

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 14-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 09-15 A1
(Amending AO No.09-15)

IN RE: AMENDING PARENTING
COORDINATION IN FAMILY LAW
CASES

WHEREAS, pursuant to Administrative Order No. 09-15, entered on October 1, 2009, this Circuit established certain procedures for the proper administration of parenting coordination in family law cases; and

WHEREAS, subsequent to the effective date of Administrative Order 09-15, the Florida Supreme Court adopted amendments to the Florida Family Law Rules of Procedure and New Rules for Qualified and Court-Appointed Parenting Coordinators. *In re Amendments to the Florida Family Law Rules of Procedure; New Rules for Qualified and Court Appointed Parenting Coordinators*, 142 So.3d 831 (2014); and

WHEREAS, pursuant to such Amendments, the Florida Supreme Court, *inter alia*, requires that each judicial circuit establish a process for parenting coordinator qualification;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215 of the Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. The provisions set forth in section 61.125, Florida Statutes, shall be followed in this Circuit regarding parenting coordination.
2. The following forms, attached hereto, are hereby adopted and shall be used in carrying out the provisions of section 61.125, Florida Statutes:
 - a. Attachment "A"-Order of Referral to Parenting Coordinator.
 - b. Attachment "B"-Response by Parenting Coordinator.
 - c. Attachment "C"-Parenting Coordinator Report of an Emergency.

- d. Attachment "D"-Parenting Coordinator Request for Status Conference.
 - e. Attachment "E"-Report of General Magistrate on Motion for Referral to Parenting Coordinator.
3. Except as herein amended, Administrative Order No. 09-15 shall remain in full force and effect.

This Order shall take effect immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this 6th day of October, 2014.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

ATTACHMENT "A"

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

Petitioner,

and

Respondent.

DIVISION:

CASE NUMBER:

SECTION:

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).

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. Family Court Services will provide the parties' referral to a parenting coordinator and will report to the court the parenting coordinator selected and agreed upon by the parties or selected through Family Court Services as per Family Law Rules of Procedure 12.742(b) and 11th Judicial Circuit Administrative Order 09-15 A1.

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:
- ☐ 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.

ATTACHMENT "A"

It is therefore, **ORDERED**:

1. **Parenting Coordinator.** The parties are referred to parenting coordination for an initial period of _____ months (not to exceed two years).

The parties are ordered to contact Family Court Services within (5) working days from the date of this order at: Lawson E. Thomas Courthouse Center, 175 NW 1st Avenue, Suite 1503, Miami, Florida 33128, tel: 305-349-5508, fax: 305-349-5634. The parties will notify Family Court services that they have agreed to a specific parenting coordinator or Family Court Services will designate a qualified parenting coordinator for the parties.

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 Form 12.984(b).

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. The parenting coordinator shall determine the schedule for subsequent appointments.

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. In addition to any safety measures the parenting coordinator deems necessary, the following domestic violence safeguards must be implemented:

[Choose all that apply]

☐ 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. Assisting the parties in creating and implementing a parenting plan;

ATTACHMENT "A"

- b. Facilitating the resolution of disputes regarding the creation or implementation of the Parenting Plan;
- c. Recommending 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 and/or family counseling, if there is a history or evidence that such referrals are appropriate;
- d. Recommending to the parents changes to the Parenting Plan;
- e. Educating 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 individually and/or 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. Reporting or communicating with the court concerning non-confidential matters as provided in paragraph 7 of this order. In the event the parenting coordinator is unable to adequately perform the duties in accordance with the court's direction, the parenting coordinator shall file a written request for a status conference and the court shall set a timely status hearing. The request for status conference must be in substantial compliance with Florida Family Law Rules of Procedure Form 12.984(d). A report to the court of an emergency pursuant to section 61.125(8), Florida Statutes, must be in substantial compliance with Florida Family Law Rules of Procedure Form 12.984(c).
- h. Communicating with the parties and their child(ren), separately or together, in person, by telephone or electronic means, unless otherwise prohibited by court order or applicable law.

ATTACHMENT "A"

5. Scope of Authority. The parenting coordinator shall make limited decisions within the scope of this order of referral. Limited decision making authority shall include, but may not be limited to: _____

6. Fees and Costs for Parenting Coordination. [Choose all that apply]

a. _____ The parties have consented to this referral to parenting coordination.

_____ This order is without the consent of the parties, but the court has determined that the parties 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.
- ☐ No fees as Family Court Services to provide parenting coordination
- ☐ Other: _____

c. If a party causes the parenting coordinator to expend an unreasonable and unnecessary amount of time, that party may be held solely responsible for payment of the parenting coordinator's fees and costs for such time expended, and the court reserves jurisdiction to reallocate the payment of fees and costs in that event. 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. It is 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

ATTACHMENT "A"

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 reports 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), Florida Statutes;

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, Florida Statutes; child abuse, neglect, or abandonment under Chapter 39, Florida Statutes; or abuse, neglect, or exploitation of an elderly or disabled adult under Chapter 825, Florida Statutes.

8. Agreement on Nonconfidentiality. 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 his or her 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. 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.

ATTACHMENT "A"

11. **Stipulation.** Any written stipulation of parties to utilize the parenting coordination process filed with this court is incorporated into this Order.

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

DONE AND ORDERED in Miami-Dade County, Florida, on this ____ day of _____, 201__.

Circuit Judge

Copies to:

Name of Party:
Counsel for Party
Address of Counsel

Name of Party:
Counsel for Party
Address of Counsel

Guardian ad Litem
Address of GAL

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

ATTACHMENT "B"

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

Petitioner,

and

FAMILY DIVISION
CASE NUMBER:
SECTION:

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, Florida Family Law Rules of Procedure Form 12.984(a); and section 61.125, Florida Statutes; Florida Family Law Rule of Procedures 12.742; and Rules for Qualified and Court Appointed Parenting Coordinators.

ATTACHMENT "B"

Page 2

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.

Date _____

Signature of Parenting Coordinator

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail: _____

Professional License # (if applicable) _____

Professional Certification # (if applicable) _____

Copies to:

_____ Presiding Judge

_____ Petitioner

_____ Attorney for Petitioner

_____ Respondent

_____ Attorney for Respondent

_____ Other: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks] This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {telephone number} _____.

ATTACHMENT "C"

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

Petitioner,

and

DIVISION:
CASE NUMBER:
SECTION:

Respondent.

_____ /

PARENTING COORDINATOR REPORT OF AN EMERGENCY

The undersigned parenting coordinator reports an emergency to the court:

1. _____ With notice to the parties. A party has obtained a final order or injunction of protection against domestic violence or has been arrested for an act of domestic violence as provided under chapter 741, F.S.

2. _____ Without notice to the parties pursuant to section 61.125 (8)(a), Florida Statutes, because: (choose all that apply)

a. _____ There is a reasonable cause to suspect that a child will suffer or is suffering abuse, neglect, or abandonment as provided under chapter 39, Florida Statutes.

b. _____ There is a reasonable cause to suspect a vulnerable adult has or is being abused, neglected, or exploited as provided under chapter 415, Florida Statutes.

c. _____ A party, or someone acting on a party's behalf, is expected to wrongfully remove or is wrongfully removing the child from the jurisdiction of the court without prior approval or compliance with the requirements of section 61.13001, Florida Statutes.

3. Describe the emergency:

VERIFICATION BY PARENTING COORDINATOR

I, _____ (name of parenting coordinator)
do hereby swear or affirm that the facts contained in this Parenting Coordinator Report of an

ATTACHMENT "C"

Emergency are true and correct to the best of my knowledge and belief.

Date _____

Signature of Parenting Coordinator

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail: _____

Professional License # (if applicable) _____

Professional Certification # (if applicable) _____

STATE OF FLORIDA

COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary
or deputy clerk.]

_____ Personally known

_____ Produced identification

Type of identification produced _____

Copies to:

_____ Presiding Judge

_____ Petitioner

_____ Attorney for Petitioner

_____ Respondent

_____ Attorney for Respondent

_____ Other: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in all blanks] This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

{city} _____, {state} _____, {telephone number} _____

ATTACHMENT "D"

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

Petitioner,

and

DIVISION:
CASE NUMBER:
SECTION:

Respondent.

_____ /

PARENTING COORDINATOR REQUEST FOR STATUS CONFERENCE

The undersigned Parenting Coordinator requests a status conference in this case:
(choose all that apply)

1. _____ To request direction from the court concerning: _____

2. _____ To request resolution by the court regarding: _____

3. _____ To report ☐ petitioner's ☐ respondent's noncompliance with the Order of Referral to Parenting Coordinator, orders for psychological evaluation, counseling ordered by the court or recommended by a health care provider, or for substance abuse testing or treatment.

4. _____ To report that the case is no longer appropriate for parenting coordination.

5. _____ To report that the undersigned parenting coordinator is not qualified to address or resolve certain issues in this case and a more qualified successor parenting coordinator should be appointed.

6. _____ The undersigned parenting coordinator is unable or unwilling to continue to serve and a successor parenting coordinator should be appointed.

WHEREFORE, the undersigned Parenting Coordinator requests that a Status Conference be set by the Court.

Date _____

Signature of Parenting Coordinator

Printed Name: _____

Address: _____

City, State, Zip: _____

ATTACHMENT "D"

Telephone Number: _____

E-mail: _____

Professional License # (if applicable) _____

Professional Certification # (if applicable) _____

Copies to:

_____ Presiding Judge

_____ Petitioner

_____ Attorney for Petitioner

_____ Respondent

_____ Attorney for Respondent

_____ Other: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in all blanks] This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {telephone number} _____.

ATTACHMENT "E"

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

Petitioner,

and

DIVISION:
CASE NUMBER:
SECTION:

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, having considered Rule 12.472, Florida Family Law Rules of Procedure, and the General Magistrate, having considered the evidence presented and after being otherwise advised in the premises, FINDS, CONCLUDES AND RECOMMENDS THAT:

A. Appropriateness of Process. This matter is appropriate for parenting coordination and it is in the best interest of the child(ren).

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. Family Court Services will provide the parties' referral to a parenting coordinator and will report to the court the parenting coordinator selected and agreed upon by the parties or selected through Family Court Services as per Family Law Rules of Procedure 12.742(b) and 11th Judicial Circuit Administrative Order 09-15 A1.

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:

ATTACHMENT "E"

- ☐ 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.

It is therefore, **ORDERED**:

1. Parenting Coordinator. The parties are referred to parenting coordination for an initial period of _____ months (not to exceed two years).

The parties are ordered to contact Family Court Services within (5) working days from the date of this order at: Lawson E. Thomas Courthouse Center, 175 NW 1st Avenue, Suite 1503, Miami, Florida 33128, tel: 305-349-5508, fax: 305-349-5634. The parties will notify Family Court services that they have agreed to a specific parenting coordinator or Family Court Services will designate a qualified parenting coordinator for the parties.

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 Form 12.984(b).

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. The parenting coordinator shall determine the schedule for subsequent appointments.

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. In addition to any safety measures the parenting coordinator deems necessary, the following domestic violence safeguards must be implemented:

[Choose all that apply]

- ☐ 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:

ATTACHMENT "E"

- a. Assisting the parties in creating and implementing a parenting plan;
- b. Facilitating the resolution of disputes regarding the creation or implementation of the Parenting Plan;
- c. Recommending 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 and/or family counseling, if there is a history or evidence that such referrals are appropriate;
- d. Recommending to the parents changes to the Parenting Plan;
- e. Educating 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 individually and/or 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. Reporting or communicating with the court concerning non-confidential matters as provided in paragraph 7 of this order. In the event the parenting coordinator is unable to adequately perform the duties in accordance with the court's direction, the parenting coordinator shall file a written request for a status conference and the court shall set a timely status hearing. The request for status conference must be in substantial compliance with Florida Family Law Rules of Procedure Form 12.984(d). A report to the court of an emergency pursuant to section 61.125(8), Florida Statutes, must be in substantial compliance with Florida Family Law Rules of Procedure Form 12.984(c).
- h. Communicating with the parties and their child(ren), separately or together, in person, by telephone or electronic means, unless otherwise prohibited by court order or applicable law.

ATTACHMENT "E"

5. Scope of Authority. The parenting coordinator shall make limited decisions within the scope of this order of referral. Limited decision making authority shall include, but may not be limited to: _____

6. Fees and Costs for Parenting Coordination. [Choose all that apply]

a. _____ The parties have consented to this referral to parenting coordination.

_____ This order is without the consent of the parties, but the court has determined that the parties 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.
- ☐ No fees as Family Court Services to provide parenting coordination
- ☐ Other: _____

c. If a party causes the parenting coordinator to expend an unreasonable and unnecessary amount of time, that party may be held solely responsible for payment of the parenting coordinator's fees and costs for such time expended, and the court reserves jurisdiction to reallocate the payment of fees and costs in that event. 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. It is 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

ATTACHMENT "E"

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 reports 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), Florida Statutes;

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, Florida Statutes; child abuse, neglect, or abandonment under Chapter 39, Florida Statutes; or abuse, neglect, or exploitation of an elderly or disabled adult under Chapter 825, Florida Statutes.

8. Agreement on Nonconfidentiality. 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 his or her 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. 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.

ATTACHMENT "E"

11. **Stipulation.** Any written stipulation of parties to utilize the parenting coordination process filed with this court is incorporated into this Order.

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

WHEREFORE, the undersigned General Magistrate files this Report with the Office of the Clerk of the Court and recommends the entry of an order approving this Report.

Dated Miami-Dade County, Florida, on this _____ day of _____, 20____.

General Magistrate

Copies to:

Name of Party:
Counsel for Party
Address of Counsel

Name of Party:
Counsel for Party
Address of Counsel

Guardian ad Litem
Address of GAL

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.