



Apples and Oranges

“What’s in a Name?”

If you really want an orange you will not be satisfied with an apple. Sure they are both good for you, they’re both round, they grow on trees, they’re fruits but face it, the experience is distinctly different. You can bet if you do not use the correct name your partner will bring home the wrong item from the grocery store.

So if you are working with a high-conflict case that requires a professional who can monitor parental compliance- the name you use matters. Using the correct term can make all the difference in what the court may actually want, what the parents expect and what the professional appointed will be able to accomplish.

The two most easily confused terms are “parenting coordination” and “co-parent counseling.” Maybe the confusion is because they both deal with “co-parents” or maybe it is the letters, “PC” and “CP”. This confusion can be very costly. Both these services address similar goals, yet they *are not* interchangeable.

What is Parenting Coordination?

Parenting coordination is a form of dispute resolution for high-conflict parents as a means of resolving parenting issues, increasing co-parent cooperation, reducing stress for the child while encouraging parents to become less focused on “winning” and more focused on how their behavior may harm their children. The role of the parenting coordinator (P.C.) includes the responsibility of 1) Educating, 2) Mediating, 3) Managing and 4) Monitoring the co-parenting relationship with the primary goal of minimizing unnecessary stress on the child/ren.

What is Co-Parent Counseling?

Co-parent counseling is a form of “counseling” with divorced or never married parents to help them improve their co-parenting relationship for the sake of their children.

How is Co-Parenting and Parenting Coordination Similar?

The professional providing co-parenting counseling may address many of the very same goals as parenting coordination however their primary role is that of counselor which is limited in scope. Both services typically meet with both parents together and teach communication skills and even facilitates problem solving. Both services aim to help

parents create an effective co-parenting relationship while teaching parents the skills to resolve their own disputes in the future.

How is Co-Parenting Different than Parenting Coordination?

The co-parent counselor is not as directive and cannot temporally settle a dispute when time is of the essence. Furthermore, most co-parent counselors work within their normal business hours while parenting coordinators are typically available to assist parents after hours in the case of an urgent matter. The co-parent role does not include the monitoring or case management component typically included in the PC role.

The most important difference is that co-parent counseling is a form of “counseling” and therefore confidential while PC is a non-confidential process. As a result the co-parenting counselor is not in a position to monitor parental compliance with their court order because the privileged information has no feedback loop. Therefore, they cannot, due to confidentiality, report any noncompliance nor share observations regarding allegations to the attorneys. They cannot testify in court regarding the parent’s willingness to cooperate or any parental behaviors.

Therefore, if the co-parent counselor witnesses inappropriate behaviors, non-compliance with the court order, signs of parental alienation or has other serious concerns such as drug or alcohol use, their knowledge will not assist the family, the child or the Court. The co-parent counselor’s observations will not be revealed.

Over time, the resistant high-conflict parent who is appointed a co-parent counselor soon realizes that they do not need to cooperate with the process of co-parent counseling. They recognize that they do not need to hide inappropriate comments or behaviors from their co-parent counselor since this professional will not be able to enlighten the court of their observations. It is not unusual for high-conflict parents to make their way to the appointment of a parenting coordinator after the courts have sent them unsuccessfully to a co-parent counselor. This certainly does not mean that the co-parent counselor is neither well trained nor effective at what they do. It simply means that the co-parent counselor will automatically have their hands tied and will have less ability to “hold parental feet to the fire” when working with a high-conflict case.

When is Co-Parenting Counseling Appropriate?

Due to the limitations above, co-parenting counseling is only appropriate for low levels of conflict and for those parents not involved in litigation. As a result, the typical custody dispute or cases with documented high-conflict are not appropriate for co-parent counseling.

Co-parenting counseling can be useful as part of resolving a parenting plan pre-divorce, as long as there are no allegations between parents and the conflict is mild. The parents best suited are those who are cooperative but require some minor improvements on their communication skills. High-conflict parents are at a serious risk

using a co-parenting counselor. The term co-parenting counseling and the court do not go together.

For this reason very few parents are actually appropriate for co-parenting and generally require the appointment of a parenting coordinator to monitor parental behaviors. However, even when the professional attempts to keep the parents from returning to court, the ability of the parenting coordinator to share information with the court allows there to be at least a partial benefit.

Plain and simple, any co-parents caught in a revolving door of the legal system need the appointment of a parenting coordinator not a co-parent counselor. This is most evident when allegations between parents are indicated.

Parental Allegations and Parenting Coordination

High-conflict parents often make allegations about each other or file for frequent modifications based upon their negative beliefs about each other. Parenting coordination is essential whenever there are allegations because no other therapeutic service is non-confidential. As a result, the PC may report back to the attorneys, and the court if required to do so by subpoena, what is really going on between the parents. Unlike co-parent counseling the PC process investigates parental allegations and it requires the parents to stop the blame game and focus on how they can make matters better for their child best interest. Typical Allegations in high-conflict cases include:

- Parental alienation or visitation refusal
- Drug and alcohol concerns
- Emotional problems
- Neglectful or harsh parenting styles
- Physical or sexual abuse
- Ongoing undermining of parenting
- Safety concerns
- Refusal to communicate between homes
- On-going litigation
- Inability to shield their child from conflict or negative comments
- Noncompliance with court orders
- Inappropriate behaviors at transfers
- Refusal to allow the child to speak with the other parent
- Refusal to consult on significant parenting matters
- Intimidation or controlling behaviors

If any of these allegations are involved in a pre or post-divorce case, the recommended options include a PC, a GAL or custody evaluator to come to the bottom of the allegations. If the parents have difficulties that need to be addressed along with these allegations, then a PC would be the best use of resources since they can work with the family post decree. To refer to a co-parent counselor when allegations exist in a high-conflict case would not provide the attorney or the courts with the necessary answers.

The professional co-parent counselor will certainly understand what is actually occurring between the parents but be unable to share their observations due to confidentiality.

What are the Advantages of a Non-confidential Service?

Just the knowledge that the PC may share information, and possibly testify regarding their behaviors and willingness to cooperate allows the PC to hold parents accountable to reduce conflict and to help get their child out of the middle.

Since a component of the PC role is to monitor the PC can also challenge and document any noncompliance with the court's order. The PC may speak with either attorney regarding their own client. However, when attorneys are contacted together by way of conference call, email or memo, the PC may share information about both parties. The parenting coordinator's ability to report back to the attorneys regarding what is really going on can be helpful in getting increased cooperation, or to help get to the bottom of parental allegations and even assist in encouraging settlement.

Depending upon the specific language of a consent order or stipulation, the appointment typically allows the PC the temporary authority to make a decision when time is of the essence. A typical example would be when the parents have a conflict over pick up time for Thanksgiving holiday because their parenting plan neglected to clarify this important detail. If it is only a couple weeks prior to the Thanksgiving holiday and the parents are unsuccessful at resolving this detail then the parenting coordinator will step in simply to get a temporary resolution when the parents do not have the time to involve the court to resolve this dispute. The PC will inform both attorneys and the parents are then expected to follow this temporary agreement for the one Thanksgiving period. After the holiday the parents will try again to resolve this conflict on a permanent basis to be used in their parenting plan revisions.

Appointment of a PC When Other Providers Are Involved

When the court appoints a guardian ad litem or a custody evaluator at the same time as a parenting coordinator one might think that this is a duplicate of services. In some ways it is. However, when both services are in place they can complement each other. It is also not uncommon for the court to require mediation when the parties are already participating in this form of dispute resolution for high-conflict parents.

Guardian ad Litem and Parenting Coordinators can work together as a team to investigate allegations and to better understand the dynamics at play between the parties. Both professionals are interested in the best interest of the child but the GAL may provide the attorneys and court with a custody recommendation and time sharing plan. These two roles are both non confidential so parents waive privilege. The GAL will meet the children like a PC and may speak with the teachers or doctor to help understand the dynamics and get a clearer picture of what is actually happening.

Since custody evaluators typically provide testing as part of their evaluation their results may provide useful insight for the PC. The custody evaluator may benefit from the information that is provided from the PC regarding their co-parenting issues. When the

professionals have a good working relationship they share the burden of the high-conflict case, compliment the assistance to the family and provide a wealth of information to the court.

Custody evaluators, like the GAL may make a final custody recommendation regarding custody and time sharing. However, they typically do not meet with the parents together in the same room. The PC has a very unique perspective which can shed light on the conclusions made by the custody evaluator or GAL. Ultimately this provides additional assistance to the Court which holds the ultimate authority to determine custody of the minor children.

Like the GAL, the custody evaluator is finished at the completion of the case. On the other hand, the parenting coordinator is still in place to assist the parents on an "as needed" basis pre or post-divorce. (The only exception is when the PC is required to testify then they will be replaced with another PC post judgment).

Mediators, like co-parenting counselors provide a confidential process while PC is not. Yet, both the PC and mediator attempt to help parents resolve parenting issues to create a parenting plan or resolve parenting disputes to avoid litigating. The mediator does not have any authority nor do they typically provide feedback to the attorneys. Both mediators and PC are not to provide a custody recommendation. However, the PC may influence the court's final decision on the matter of custody by testifying regarding parental strengths and weaknesses and ultimately about how the child is being impacted by each parent and the current situation.

ROLE AND RESPONSIBILITIES	Co-Parenting	Parenting Coordination	Mediation	G.A.L.	Custody Evaluator
Confidential role	Yes	No	Yes	No	No
May Testify	No	Yes	No	Yes	Yes
May report back to attorneys	No	Yes	No	Yes	Yes
Meets with the parents jointly	Yes	Yes	Usually	No	No
May make custody recommendation	No	No	No	Yes	Yes
May have authority to assist parents	No	Limited	No	Yes	No
Provides testing	No	No	No	No	Yes
Helps parents to create their parenting plan	May	Yes	Yes	No	No
Remains appointed post final hearing	May	Yes	No	No	No

The last area of confusion is when professionals mix up the use of the term Cooperative Parenting. Occasionally the courts will refer a high-conflict family to participate in a Cooperative Parenting Group along with other co-parents. Because of the similarity in letters or concept, the courts may confuse or combine parts of each role coming up with orders to participate in undetermined "services" such as: *Cooperative*

Coordination, or Cooperative counseling, Co-Parenting Coaching, Cooperative Parenting Coordination etc. (Recently I heard a new term for a high conflict case in which they referred to *Collaborative Coordination!*) These terms are terms that keep morphing resulting in tremendous confusion. When this happens no one can be sure exactly what the Court actually had in mind such as - a co-parenting group, co-parenting counseling or parenting coordination. Unfortunately, it is not unusual to find out, after the fact; the court order "Cooperative Parenting" but meant parenting coordination so the parents could have an opportunity to resolve their issues with a professional.

A Cooperative Parenting group is a 16 hour psycho-educational class does not provide such a scenario. While the benefits of the groups are significant, they rarely help the high-conflict cases. (However, high-conflict parents respond well to the groups if they are also ordered to participate in several parenting coordination sessions at the completion of the 8 week class). The groups are typically designed for mild to moderate degree of conflict. They are made up of 10-15 parents who meet for two hours each week or 8 classes. The Cooperative Parenting groups include a workbook, activities, videos, role play and small group activities. Goals of the class include to increasing parental respect and cooperation, shielding the child from conflict, increasing impulse control, teaching communication/negotiation skills and learning how to put their children first. The group process is confidential yet the only feedback provided to the courts is the successful completion of the eight weeks. Parents apply their skills with each other but only during the very last class. Many parents, at the completion of the class voluntarily choose to participate with a co-parent counselor or parenting coordinator to apply their new skills with the assistance of a trained professional.

How to have a PC Appointed:

Some Judges have appointed a parenting coordinator based upon their sole discretion that the case is indeed high- conflict and/or harming the child. Since Georgia does not yet have statutes, or local rules, most Judges prefer recommending rather than ordering the appointment of a parenting coordinator. Parents may ultimately stipulate to the appointment of a PC voluntarily or if it is recommended by their attorneys, GAL or the Court. If the family is involved in the court system the stipulation is typically converted into a consent order and signed by all parties including the Judge. (visit www.parentingcoordinationcentral.com for a sample consent order)

It cannot be stressed enough the importance of requesting the appropriate service. Without careful consideration to make sure you get the correct term for what you need, you may end up thinking you are getting something you are not. Many times parents and sometimes even the Courts, will get the names confused creating a huge gap between what was expected and what the parents are actually given.

Many of the co-parent counselors available in Atlanta are actually trained to provide parenting coordination but have decided not to provide parenting coordination due to the requirement that they testify when subpoenaed and the high volume of licensing

complaints afforded the parenting coordinator. Both co-parent counselors and parenting coordinators recognize how incredibly difficult these cases are to manage.

According to experts in high-conflict divorce, over 80% of the cases have personality disorders. Even with the appointment of a PC the success rates are low and progress sometimes limited. However, for those children caught in the crossfire of conflicted families, appointing a parenting coordinator is often the last resort, the only service with a chance of success and one that is worth the effort.

If all else fails the most important factor to remember is that ordering co-parenting counseling to high conflict parents will typically be a waste of time and family resources as the parents go around in circles with no feedback loop permitted to hold them accountable.

High-Conflict Custody Cases = Non Confidential Parenting Coordination

Visit www.parentingcoordinationatlanta.com for a directory of trained parenting coordinators in Georgia, a sample consent order, and a list of important questions to ask before hiring a parenting coordinator.

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