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Parenting Coordination: A New Frontier for Professional Counselors

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Abstract

Parenting coordination is an alternate dispute resolution process through which a neutral third party works to facilitate communication between separated and divorced parents for enhanced co-parenting and decision making for the best interests of the children involved. Currently, a parenting coordinator role is primarily filled by psychologists, social workers, lawyers, and hybrid professionals, with a very modest representation in the field by licensed professional counselors. This article will explore parenting coordination as an area of practice and specialization for counselors working with high-conflict families entrenched in the divorce process.

Even ordinary divorce, when there are children involved, can present some of the most challenging issues to work through in counseling. When divorce crosses over into the category of high conflict, challenges for the family counselor intensify and involve the added dimensions of conflict management, and at times, skills connoting the role of a referee. It is questionable whether traditional family counseling is the most effective approach for balancing the rights and needs of feuding parents with the critical task of keeping their children out of the middle of the adult conflict over time-sharing and parenting decisions.

Parenting coordination (PC) is a novel, hybrid intervention designed for conflict management and resolution with high-conflict parents outside of the court system (Carter, 2011; Deutsch, 2008; Hayes, 2010). The intervention itself is not new—having been utilized in various forms since the 1980s throughout the United States—but one which appears to be more routinely implemented by psychologists, social workers, and lawyers,

and not nearly as widely known or utilized among licensed professional counselors (Coates, Deutsch, Starnes, Sullivan, & Sydlik, 2004; Hayes, Grady, & Brantley, 2012). While some counselors are, in fact, serving as parenting coordinators in a number of states, the intervention may be underutilized in the counseling profession due to a lack of familiarity and possibly a reluctance of some counselors to engage in highly directive, quasi-confrontational, forensically-based work. There are also likely to be counselors practicing parenting coordination type work under a different title or under the guise of a traditional family counseling role. Nevertheless, for several reasons, professional counselors are uniquely suited to engage successfully in PC, and those with concentrated training in family counseling and family dynamics should consider additional training for specialization in a relatively untapped market for counselors.

Parenting Coordination

A parenting coordinator is a neutral third-party frequently appointed by a court or agreed upon by parents during or immediately following a divorce proceeding. In most states, parenting coordinators are professionals with graduate-level credentials in mental health or law, and sometimes in both (Carter, 2011). Some jurisdictions allow for parenting coordinators who are family members, trusted friends, neighbors, or community and religious advisors, such as clergymen. The role of a parenting coordinator is most often guided by language in a court order but can also be defined more informally through an agreement between the parties involved and the person assuming the role (Deutsch, Coates, & Fieldstone, 2007). There are distinct elements to the work, causing a parenting coordinator to wear a variety of hats under the umbrella of one role (Fieldstone, Carter, King, & McHale, 2011; Kelly, 2008).

PC Roles, Regulations, and Training

Roles

A parenting coordinator is a teacher, conveying information about the developmental needs of a child and best parenting approaches; a model for the art of effective communication; a referee for disputes; a fountain of suggestions for resolution alternatives; and a mediator to facilitate efforts of the parties to reach their own resolutions. Where litigating parents are unable to reach an agreement regarding presenting issues, parenting coordinators offer non-binding recommendations for how to resolve the issues without the parties having to return to court (Coates, 2010). Each party has the option of accepting the recommendation as written; seeking to accept a modified version of the recommendation; or rejecting the recommendation, with the right to return to the court for a judge to make a determination. Non-binding recommendations outside of court can be attractive to litigating parents when considering the often high costs associated with time-consuming motion practice through attorneys. There are cases where parents agree that parenting coordinator recommendations become binding if not officially challenged in writing within a prescribed time; however, critics of the PC process point to the dangerousness of allowing the process to become quasi-judicial, such that a parenting coordinator assumes the decision-making authority of a judge (Carter, 2011).

Proponents of PC have countered that a parenting coordinator has the opportunity to develop a deeper familiarity with the parties and thereby stands in a better position to make person-centered recommendations truly designed to meet the best interests of the specific family members (Carter, 2011). A family court judge, though well intentioned and highly educated in the law, merely has a proverbial snapshot of a family, often presented through the certifications, motion papers, and oral arguments offered by attorneys. It stands to reason that the parenting coordinator, who as an in-the-trenches professional has more personal information and a sense of the parties involved from clinical observation and interaction, is better situated to offer hands-on feedback than a judge, who is essentially a stranger in a black robe.

Regulations and Guidelines

Some states have statutes or regulations governing PC practice, while other states offer nothing by way of definition regarding what PC is or how to implement it as a process (Kirkland, 2008). Those professionals working as parenting coordinators are guided by the codes of ethics governing their underlying disciplines, as well as any licensing regulations associated with their professional licenses. In other words, lawyers follow the Rules of Professional Conduct and the Code of Ethics for the Bar Association; counselors would follow the ACA Code of Ethics. Currently, practice guidelines, which are aspirational in nature, are available through the Association of Family and Conciliation Courts (AFCC; 2003) and more recently through the American Psychological Association (2012). Established parenting coordinators have, from a multidisciplinary perspective, considered the risks associated with working with the high-conflict divorce parent population and have offered concrete guidance for risk management beyond the obvious compliance with core codes of ethics (Carter, 2011; Kirkland & Kirkland, 2006).

Training

The parenting coordinator should ideally have cross training specifically in family and interpersonal dynamics, domestic violence, human development, and conflict management and resolution and should be versed generally in both mental health and law (Kelly, 2008). These skills and associated specialized knowledge will most benefit the parenting coordinator when considering the underlying reasons associated with a particular client's behavior or the dynamic between a couple. Insight is a foundation that lends itself to designing a case-sensitive application of the PC intervention to the presenting individual family, with an understanding that not all techniques or approaches will work the same, or even work at all, with every set of clients. Ideally, initial efforts are designed to help participating parents reach an accord and to resolve issues through compromise. Parenting coordinators provide education regarding child development, parenting styles, and the best approaches for meeting the needs of children. They then make suggestions, which are aligned with the age-appropriate needs of the children involved. It is well documented that children who are caught in the crosshairs of pervasive conflict between their parents suffer long-term maladaptation in their own interpersonal skills and relationships (Mitcham-Smith & Henry, 2007; Neff & Cooper, 2004; Warshak, 2010). Children of high-conflict divorce are frequently triangulated and experience divided loyalties (Warshak, 2010). They become messengers, confidants, and

even advisors to their parents. (Moore, Ordway, & Francis, 2013). The PC process is specifically designed to introduce third-party facilitation of communication so the children do not have to fulfill this role (Boyan & Termini, 2005; Sullivan, 2008).

Research and Efficacy

Limited research has been conducted regarding the efficacy of PC. Primary studies thus far have focused more on professional feedback, including judicial impressions of the usefulness of PC interventions. Initial results are promising, suggesting a reduction in motion practice and post-judgment litigation (Carter, 2011; Henry, Fieldstone, & Bohac, 2009; Henry, Fieldstone, Thompson, & Treborne, 2011). New studies and ongoing research continue to enlighten practicing professionals regarding the nuances of parenting coordinators, with ever-growing adaptations for increasing efficacy and client satisfaction, while benefitting the children of high-conflict couples.

Practical Application for Counselors

Points of Comparison

It is important to identify the ways in which PC is unique and distinct from counseling. It is an area of specialization, which incorporates advanced micro-skills, including a directness and level of confrontation with which some counselors may be uncomfortable. In most theoretical contexts, counselors do not give *advice* and do not make recommendations. Instead, clients are encouraged to develop their own practical solutions. The effort for clients to develop appropriate personal resolutions is part of the PC process, but when that doesn't work, the PC becomes more directive. Moreover, while counselors are often guides and attentive listeners, parenting coordinators have some authority and endeavor to ensure that each issue has a conclusion. Counseling can be ongoing in accordance with a pace set by the needs and readiness of the client, while PC is time-sensitive and sometimes time-pressured. Further, while a counselor and client frequently shape their own individual process, the PC process is often pre-determined by a court order, which prescribes tasks, identifies deadlines, and defines the parameters of issues to be determined. The outside influence of a third party not directly involved in the process—in this case a judge—might feel artificial for a counselor not otherwise engaged in court-related practice. Counseling has a level of autonomy that is somewhat removed when a court-appointed parenting coordinator is under directives from a court and constricted by court procedures. Finally, counseling is a confidential process, while PC is not. In PC, the parties are privy to information shared by either of them with the parenting coordinator. Similarly, written recommendations of parenting coordinators can be shared with attorneys and even with the court, and many court orders and informed consent agreements afford parenting coordinators the right to communicate with other professionals and ancillary contacts who might be beneficial for the parenting coordinator to better understand the case. For example, a teacher might shed light on whether or not a child has missed homework or is regularly late for school following a mid-week overnight with a particular parent. A pediatrician might enlighten the parenting coordinator as to the basis for a recommendation that a child have their tonsils removed. Such input supports a parenting coordinator's informed recommendations.

Counselor Strengths

Counseling education serves to build professional and interpersonal strengths, which later become inherent in counselor identity and the counseling approach to mental health and wellness. The incorporation of these strengths in PC adds to a recipe for the success of PC as a process. Unconditional positive regard, empathy, and the ability to develop a positive therapeutic alliance with clients are linchpins for a successful counseling relationship. These same factors are likely to be contributing factors for a successful PC process. This is particularly true because feuding parents are often focused on winning and on being *right*, thus sometimes losing sight of what is really in the best interests of their children. The ability to guide those parents toward resolution without being judgmental also adds to the parenting coordinator's effectiveness because each individual parent is less likely to feel slighted and is more likely to feel supported by the parenting coordinator, even when the recommendation favors the position of the other parent. The counselor is also trained to convey information in a manner that does not impose the counselor's own values. In this regard, when the counselor as parenting coordinator makes a recommendation, the parenting coordinator is likely to present the recommendation backed up with a credible analysis that is not simply rooted in what the parenting coordinator personally thinks is right or wrong.

Counselors are skilled at developing client rapport. While it can be challenging to establish a therapeutic alliance with both members of a couple in a manner that allows each party to conclude they are an equally valued member of the alliance, marriage and family counselors are particularly adept at this balance. It becomes critical in PC for the parenting coordinator to have an independent relationship with each party so that each participant feels heard, understood, and not judged. In cases of severe marital discord, it also becomes critical for each person to be able to share their story, including highlights, which have generated feelings of betrayal, shame, guilt, and anger. Marriage and family counselors are uniquely trained to hear both sides of a story and to respect each person's perspective of events, while also helping the person sharing their story to better understand their counterpart's story as well. Sometimes resolution is not about a determination of who is right and who is wrong, but rather about deepening an understanding of each person's reality, experience, and worldview as influences for perspective. Deeper insight can be an effective roadway to compromise.

Counselors are also invested in self-efficacy. Clients are encouraged, through many theoretical approaches, to identify and capitalize on their internal strengths and resources. Counselors and clients review experiences where a client has been able to successfully navigate through an interpersonal dilemma and to reflect on the characteristics they have which contributed to successful resolution. Counselors are also skilled listeners and appreciate the importance of detail. The counselor's ability to re-introduce critical information and to back recommendations with a factual and case-sensitive foundation reinforces the validity of those recommendations. Moreover, listening skills often allow counselors to understand what the client is saying apart from how the client is saying it. Communication is partially what the speaker wants to say, and just as importantly, how the information is received by the listener. Communication is also a key problem with high-conflict parents, who often react to how the other parent conveys something or what that parent believes the other parent is saying, rather than

what the parent actually means. Counselors are excellent translators and can assist clients with reframing positions through wording that will more accurately convey what the speaker is trying to say to the other parent.

Guidelines for Successful PC Practice

In order for a counselor to be successful as a parenting coordinator, there are several guidelines to consider that are likely to be beneficial for practice. Although these guidelines are practical for success in any type of counseling practice, the following suggestions offer a further parallel between counselor training for practice and the benefits a professional counselor could lend to PC work when serving in that role. These guidelines are not meant to be all-inclusive, but rather to highlight some core reflections.

1. **Obtain additional training.** Training courses geared specifically toward PC and the nuances of this specialized practice are essential. While several organizations offer PC training, this author specifically recommends those offered through the Association of Family and Conciliation Courts, which are available throughout the year in various locations around the United States. The AFCC trainings are cross-disciplinary and discipline-neutral, meaning they are not geared for any one professional group and are beneficial for counselors, social workers, psychologists, and lawyers.
2. **Assess the case.** Gather as much preliminary information about the case and the family involved before accepting the appointment. It is helpful for any professional working with high-conflict divorce dynamics to have a sense of case history, any forensic custody evaluations that may have been completed before the parenting coordinator was appointed, and to know whether there is a history of intimate partner violence (documented through restraining order or undocumented but anecdotal). Parenting coordinators are better able to design their interventions when preliminary information is available. Information can be obtained through the appointing judge, from attorneys for the parties, or from the parties directly through quasi-clinical interviews. A parenting coordinator also has access to third party contacts when necessary, including teachers, pediatricians, or forensic evaluators.
3. **Build rapport.** Take the time to meet with each party individually as an opportunity to hear and understand each person's story and perspective. This will allow the counselor/parenting coordinator to also be an effective translator and will likely allow for the more effective facilitation of communication.
4. **Maintain neutrality.** Parenting coordinators are considered neutral, but once recommendations are required, there is an implication that the parenting coordinator is taking sides or favoring one party over the other. It is important to provide a factual basis and, even better, an empirical basis for recommendations so that the parties view them as having substance rather than revealing a preference for one party over the other.
5. **Take safety concerns seriously.** Intimate partner violence is a very serious matter and the parenting coordinator should not assume that the dynamic is under

control just because the professional is present or because the interaction takes place in a professional office. It simply may not be safe for a victim and perpetrator to be in the same space. Further, intimate partner violence is not limited to physical behavior, and domestic violence advocates have cautioned that joint therapeutic interventions can represent opportunities for batterers to perpetuate abuse verbally or by keeping the victim engaged in an abuse of process (Carter, 2011). Modify the manner in which meetings take place (e.g., consider telephone conferences or separate meetings where only one person is present at a time). PC may not be appropriate where there is a restraining order between the parties, and the parenting coordinator should be judicious about whether or not to even accept such cases. Specialized familiarity and training in domestic violence dynamics is essential.

6. **Provide clear informed consent.** Counseling, as with other professions, involves an informed consent review through which the counselor outlines and emphasizes responsibilities and expectations associated with the process. Clear expectations of PC are sometimes established in a court order, but the outline of what a parenting coordinator can and cannot do does not properly identify guidelines for professional conduct or other expectations as to how the parenting coordinator practices the intervention. As noted above, there are many different styles of practice, varying from profession to profession and from jurisdiction to jurisdiction. PC is *NOT* counseling. The more clear a parenting coordinator is with a client about mutual expectations and responsibilities in the beginning of the process, the less likely problems are to arise later regarding misinterpretations and faulty understandings about the process or the relationship.
7. **Set ground rules for their communication.** Some conflict can be reduced or eliminated immediately by setting ground rules for communication between the feuding parents. E-mail can be a simple way to streamline exchanges between the parties, while also allowing the parenting coordinator to monitor communications style and efficacy. Parenting coordinators should be copied on e-mails so that they know what is going on with the family. E-mails should be simple, factual, and short. E-mail is not a dissertation, nor is it an opportunity to rehash history or hurl accusations. It is human nature to react defensively in response to an accusation. The recipient is more likely to offer a simple, concrete, and productive response when the initial e-mail they receive is free from extraneous allegations and name-calling. People are also less likely to behave badly via e-mail when they know the parenting coordinator is copied. The very involvement of the parenting coordinator in the e-mail chain is a deterrent to poor online etiquette. The subject line should identify the topic so the exchange is easily found should it be needed at a later date. Sub-topics within the e-mail are best identified through bullet points or numbered, with the response to follow the same format. The parties should be provided time frames for response. Simple rules help effectuate a simple exchange of information without room for conflict.
8. **Make a decision.** A parenting coordinator who sits on the proverbial fence is not helpful. It is worthwhile to facilitate communication and to encourage parents in conflict to fashion their own resolution. However, when the parties are not

- successful within a reasonable period of time, the parenting coordinator should issue a clear, written recommendation, along with a rationale, explaining the parenting coordinator's reasoning. If either of the parties wants to challenge the recommendation, they are free to do so. That is the process. If no one objects and the parties follow the recommendation, everyone can move on to another issue.
9. **Rectify mistakes.** In the event of an error or misunderstanding, the parenting coordinator should identify the error, take responsibility for it and the implications of any misunderstanding, and rectify it to the extent possible as soon as possible. Hiding an error can be perceived as favoring one party over the other. It is also acceptable for a parenting coordinator to change his or her mind when there is a legitimate reason to do so—such as the introduction of new information or a discovery that the information upon which the recommendation was originally made was false, misleading, or incomplete.
 10. **Know your parameters.** Parenting coordinators must be familiar with the codes of ethics directly associated with their underlying discipline, but also with any laws, regulations, statutes, rules, and protocols governing this practice in the jurisdiction where their practice is located. It is also advisable to follow the aspirational guidelines for PC practice. PC is not legal representation; it is not psychological evaluation; and it is not counseling. Parenting coordinators certainly utilize legal knowledge, assessment skills, and therapeutic skills to be most effective in the process, but they must be careful not to assume dual roles by acting as an advocate for one party or the other, by providing legal advice, or by offering individual therapy. Parenting coordinators do not opine as to the custody arrangements of the parties; they endeavor to enforce existing agreements and court orders and to resolve related conflict without court involvement. Parenting coordinators are bound by any reporting requirements associated with their primary underlying discipline related to child abuse and neglect, or when an individual is a danger to self or others. PC is not confidential and a parenting coordinator may, on notice to both parties, have contact with attorneys, individual counselors, custody evaluators, and sometimes the court.

Parenting coordination, though a challenging field, can be a rewarding alternative dispute practice. With consideration of these guidelines, licensed professional counselors could be quite effective in the parenting coordination role when facilitating communication between high-conflict parents and for the benefit of children embroiled in divorce situations.

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