Coping Among Experienced Parenting Coordinators: A Recipe for Success**

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*Functioning as a Parenting Coordinator is an increasingly encountered professional role for attorneys and mental health professionals. The role can be both rewarding and challenging. This study explores the stresses and challenges to Parenting Coordinator practitioners and reviews self-reported positive coping strategies across a sample of experienced North American Parenting Coordinator professionals. Results consistently revealed that high levels of effective practice and low levels of associated stress were consistently associated with firm Parenting Coordinator role definitions and boundaries, thorough education of participants, standardized office protocols, use of Parenting Coordinator agreements, and a highly organized filing system.*

*KEYWORDS* parenting coordinators, post-divorce services, practice coping strategies

Parenting Coordination (PC) is a multi-disciplinary alternative dispute resolution (ADR) professional activity that has become well established across North America (Coates, Deutsch, Starnes, Sullivan, & Sydlik, 2004; K. Kirkland & K. E. Kirkland, 2006; K. Kirkland & Sullivan, 2008; Sullivan, 2004). A PC offers families rapid access to the process of dispute resolution for post-divorce issues and an audience with a neutral family law professional who understands the dynamics of post-divorce families and has been granted some court-sanctioned authority to make decisions for them if they cannot resolve the matter through PC consultation (Coates, Fidler, & Sullivan, 2006). While there are other post-divorce ADR processes available

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to families, such as mediation, PC appears to be emerging as a popular intervention (K. Kirkland & Sullivan, 2008).

Parenting coordination is a child-focused alternative dispute resolution process for parents who, unable to implement their parenting plans because of their high levels of conflict, habitually ask the court to revisit parenting plans and to make parenting decisions, most of which are not legal in nature (Deutsch, 2008). Parenting coordinators attempt to teach divorced parents how to function independently of the court to resolve conflicts and implement their own parenting plans.

The purpose of this article is to explore the stresses and professional challenges to PCs and to review self-reported positive coping strategies across a sample of North American PC professionals. This study is not directed toward the specific techniques of PC practice. Rather, the study seeks to explore the self-care skills, risk management principles and professional practice techniques of experienced PCs. It is proposed that this self-care skill set is crucial to both PC effective practice as well as PC well being and effective stress management.

Pickar (2007) observed that little has been written about self-care and prevention of burn out in response to the professional and personal challenges of work in the area of forensic mental health professionals (FMHPs) who conduct child custody evaluations (CCEs). As Pickar points out, “conducting child custody evaluations must certainly rank as one of the most challenging, risky and stressful endeavors one can undertake” (p. 103). Other researchers have provided empirical documentation that CCE work increases the practitioner’s risk for both licensure board complaints (K. Kirkland & K. L. Kirkland, 2001) and civil lawsuits (Bow & Quinnell, 2001). As K. Kirkland (2002) noted, the greater likelihood of encountering such professional practice problems “may keep many of psychology’s best practitioners from ever entering the (mine) field of child custody evaluation” (p. 185). In addition, compared to divorce mediation and child custody evaluation, PC entails higher levels of practice management risks because it entails more exposure and a much longer and more comprehensive relationship with the participants.

Pickar (2007) makes an important point. Working as a FMHP in the area of conducting CCEs is usually a stressful and difficult professional activity. PC work is an equally challenging, risky, and difficult endeavor that appears to be growing in popularity. Despite the challenges, PC can be professionally, personally, and financially rewarding.

The growth and development of PC as a multidisciplinary professional role has been facilitated by the Association of Family and Conciliation Courts (AFCC). The AFCC is an international multidisciplinary organization dedicated to improving the lives of children and families through the resolution of family conflict. The AFCC promotes a collaborative approach to serving the needs of children among those who work in and with family law systems,

encouraging education, research, and innovation and identifying best practices. The development of PC has been facilitated by a PC task force (AFCC, 2003, 2006) and an ongoing web-based PC list serve discussion group.

### PC: A “POSSIBLE” PROFESSION

Freud (1937) characterized psychoanalysis as the “impossible” profession. One can only imagine how he might characterize the practice of CCE and PC. There is a significant amount of scientific literature and tradition advising psychotherapists how to take care of themselves and to avoid impairment (Coster & Schwebel, 1997; Barnett, Baker, Elman, & Schoener, 2007). Family law FMHPs would do well to borrow from this rich literature and apply this knowledge about self-care and impairment prevention to the professional practice of PC.

Parenting Coordination is a professional activity practiced primarily, if not exclusively, by qualified FMHPs and attorneys, who in turn are regulated by their own professional licensure boards. It is possible that qualified professionals could come to be so engaged in the practice of PC that their professional identity is that of Parenting Coordinator. The growth of the PC role in terms of professional identity, practice guidelines, and risk management strategies has resulted in the establishment of a very “possible” profession for properly qualified attorneys and mental health professionals.

### LIMITATIONS OF THE PC ROLE

Despite numerous positive developments and considerable growth across jurisdictions, there have been “growing pains” and problems with the expansion of the PC role. While there has been movement toward uniformity of role definition and function as demonstrated by the findings of K. Kirkland and Sullivan (2008), it is clear that there are multiple existing models of parenting coordination that vary considerably across multiple jurisdictions. In addition, not all jurisdictions provide for some form of limited immunity for PCs, even when they are functioning in court appointed roles, thereby clearly increasing practice liability risks.

Bartlett, Cavellero, & Fieldstone (2005) observed that constitutional challenges to newly passed PC laws typically emerge along three dimensions: (1) equal protection; (2) substantive due process; and (3) procedural due process. The basic constitutional provision of “equal protection under the law” means that no person or class of persons shall be denied the same protection of the laws that is enjoyed by other persons or classes in like circumstances in their lives, liberty, property, and in their pursuit of happiness (*People v. Jacobs*). Sullivan noted that 9 out of 10 objections in PC cases are based on procedural due process objections (2006).

There is the potential for problems from the multiplicity of roles played by the PC with high conflict families. K. Kirkland and K. E. Kirkland (2006) addressed some of these areas along the lines of risk management and aspirational ethics for PCs. One potential problem is that the PC is asked to play a facilitative and supportive role in the ADR phase of attempting to resolve disputes, but may then be quickly asked to function in a more probative, evaluative mode and report barriers to progress to the Court, thereby potentially alienating one party at a given time.

A risk management potential solution to this problem involves working with the parties in the beginning of the relationship through the training phase on how each party would feel and react when such an event occurs. The PC can also point out in training that it really helps with PC credibility when the parties both have the above experience on both ends of the decision. It may also help at this point to remind the parties that PC decisions are subject to review by the Court upon appeal of the parties.

In their role as *parens patriae*, courts are permitted to use case managers (*Zafran v. Zafran*, 2002) and parenting coordinators *LS v. LF*, 2005. However, courts may not delegate their decision-making authority in custody and visitation matters to arbitration (*In the Matter of Henrietta D. v. Jack K.*, 2000, *Harris v. Iannaccone*, 1985). Thus, courts may use parenting coordinators to help implement parenting orders, but may not use parenting coordinators to make decisions that substantially alter the rights of either parent.

K. Kirkland (2008) observed that there may be some advantages to diversity of role definition and evolution of varied pathways to development of any professional role. Differences allow for multiple models to experience longitudinal trials. The PC model is being frequently utilized in different ways across multiple jurisdictions, states, provinces, and countries. This diversity of experience ultimately benefits the larger practice community and the resulting comparative lessons through sharing of information about success stories as well as areas of problematic function. Out of this diversity, there should be movement toward greater uniformity of PC role definition as well as practice guidelines.

It is hypothesized that current efforts toward greater uniformity of PC guidelines for practice, role definition, and coordination among states and provinces results in greater uniformity of PC practices across jurisdictions. In addition, it is further proposed that positive development in the area of greater uniformity of practice through PC role development results in lower stress levels among PC practitioners.

## METHOD

This study utilized the constant comparative method of qualitative analysis (Glaser, 1992), which utilizes systemic generation of theory and findings

from data that contains both inductive and deductive thinking and specific inductive methods of data collection. This approach primarily involves inductive analysis which seeks to generate patterns, themes, and categories that emerge out of the data rather than being imposed on the data prior to collection and analysis (Patton, 1990). Data were collected from four sources: (1) By posting direct queries about specific practice techniques and effective PC coping strategies on the AFCC Parenting Coordination List Serve On-Line Discussion Group over a 12 month period (February/2007–February/2008); (2) by collecting data about specific positive coping strategies from 8 well-known national PC practitioners who were identified by the author because of the frequency with which their name has been associated with PC research and practice; (3) by reviewing data from a survey of 54 experienced North American PCs who participated in a national survey concerning PC practice characteristics; and, by (4) reviewing all published journal articles on PC in two journals: the *Journal of Child Custody: Research, Issues, and Practices* and *Family Court Review* for an 8 year period between 2000 and 2008. These are the two journals that are cited most frequently in two separate search engine generated literature reviews for this period of time.

The constant comparison method generates a kaleidoscope of data (Dye, Schatz, Rosenberg, & Coleman, 2000) that takes data from raw bits into categories based on inductive analysis. Categories of data are created when the researcher groups or clusters the data on this basis of content analysis.

The first assessment strategy involved explaining the purpose of the study on the AFCC PC List Serve and asking for responses. Separate postings resulted in generation of a number of specific responses and suggestions. The second strategy involved directly contacting 8 well known PCs with a brief statement of purpose and a one page questionnaire about specific positive PC practice coping strategies. Five of the PCs were PhD psychologists and 3 were lawyers. All participants had over 5 years of experience as PCs. The third strategy involved a survey of experienced North American PCs which included 24 PhD psychologists, 10 Masters in Social Work (MSWs), 8 Licensed Professional Counselors (LPCs), 6 bachelor's level PCs, and 6 attorney PCs who averaged 8 years of PC experience. The fourth strategy involved a specific review of the two target journals for all articles involving any mention of PC. The articles were identified, collected, and reviewed by the author for specific reference to positive coping PC practices. This particular triad of data sources was selected based on the recommended areas of focus of evidence-based practice: best reported clinical practices, best available research, and unique client characteristics (Norcross, Hogan, & Koocher, 2008).

Initial data analysis involved a listing of all suggested positive coping strategies. Careful scrutiny of the raw data bits resulted in a tentative list of possible categories for inclusion for further category refinement. In the initial analysis, all entries were listed. A second tier analysis involved category

refinement and reduction of overlap. In this way the categories came to fit the collected data, rather than actively creating categories to fit the data. This analysis is the hallmark feature of the constant comparison method (Dye, et al., 2000).

## RESULTS

The constant comparison method of qualitative analysis resulted in the generation of nine categories of positive coping based upon three data sources: AFCC List serve Responses, Individual experienced PC interview responses, and specific journal literature review. The following categories were generated: Philosophical Base, Training and Preparation, Office Protocol/File Management, PC Screening and Education, Use of PC Agreements and Standardized Forms, Use of Specific Techniques, Peer Consultation Groups, Boundary Management, and Quasi-Judicial Immunity & Term Limits.

Findings from each area are presented in the following sections.

### Philosophic Base

There were two prevalent themes across responses that both can be categorized under the theme of the PC working from a firmly established philosophical base. First, there was a clear consensus and theme directing PCs to prevent practice stress by being firmly grounded in the best interests' standard for children and families. There was clearly a general theme of advice for the practicing PC: Be firmly grounded in a well established philosophic base and that base will serve to guide the PC through the stressful encounters which inevitably accompany PC practice.

In addition, many PCs mentioned the importance of completing a basic course in divorce mediation (often 30–40 hours). Many responses noted that being firmly grounded in ADR theory and practice is crucial to effective practice, which was repeatedly emphasized as resulting in positive coping by PCs.

There was a general consensus across data sources that PCs need to be very firmly grounded in the fundamental precepts of ADR philosophy and practice in order to successfully serve the needs of clients and to practice effective stress management. Several sources noted that the ADR philosophic component keeps PCs focused on the reality that most PCs see as their central function the facilitation of settlement of parenting disputes by the process of mediation. It was noted that it is often the less encountered need to make decisions through an arbitrate function, where that ability has been granted, that brings on the greater levels of PC stress. Therefore, being firmly grounded in ADR philosophy is crucial to the business of effective PC practice and prevention of excessive PC stress.

## Training and Preparation

One of the clearest trends across data sources was in the area of proper training and preparation for PC practice. There was strong agreement that one of the best ways to guarantee PC effectiveness, client satisfaction, and to guard against high levels of PC practice stress is to ensure that PCs have a baseline level of education, training, and experience. K. Kirkland and Sullivan (2008) surveyed experienced PCs across U.S. and Canadian jurisdictions and found that PC is consistently multidisciplinary across the legal and forensic mental health professions. The modal profile is that most jurisdictions require a minimum of a master's degree in a mental health field or a law degree, 5 years of professional experience, and a current license in their area of practice with no outstanding ethical violations. Most jurisdictions also require completion of a 40 hour training program in divorce mediation. There was universal concern from all data sources that PCs receive adequate training in the area of the unique dynamics of coping with high conflict families. Deutsch (2008) notes that training in mediation and learning about the high conflict family are essential components of PC stress inoculation/self-care training in the field.

The AFCC PC Guidelines (2005) suggest a training model that identifies five training modules that are essential to any PC training program. The content areas of these modules are: (A) The Parenting Coordination Process; (B) Family Dynamics in Separation and Divorce; (C) Parenting Coordination Techniques and Issues; (D) Court Specific Parenting Coordination Procedures; and (E) Domestic Violence Training. The AFCC has promulgated PC Practice Guidelines. Knowledge of the guidelines as well as knowledge of the professional literature in the area of PC practice is crucial to the process of guiding PC practice decisions. Being able to discuss how one is adhering to guidelines is a practice associated with lower levels of practice stress. Or, in the alternative, thorough knowledge of the existing literature and professional practice standards also allows the PC to provide informed explanation for how and why there was variation from the guidelines. Either way, positive coping was the suggested outcome for PCs in the practice trenches.

## Office Protocol/File Management

Analysis of the results revealed that there were multiple suggestions along the lines of advising PCs to develop standardized methods of handling the intake and orientation process. Martindale routinely presents AFCC Pre-Conference Institutes on Risk Management in conducting child custody evaluations. Dr. Martindale's philosophy is best summed up in the Latin phrase, "Praemonitus, Praemunitis" (Forewarned is Forearmed) when it comes to the PC office orienting and educating CCE participants. This advice

also applies to PC participants. While all that occurs, from initial phone call to termination, is the ultimate responsibility of the PC, key office personnel can be trained to standardize many aspects of the parameters of effective PC practice.

Effective PC practice involves developing standard and uniform manners of orienting participants to the PC process, from initial phone inquiry to attorney calls to dealing with questions about retainers and billing. One survey participant advised, "Establish well-worn paths for PC practice and stick to the plan to keep stress low." Standardized intake and case management procedures are hallmark signs of effective practice management and were mentioned universally across all PCs in this practice sample. Deutsch (2008) advises that PCs should be proactive in this area and anticipate problems before they arise by developing and using standardized and uniform intake and case management office protocols.

K. Kirkland and Sullivan (2008) surveyed experienced PCs across multiple jurisdictions. These researchers found that most of the PCs in their sample utilize retainers for billing purposes. In their sample of 54 experienced PCs, 90% indicated use of retainers with an average retainer amount of 20 hours to get the case underway. Several practitioners noted the need for a fair amount of review and consultation work to occur before the initial PC meetings with the parties. Most parties split the fees 50/50 in terms of division of financial responsibility. One respondent noted that he not only charges more for PC and related FMHP services than for psychotherapy, but now that he is in a predominantly PC practice, he routinely takes more frequent breaks and vacations in order to recover from the added stress of working with high conflict couples.

Many participant PCs noted the importance of proper file management as crucial to positive coping. Effective file management was identified as one of the major components of well-functioning in the practice of family law in a survey of domestic lawyers (K. Kirkland & K. L. Kirkland, 1999). In the current survey concerning positive coping techniques, PCs were advised to commit organized file management to habit. Several respondents noted that organized and standardized file construction facilitates effective record keeping which, in turn, results in more highly ordered PC practice. One respondent specifically suggested color coded files with separate compartments for all letters, note, previous evaluations, archival records, phone calls, emails, court orders, billing and payment records, and copies of all handouts and PC agreements or decisions.

## PC Screening

Irvin (2008) offered valuable advice through the AFCC PC list serve concerning screening of cases. Irvin requires that couples meet with her in a pre-PC work screening meeting to determine suitability for PC work and to assess

her ability to work with the particular family. Irvin charges her regular rate for this 2 hour meeting and then routinely assesses standard areas of functioning: (1) their history of conflict with one another; (2) current issues in dispute; (3) history of attempts at resolution or failure; (4) motivation to change or resolve conflicts; (5) their goals and objectives; (6) their knowledge of the PC process and provide education where needed; and (7) a screen for domestic violence and mental health issues. The screening meeting also allows for setting of expectations and boundaries, role definition, rules of engagement, billing, record-keeping, etc., which can then set the stage for excellent PC practice management and coping.

Barbara Jo Fidler, PhD, a Canadian psychologist PC, uses a similar orientation session with parties, as well as an intake questionnaire, along with her formal PC agreement and a pattern or standard order, to screen and educate the participants (Coates et al., 2006). In Canada, participants in domestic relations actions can be “pro se,” but must have documents like a PC Agreement or any final documents generated in the PC work reviewed by a lawyer and then produce proof of such independent legal consultation. Dr. Fidler observed that the orientation session is the opportunity for parties to “tell their story,” which Dr. Fidler feels is essential to healthy PC processing. This element also gives the PC the opportunity to screen the parties (Coates et al., 2006). Dr. Fidler notes that this can also present the PC with an opportunity to proactively manage PC stress by predicting difficulty, setbacks, and dissatisfaction. In addition, the PC can reduce stress on all the participants by modeling healthy conflict resolution techniques (Coates et al.).

### Use of PC Agreements

PC agreements are essential to stress management and an effective, successful PC practice (Deutsch, 2008). Therefore, solid, organized, and thorough PC agreements are necessary ingredients in the recipe for positive PC coping. A PC agreement can set the stage for healthy communication and effective conflict resolution. Some states and jurisdictions also use pattern PC appointing orders, which serve as the court’s version of the PC agreement. A pattern order is a standardized order used by a court to apply to a particular recurrent need of the court. While pattern orders are not universally utilized across all jurisdictions, they can be essential tools in setting the parameters and expectations for effective case management. The existence of a pattern order does not preclude use of pattern PC agreements. The standard PC agreement discussed across data sources in this survey included the following elements:

(1) Basis and Scope of PC Authority; (2) PC must be named in the agreement or order by specific legal name for malpractice insurance and quasi-judicial immunity purposes; (3) Issues of Confidentiality and *ex parte* Communications with the Court; (4) Term of Service; (5) Method of PC Removal/Resignation/Grievances; (6) Domestic Violence Screening and

Related Policies; (7) Provision of Quasi-Judicial Immunity; (8) Issues of Continuing Jurisdiction and *de novo* review; and (9) Fee Arrangements.

The PCs on the AFCC list serve have been very generous with other PCs in terms of sharing practice guidelines and specific materials such as handouts, forms, PC Agreements, sample pattern orders, and office protocols. This type of sharing of information is not only helpful in terms of specific practice management techniques, but is also useful in assisting with positive coping. Several respondents noted the value in discovering that they had professional peer support and the shared experiences of coping with difficult family situations.

### Use of Specific Techniques

Multiple experienced PCs in this survey noted that specific practices and techniques continue to emerge in their practices as effective tools for PC management. Further, the PCs noted that consistent use of effective strategies resulted in improved coping outcomes. While many of the strategies are essentially good professional and ethical practices for all mental health and legal professionals, it was repeatedly noted across data sources that it should be emphasized to others that judicious use of effective techniques consistently results in both effective practice and improved stress management. Thus, in this area, it was repeatedly emphasized that it is vitally important to point out to others seeking to minimize stress that effective use of effective techniques results in effective stress management.

The use of email was cited by multiple practitioners as an extremely effective communication technique in PC work. Conference calls were also noted, but emailing emerged as a frequently cited technique. It was noted that the PC should be copied on all emails with the notation that the inclusion of the PC in the email loop can often help parties clean up language, decrease emotional “barbs,” and learn to take the high road in the process of navigating difficult communications. In addition, emailing provides a permanent record for all parties of the parental communication transactions. The PC can charge for lengthy email reviews, but often brief responses are possible, without billing, and insure the parties of quick PC access. It is often necessary for the PC to work with one party *ex parte* for the purpose of “cleaning up” the emails of emotion laden or even abusive content. This “email communication training” can also include limiting the number of emails per day as well as the number of issues addressed per email.

It was recommended that PCs be explicit with participants about the process of email review and billing for email work. It was noted by several practitioners that this review work can be time consuming and also crucial to success in terms of case management. It is equally important that the PC establish private computer files and routinely print out all email exchanges for purposes of file management. The emphasis in email work is that the participants use email as an objective means of re-establishing a co-parenting

relationship in a non-threatening medium, with the knowledge that the PC is monitoring them. The PC can then be in a position to “coach” and provide individual feedback to one or both parties.

Several PCs also noted that forming the habit of regular letter writing is a very effective management measure that routinely increases PC effectiveness and control, thereby improving positive coping levels. Letters memorializing PC agreements and PC decisions with copies to the Court and all parties were universally recommended as a necessity to principles of efficiency, risk management, and positive coping (K. Kirkland & K. E. Kirkland, 2006). Letters documenting PC work are essential to protection against frivolous board/bar complaints and civil lawsuits (K. Kirkland et al., 2006). One PC had a civil suit dismissed at the summary judgment stage which is the earliest possible place for dismissal. It was clear in the Judge’s written opinion in dismissing this lawsuit that the PC’s habit of regular letter writing with copies to the Court and all parties was very helpful in facilitating the early dismissal (K. Kirkland et al., 2006).

Several PCs recommended use of paradoxical interventions such as use of parables or stories to make a point to PC participants. Stories can be very useful PC tools, according to several PCs. However, there were some general warnings attached to the use of stories. These warnings included admonitions to use stories that are consistent with the background and framework of the participants, as well as the general caution to be careful about use of humor in the PC meeting. One PC noted that if there was any humor or levity that the focus should be on the PC and not on the participants.

### Peer Consultation Groups

PC is not the type of work that should be done in isolation. There was a consistent theme across data sources advising the use of peer consultation as a primary positive coping strategy. The premiere peer consultation group worldwide is AFCC’s PC list serve group, which is a web based discussion group for AFCC PC members. This resource is particularly valuable for PCs who live in areas where there are few PCs. This on line group deals with a diversity of PC issues including specific case consultation as well as general sharing of PC practice essentials and tips for more effective practice. In addition, the on line discussions have often included specific suggestions for positive coping with difficult PC cases or practice issues. This researcher used the AFCC PC list serve to gather some of the data for this study.

In addition, many PCs noted that they live in areas where there are enough practitioners to form peer consultation groups. These groups can meet regularly (usually monthly or quarterly) for professional support, debriefing, case consultation, practice management information sharing, and general stress management. This process was noted to be reassuring to many practitioners who reported learning that they were dealing with issues similar to their peers in their own cases. Some also reported relief to

hear that others found the work to be challenging or stressful, while some PCs reported that the groups were useful for purposes of learning specifically how others were coping with PC practice stress. In addition, the impairment prevention literature demonstrates that professionals who avoid the isolation of solo practice report greater “wellness” and less impairment as a result of the camaraderie of colleague support that accompanies peer consultation (Coster & Schwebel, 1997).

### Boundary Management

Several PCs made the point in their responses that boundaries, like fences on property lines, are most easily maintained when they have been solidly established and they have been routinely maintained from the outset. Sullivan (Coates et al., 2006) suggested that this most optimally occurs in the very beginning contacts with participants and should include a focus on rules, role definition, and boundaries. Deutsch (2008) strongly promotes effective stress management and positive coping in PC training workshops. Multiple PCs advised peers to form strong and good practice habits in the area of setting boundaries; having clear role definitions and relationship boundaries was stressed in multiple responses as crucial to PC stress management. Several PCs noted the need to rework the PC Agreement or the PC Appointing Order over and over until all the unanticipated “kinks” were worked out.

Assertiveness skills in PC are crucial to successful PC work and stress management. Habitual use of patterned rules and regulations that stem from the experience of successful PC practice insures that all parties are similarly treated with firm boundaries and equal respect. The seasoned PC was presented in these multiple data sources as a humble, but very organized and knowledgeable practitioner with well worn pathways of standardized practice. These standardized practices were consistently presented by the PCs in this sample as being essential to effective practice. Risks to practice and peace of mind clearly come with the PC territory. Routine and standardized procedures minimize risk and stress.

Several practitioners also observed that their most effective stress management techniques included the firm boundary practice of taking breaks from the work and regular vacations. Multiple parties also noted the extreme value of continuing education and learning from leaders in the field. One respondent noted the intensity of dealing with alternate realities existing simultaneously and the resulting need to set a firm line of demarcation for that PC to return to their own world and have adequate time away to restore perspective.

### Quasi-Judicial Immunity and Term Limits

Quasi-judicial immunity exists to protect court appointed PCs from civil liability in the process of carrying out the duties of their professional role. Court

appointed professionals must be free to function for the public welfare and for the integrity of the judicial process. In legal theory, the role is protected to insure freedom from malicious false charges intended to disrupt the functioning of the role, the need for finality of judgment, the maintenance of judicial independence, and to insure respect and confidence in the judiciary (*Floyd v Barker*, 1607). The PCs in this study reported viewing this limited immunity as somewhat of a safety net for practice, which was described in terms of stress reduction.

K. Kirkland et al. (2006) completed a thorough review of legal cases involving questions of immunity among court-appointed FMHPs. This search of case law failed to reveal a single case in which specifically named court-appointed FMHPs were not ultimately found to be immune from civil liability in lawsuits due to the doctrine of quasi-judicial immunity. Review of case law clearly supports the finding of the U.S. Supreme Court in *Butz v Economou* (1977) that for those individuals, who are court-appointed to perform judicial functions, those individuals must have the freedom and confidence to conduct those actions without worrying about an unhappy party bringing a cause of action against them for those same actions. The PCs, like CCEs, perform functions integral to the judicial process, and must be able to generate work products like expert opinions without fear of being successfully sued (*Lalonde v Eissner*, 1989).

Multiple respondents noted that term limits are also a necessity in the work of reducing stress. Many jurisdictions have a 2 year renewable term limit on the PC role. K. Kirkland and Sullivan's (2008) national survey of PCs found that the 2 year limit is the modal length of time for court-appointed PCs. It is clear that the PC role lasts much longer, involves more contacts, and involves more risks than the roles of mediator or CCE. Term limits are needed to impose some parameters on the role, which in turn insures lower levels of stress. Some PCs in this survey pointed out that they have asked to be removed after some period of time because of becoming tired of dealing with the same participants in a given family dynamic. Fidler (Coates et al., 2006) observed that a minimum of one year is essential as a beginning unit of time for the PC work to proceed.

The expiration of a PC term brings up the issue of PC effectiveness and the issue of continuation of services by that particular PC. Sullivan (Coates et al., 2006) recommends that the issue of term end be addressed at least 2 months prior to end of the term to prevent party manipulation around the term limit.

A firm initial term limit also prevents professional PC shopping. Appointment as a PC is not a lifetime appointment, which may be of some relief to all parties. Sometimes the PC needs to terminate and withdraw and sometimes families will benefit from a fresh PC appointment/schedule.

## DISCUSSION

In this study the constant comparative method of qualitative analysis was employed to study positive coping among experienced Parenting Coordinators. Results demonstrate that PC is described by experienced practitioners as a very viable, effective, and sustainable professional endeavor with controllable risks and stresses. Experienced PCs noted the importance of comprehensive training and standardized approaches to practice. There is ample evidence for professional consensus concerning the basic essentials of ethical and effective PC practice (AFCC, 2006; K. Kirkland & K. E. Kirkland, 2006; K. Kirkland & Sullivan, 2008). K. Kirkland and K. E. Kirkland (2006) opined that the PC field has sufficiently developed that there is a body of minimum guidelines and principles that inform and direct PC practice. The guidelines reviewed there and in this paper reveal the reality of this multi-disciplinary professional function as a well-developed, safe, effective, issue-driven hybrid ADR role.

However, the PC role is obviously not without significant risk and stress. The risks for malpractice claims in the form of grievances, civil lawsuits, and bar/board complaints are greater in the PC world than in the world of mainstream law and mental health service delivery due to the lengthy exposure to high conflict families (K. Kirkland & K. L. Kirkland, 2001; Bow & Quinnell, 2001; K. Kirkland & K. E. Kirkland, 2006). Many mental health professionals avoid the family law arena like the plague because of the increased risk for board complaints and lawsuits.

In addition, it should be noted that there are always problems with the development of any new professional role. As indicated previously, PCs must be vigilant about protection of substantive and procedural due process rights of all the participants. Most case law violations in this area have been of procedural due process rights of one party, typically along the lines of a party's rights being affected negatively because of their "story" or version of a given dispute not being properly heard by the Court, i.e., not being notified in a timely fashion or by reasonable notice with accompanying opportunity to object to admissibility or present an alternative claim or defense (*Parham v. Cortese*, 1983; 14th Amendment, U.S. Constitution).

There are significant limitations to this study. These limitations include a relatively small number of subjects, as well as the highly selective nature of the subjects. The generalizability of the findings might have been significantly improved in terms of breadth of knowledge base as well as validity by including practitioners who have had very negative PC experiences and left the field at the outset of their practice experiences.

Clearly, the most frequent and comprehensive admonition of experienced PCs is "A work that is begun well is already half done." Several experienced PCs noted that if one spends enough time in proper PC orientation

and education on the front end with a well crafted PC Agreement and solid boundary establishment/role definition, the participants can often be moved through the PC process to the position of being more child-focused and actually learning to move forward through the process of effective co-parenting.

The experienced PCs in this study had many things in common, but one feature stood out above the rest: They uniformly expressed high levels of confidence that PC is firmly established as a post-divorce ADR intervention with clear role guidelines for PC practice. The findings of this review reveal that the guidelines have led to clear professional role identity for PCs with standard modes of practice in the post-divorce activity of assisting high-conflict parents. The findings revealed very consistent suggestions for coping with practice stress. In fact, experienced PCs consistently reported that the more guidelines, the clearer the role definition, the tighter the PC Agreement, the firmer the boundaries, the more likely the PCs were to see their own work as a safe, effective professional role with controllable stresses that can really make a positive difference in the lives of families who encounter significant post divorce disputes.

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