

The Honorable Janet Barton, Chair  
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IN THE SUPREME COURT

STATE OF ARIZONA

In the Matter of:

PETITION TO AMEND RULE 74	)	
OF THE RULES OF FAMILY LAW	)	Supreme Court Number
PROCEDURE	)	R-15-00__
_____	)	

Petitioner, Janet Barton, Chair of the Ad Hoc Parenting Coordinator Workgroup, and Presiding Judge of the Family Department of the Superior Court in Maricopa County respectfully petitions this Court to amend Rule 74 of the Rules of Family Law Procedure as shown in an appendix to this petition.

**I. Background and Purpose of the Proposed Rule Amendments.**

During the 2014 Legislature, issues were raised by constituents to legislators regarding parenting coordinators. These issues, while not acted upon during that session, were relayed to the Administrative Office of the Courts via the Government Affairs Group. The issues fell within the range of the following categories:

- Parent coordinator fees (range, cap, inquiry about parents' finances, length of services, etc.).
- Lack of recourse/appeal process for litigants.
- Qualifications of parenting coordinators.
- Scope of authority of parenting coordinators.

Then Chief Justice Rebecca White Berch set a small ad hoc workgroup to the task of studying and forming recommendations to address these issues. Those recommendations are discussed below and set forth in the proposed amendments.

The members of the ad hoc Parenting Coordinator Workgroup reviewed the rule in its entirety to restyle, simplify, and clarify the rule. As a result, every subparagraph of Rule 74 has been amended for either or both grammar and substantive reasons.

## **II. Proposed Amendments to Rule 74 of the Rules of Family Law Procedure to Address Issues.**

With respect to the four issues the workgroup was asked to look at, the workgroup recommends addressing them in the following way.

### **A. Parenting Coordinator Fees.**

The proposed amendments to Rule 74 will provide that the court cannot appoint a parenting coordinator on its own motion unless the court first determines that the parents can afford the parenting coordinator's fees. In determining the

parents' ability to pay, the court must look at the parents' financial obligations, including any child support or spousal maintenance obligations. The amendments to the rule, if adopted, will also provide that if one of the parents cannot afford a parenting coordinator, then the court cannot appoint one unless the other parent agrees to pay all of the parenting coordinator's fees. The proposed amendments to the rule will allow parenting coordinators to recommend, or a parent to request, a reallocation of the fees. Additionally, the amendments require parenting coordinators to fully disclose and explain the basis for their fees and charges prior to the first substantive meeting. If the parenting coordinator is appointed by the court, the parenting coordinator's retainer is limited to a total of two times the parenting coordinator's hourly rate. Finally, if circumstances change to the extent that a parent can no longer afford the portion of the parenting coordinator's fees allocated to the parent, the rule allows that parent to file a motion with the court asking that the court discharge the parenting coordinator prior to the expiration of the appointment term.

#### **B. Lack of Recourse/Appeals Process for Litigants.**

The proposed amendments to Rule 74 will allow parents to file a motion with the court asking the court to discharge the parenting coordinator or appoint another parenting coordinator. The moving parent must establish good cause for the requested relief. Mere disagreement with one or more of the parenting coordinator's

recommendations does not constitute good cause for replacement of the parenting coordinator. The amendments to the rule, if adopted, will allow parents at any time during the parenting coordination process to file a motion with the court regarding any alleged impropriety or unethical conduct by the parenting coordinator. Finally, the rule has been clarified to highlight that parents have the right to file an objection with the court regarding any recommendation made to the court by the parenting coordinator.

### **C. Qualifications of Parenting Coordinators.**

The proposed rule amendments set forth more clearly who can be a parenting coordinator. Those professionals include an attorney licensed to practice law in Arizona; psychiatrist or psychologist licensed in Arizona; a person licensed by the Arizona Board of Behavioral Health Examiners who can practice independently; professional staff of a court's conciliation services department; and a person otherwise deemed qualified for service as a parenting coordinator by the court's presiding judge or presiding judge's designee.

### **D. Scope of Authority of Parenting Coordinators.**

The rule amendments, as proposed, will clarify this portion of the rule. If adopted, the amendments to the rule would specifically provide that unless an imminent risk of harm to the child exists, parenting coordinators cannot unilaterally change or recommend a change to court-ordered legal decision-making.

Additionally, the parenting coordinator will be prohibited from unilaterally making or recommending a substantial change in parenting time. Any change made based on existence of an imminent risk of harm to the child must be reported to and heard by the court on an accelerated basis.

Parenting Coordinators have always had the authority to interview and obtain documents from third parties such as medical providers, mental health providers, teachers or caregivers. The workgroup recommends amending the rule to provide that if a parenting coordinator is going to interview or request documents from persons other than school personnel or members of the immediate or extended family or household of the parents and children, they must notify each parent and the court before doing so.

### **III. Other Substantive Amendments.**

Other proposed substantive amendments, arranged by subparagraph, are as follows:

A. Determination of Need for Parenting Coordinator Appointment was rewritten to set the tone for the entire rule by defining a clear objective for the parenting coordination process. The new language brings focus to the resolution of conflict between the parents regarding legal decision-making and parenting time orders as the parenting coordinator's purpose.

B. Appointment of a Parenting Coordinator contains portions of language that were previously found in Subparagraph A, amendments to that language, and new content. The proposed amendments establish the on-going conflict between the parents, and the likelihood of protracted litigation without the assistance of a parenting coordinator as the main reasons for appointing a parenting coordinator.

The parents will be given an opportunity to identify, and agree upon, a person who, may be a relative, a member of the clergy or other third party to assist them with disputes regarding legal decision-making or parenting time. This person will not be appointed as a parenting coordinator and therefore will not be held to the requirements of this section.

C. Selection of a Parenting Coordinator gives the parents the opportunity to select a parenting coordinator, if the parents have not already identified and agreed upon a person as permitted in Subparagraph B. If the parents are still unable to agree upon a parenting coordinator, the judge can make the selection. The amendments to this subparagraph also limit the roles and functions in which the selected person or parenting coordinator can serve in the case.

E. Term of Service contains five new subparts; initial term, reappointment, replacement of the parenting coordinator, resignation and discharge that were added to this subparagraph to make finding and understanding the information easier.

1. Initial Term limits the initial appointment of the parenting coordinator to one year, unless the parents agree to a longer term.

2. Reappointment permits the parenting coordinator and the parents to contact the court to request the reappointment of the parenting coordinator. Placing the court between the parenting coordinator and the parents regarding this request is intended to prevent the unintended introduction of tension between the parenting coordinator and the parents.

G. Confidentiality advises all persons about the non-confidentiality of communications with the parenting coordinator.

L. Report The key phrase in the last sentence of this subparagraph is “must not file its report with the clerk of the court.” When a Parenting Coordinator Report and Recommendation is mailed or submitted directly to the court as opposed to filing it with the clerk of the court, the court has an opportunity to review the report and determine what, if any, level of protection is needed to protect the privacy of the parties and the children before filing the report with the Clerk of the Court. This protective opportunity is not available when the parenting coordinator directly files the report with the clerk of the court as by doing so the report becomes immediately available to the public at large.

M. Court Action clarifies the actions the court can take upon receipt of a Parenting Coordinator Report and Recommendation. Any action taken by the court

is an interim order. When the objection period is over, if no objection has been filed, the interim order becomes the court's final order.

Q. Parent Grievance or Complaint against a Parenting Coordinator for Unethical or Unprofessional Conduct provides a parent with recourse against any alleged impropriety or unethical conduct by the parenting coordinator, sets a standard of a reasonable basis for the complaint, and suggests court action. As indicated in the comments section, this subparagraph must be considered in conjunction with A.R.S. § 32-2081(b) which requires a substantial basis for a complaint when the parenting coordinator is licensed by the Arizona Board of Psychologist Examiners.

#### **IV. Proposed Amendments to Rule 74 of the Rules of Family Law Procedure for Restyling Purposes.**

Throughout Rule 74 the terms “party” and “parties” have been changed to “parent” and “parents.” The goal of this change is to clarify that the parenting coordination process’ intended use is for cases involving parents; not in cases brought by grandparents and other third parties.

Currently, “Parenting Coordinator” is used in its capitalized form throughout Rule 74. The term has been replaced by a lower case version where grammatically correct to do so.

The proposed amendments include stylistic revisions intended to make Rule 74 more comprehensible and user-friendly. The elements of restyling used in the proposed amendments include:

- Using informative headings and subheadings
- Breaking up long sentences, or collapsing them into fewer words
- Using “plain English”
- Avoiding legal jargon and ambiguous terminology, including the word “shall” (which the proposed rules replace with “must,” “may,” “should,” or “will,” depending on the context.)
- Re-arranging subparagraphs to achieve greater clarity and simplicity.

Additionally, some of the proposed amendments to Rule 74 are derived in part or in whole from the Association of Family and Conciliation Courts’ *Guidelines for Parenting Coordinator*.

## **V. Preliminary Comments.**

The proposed amendments to Rule 74 of the Arizona Rules of Family Law Procedure have been presented to the Committee on Superior Court, the Meeting of the Presiding Judges, and the Arizona Judicial Council. The comments made by the presiding judges, council and committee members, and members of the public who were in attendance along with the workgroup’s responses are provided in Appendix C to this Petition.

**VI. Request for a Modified Comment Period.** Because the proposed amendments to Rule 74 were developed in an ad hoc workgroup to which open meeting laws do not pertain, the Petitioner acknowledges the amendments were not fully vetted. The need for public comments may address items that this petition overlooks, or may suggest other changes that improve the proposed rule. Petitioner therefore requests that the Court allow a modified comment period to accommodate the filing of an amended petition after an initial round of public comments. Petitioner suggests the following dates:

- April 27, 2014: First round of comments due
- May 20, 2014: Amended petition due
- June 15, 2014: Second round of comments due
- July 13, 2014: Reply due

**VII. Conclusion.** Petitioner therefore requests that the Court open this petition for comments during the modified periods described above.

RESPECTFULLY SUBMITTED this \_\_\_\_\_ day of January, 2015.

By /s/ Janet Barton

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1 **Proposed Rule Changes**  
2 (Proposed changes shown with additions identified by underscoring and deletions  
3 identified by ~~strike through~~.)  
4

5 **APPENDIX A**

6 **Arizona Rules of Family Law Procedure**

7 **Rule 74. Parenting Coordinator**

8 **A. Determination of Need for Parenting Coordinator and Appointment.** ~~Prior~~

9 ~~to, simultaneously with, or after entry of a decree, judgment, or legal decision-~~

10 ~~making or parenting time order, at the request of either party or on the court's own~~

11 ~~motion, the~~ The overall objective of parenting coordination is to assist parents in

12 conflict to implement their parenting plan, to assist with compliance with the details

13 of the plan, to resolve conflict regarding their children and the parenting plan in a

14 timely manner, and, in so doing, to protect and sustain safe, healthy and meaningful

15 parent-child relationships.

16 **B. Appointment of a Parenting Coordinator.** The court may appoint a ~~Parenting~~

17 ~~Coordinator~~ parenting coordinator in any proceeding under Title 25, A.R.S.;

18 ~~involving children if it finds~~ at any time after entry of a legal decision-making or

19 parenting time order. The appointment of a parenting coordinator is appropriate

20 when of the following either:

21 1. ~~the~~ The parents are persistently in conflict with one another stipulate to the

22 appointment of a parenting coordinator; or

1 ~~2. there is a history of substance abuse by either parent or family violence; The court~~  
2 ~~finds one or both parents have demonstrated an inability or unwillingness to agree~~  
3 ~~on legal decision-making or parenting time issues and that without a parenting~~  
4 ~~coordinator the parents would engage in protracted litigation.~~

5 Before the court appoints a parenting coordinator, the court must first give the parties  
6 the opportunity to identify a person instead of a parenting coordinator with  
7 appropriate education, experience, and expertise to whom they both agree to submit  
8 any future disputes regarding the implementation of the parenting plan or legal  
9 decision-making orders.

10 ~~3. there are serious concerns about the mental health or behavior of either parent;~~

11 ~~4. a child has special needs; or~~

12 ~~5. it would otherwise be in the children's best interests to do so.~~

13 ~~Parents may agree to use a Parenting Coordinator and agree to a specific person,~~  
14 ~~subject to approval by the court, or the court may make the choice of the person to~~  
15 ~~serve as the Parenting Coordinator.~~

16 **C. Selection of a Parenting Coordinator.** Any parenting coordinator appointed by  
17 the court must qualify as a parenting coordinator under subparagraph B D. The  
18 parents must first be given the opportunity to agree on who their parenting  
19 coordinator will be. If the parents are unable to agree, the court may select the  
20 parenting coordinator. A person appointed as a parenting coordinator may not serve

1 in any other function or role in the case. A person who is or has already served in a  
2 legal, treatment, evaluative, or therapeutic role in the case must not be appointed as  
3 the parenting coordinator and must not serve in any other role in the case unless both  
4 the parents and the parenting coordinator agree.

5 **D.** **Persons Who May Serve as Parenting Coordinators.** A The following  
6 persons may serve as a Parenting Coordinator parenting coordinator may be:

7 1. an An attorney who is licensed to practice law in Arizona;

8 2. a A psychiatrist who is licensed to practice medicine or osteopathy in Arizona;

9 3. a A psychologist who is licensed to practice psychology in Arizona;

10 4. a A person who is licensed to practice independently by the Arizona Board of  
11 Behavioral Health Examiners ~~as a social worker, professional counselor, marriage~~  
12 and family therapist, or substance abuse counselor; any other Arizona licensed or  
13 certified professional with education, experience, and special expertise regarding the  
14 particular issues referred; or

15 5. ~~professional~~ Professional staff of a court's conciliation services department; or

16 6. A person with education, experience, and expertise who is deemed qualified by  
17 the court's presiding judge or a designee.

18 The court may prescribe additional requirements for service as **Parenting**  
19 **Coordinator** a parenting coordinator.

1 **C E. Term of Service.** The term of the ~~Parenting Coordinator~~ parenting coordinator  
2 will be designated in the Order of Appointment.

3 **1. Initial Term.** A parenting coordinator's initial term must not exceed one year  
4 unless the parents agree to a longer term.

5 **2. Reappointment.** The parenting coordinator may contact the court in writing to  
6 request reappointment or to notify the court that the appointment term has ended or  
7 is about to end. A copy must also be sent to each parent or counsel, if represented.

8 A parenting coordinator must not contact a parent to seek or suggest reappointment.  
9 Either or both parents may contact the court in writing to request reappointment of  
10 the parenting coordinator.

11 **3. Replacement of the Parenting Coordinator.** A parent may file a motion with  
12 the court requesting that the court replace the existing parenting coordinator. The  
13 motion will not be granted unless the moving parent establishes good cause for the  
14 requested relief. Mere disagreement with one or more of the parenting coordinator's  
15 recommendations will not constitute good cause for replacement of the parenting  
16 coordinator.

17 **4. Resignation.** The ~~Parenting Coordinator~~ parenting coordinator may resign upon  
18 notice to ~~the parties~~ each parent and order of the court.

19 **5. Discharge.** A parent may file a motion with the court requesting that the court  
20 discharge the parenting coordinator prior to the expiration of the appointment.

1 Absent an order of the court,; however, one or both ~~parties~~ parents cannot  
2 unilaterally discharge the ~~Parenting Coordinator~~ parenting coordinator. ~~Complaints~~  
3 ~~about the Parenting Coordinator shall be addressed in the manner specified in the~~  
4 ~~Order of Appointment. If such complaints remain unresolved after following the~~  
5 ~~procedures specified in the order, a motion may be filed with the court requesting~~  
6 ~~removal of the Parenting Coordinator.~~ The court may terminate the service of the  
7 ~~Parenting Coordinator~~ parenting coordinator at any time for good cause or upon  
8 finding that there is no longer a need for the assistance of the Parenting Coordinator  
9 parenting coordinator.

10 **D F. Fees.** ~~The court will determine the allocation of fees between the parties. The~~  
11 ~~court may order that the parents pay the Parenting Coordinator a retainer before the~~  
12 ~~Parenting Coordinator begins work with a family. The Parenting Coordinator may~~  
13 ~~recommend to the court an adjustment in the division of payment under special~~  
14 ~~circumstances.~~ **1. Ability to Pay.** Unless the parents stipulate or agree to the  
15 appointment of a parenting coordinator, the court may not appoint a parenting  
16 coordinator without first determining that the parents can afford the parenting  
17 coordinator’s fees. In determining if a parent can afford the parenting coordinator’s  
18 fees, the court must consider all of the parents’ then-existing financial resources and  
19 obligations, including child support and spousal maintenance obligation. The court  
20 may not appoint a parenting coordinator if the court determines that one of the

1 parents is unable to pay the parent's allocated portion of the fees, unless the other  
2 parent consents to paying all of the parenting coordinator's fees. Based upon the  
3 parents' financial circumstances, the court will determine how to allocate the  
4 parenting coordinator's fees between the parents.

5 **2. Adjustment to Allocation of Fees.** A parenting coordinator may recommend to  
6 or a parent may request of the court an adjustment in allocation of fees.

7 Circumstances that may warrant an adjustment to the allocation of the parenting  
8 coordinator's fees include, but are not limited to, a change in one or both parent's  
9 financial circumstances or instances where one parent is using the parenting  
10 coordination process excessively to harass the other parent. Any such  
11 recommendation or request must be submitted to the court in writing and must  
12 explain in detail the basis for the recommendation or request. If submitted by the  
13 parenting coordinator, a copy of the recommendation must be provided to each  
14 parent or counsel, if represented. If submitted by a parent, a copy of the request must  
15 be provided to the other parent or the other parent's counsel, if represented, and the  
16 parenting coordinator.

17 **3. Time of Payment.** Prior to the first substantive meeting with the parents, the  
18 parenting coordinator must fully disclose and explain the basis of any fees and  
19 charges to the parents. A parenting coordinator can require a total retainer equal to  
20 not more than two times the parenting coordinator's hourly rate as long as the

1 retainer is used to pay for services as they are rendered. If a parenting coordinator  
2 does not charge a retainer, a parenting coordinator can require prepayment for the  
3 specific service to be rendered prior to the time that service is rendered.

4 **G. Confidentiality.** Parenting coordination is not a confidential process, either for  
5 communications among the parents and their children and the parenting coordinator,  
6 or for communications among the parenting coordinator and other relevant parties  
7 to the parenting coordination process, or for communications with the court.

8 **E H. Powers and Scope of Appointment.** ~~The court order appointing~~ Except  
9 pursuant to subparagraph J, the a Parenting Coordinator parenting coordinator shall  
10 specify the scope of the appointment. The scope may include assisting with  
11 ~~implementation of~~ cannot change any existing court orders, making A parenting  
12 coordinator can, however, make recommendations to the court regarding  
13 implementation, clarification, modification, and enforcement of any ~~temporary or~~  
14 ~~permanent~~ court order regarding legal decision-making or parenting time. A  
15 parenting coordinator cannot recommend a change to the court's existing order  
16 allocating legal decision-making authority or recommend a substantial change in  
17 parenting time. order, and making recommendations on the day-to-day issues  
18 experienced by the parties. By way of example only, these issues include  
19 disagreements around exchanges, holiday scheduling, discipline, health issues,  
20 school and extracurricular activities, choice of schools, and managing problematic

1 behaviors by the parents or child(ren). The Parenting Coordinator shall not have the  
2 authority to make a recommendation affecting child support, a change of legal  
3 decision-making, or a substantial change in parenting time. In the event the Parenting  
4 Coordinator determines parenting or family issues or circumstances exist that are  
5 significantly detrimental to the welfare of the child(ren) and that a change in legal  
6 decision-making or a substantial change in parenting time is warranted, the Parenting  
7 Coordinator may submit the Parenting Coordinator's concerns in writing to the  
8 parties and the court. Counsel are not permitted to attend parenting coordinator  
9 meetings unless agreed to jointly by the parties parents and the parenting  
10 coordinator, or ordered by ~~Court~~ the court.

## 11 **G I. Time Sensitive Issue Authority and Procedure.**

12 **1. Binding Temporary Decision.** Notwithstanding the limitations of subparagraph  
13 H, ~~When~~ a short-term, emerging, and time sensitive situation or dispute within the  
14 scope of authority of the ~~Parenting Coordinator~~ parenting coordinator may arises  
15 arise that requires an immediate decision for the welfare of the children and ~~parties~~  
16 the parents, but does not require a substantial change to either parent's legal  
17 decision-making authority or parenting time. On such occasion, a Parenting  
18 ~~Coordinator~~ parenting coordinator may make a binding temporary decision. The  
19 decision and any additional recommendations of the parenting coordinator must be

1 submitted to the assigned judge and each parent or counsel, if represented, in  
2 accordance with subparagraph L, below.

3 **2. Binding Temporary Change on an Emergency Basis.** A parenting coordinator,

4 during the course and scope of the appointment, may determine that a parent's

5 functioning is impaired and, as a result, the parent is either incapable of fulfilling the

6 court-ordered legal decision-making or parenting functions, or will expose the

7 children to an imminent risk of harm. On such occasion, a parenting coordinator may

8 make a binding temporary change in the court's legal decision-making or parenting

9 time orders if doing so is in the best interest of the children. The parenting

10 coordinator must notify in writing the assigned judge and each parent or counsel, if

11 represented, of any such binding temporary change and the reason therefore by the

12 next business day. The court must hold a hearing within 10 calendar days of

13 receiving this written notification. At that hearing the court may affirm, modify, or

14 vacate the parenting coordinator's binding temporary change. If the court

15 determines, as a result of this hearing, that an evidentiary hearing is necessary, the

16 court must set such evidentiary hearing within 60 calendar days, unless additional

17 medical, psychological, psychiatric, or substance abuse testing is ordered, in which

18 case the evidentiary hearing is to be set within 30 calendar days of the completion

19 of such testing. Unless modified or vacated by the court, the parenting coordinator's

20 binding temporary change must remain in effect until the evidentiary hearing. This

1 ~~interim decision shall be made without prejudice and shall not be regarded as~~  
2 ~~precedent as to any future action or procedure for any other dispute. The decision~~  
3 ~~shall be submitted to the assigned judge with a copy to the parties (or counsel, if~~  
4 ~~represented) in a written report that shall document all substantive issues addressed~~  
5 ~~and the basis for the decision for review and entry of any appropriate orders at the~~  
6 ~~judge's earliest opportunity. Thereafter, the procedures set forth in paragraph H shall~~  
7 ~~apply.~~

8 **F K. Additional Authority of Parenting Coordinator.** ~~The Parenting Coordinator~~  
9 parenting coordinator may interview all members of the immediate and extended  
10 family or household of both ~~parties~~ parents and the children. To the extent provided  
11 in the Order of Appointment, the ~~Parenting Coordinator~~ parenting coordinator may  
12 interview and request information from any persons ~~who~~ whom the ~~Parenting~~  
13 ~~Coordinator~~ parenting coordinator deems to have ~~relevant~~ relevant information  
14 the issue currently before the parenting coordinator, including doctors, therapists,  
15 schools, or other caretakers. The parenting coordinator must notify each parent and  
16 the court in writing of any person, other than the children's school personnel or  
17 members of the immediate and extended family or household of both parents and  
18 the children, whom the parenting coordinator intends to interview, and any person  
19 or entities from whom the parenting coordinator intends to request documents. The  
20 ~~Parenting Coordinator~~ parenting coordinator may recommend that the court order

1 the ~~parties~~ parents or children to participate in ancillary services, to be provided by  
2 the court or third parties, including but not limited to physical or psychological  
3 examinations or assessments, counseling, and alcohol or drug monitoring and  
4 testing. ~~The court shall allocate between the parties the cost of any ancillary services~~  
5 ~~ordered.~~

6 **~~G. Time Sensitive Issue Authority and Procedure.~~** ~~When a short term, emerging,~~  
7 ~~and time sensitive situation or dispute within the scope of authority of the Parenting~~  
8 ~~Coordinator arises that requires an immediate decision for the welfare of the children~~  
9 ~~and parties, a Parenting Coordinator may make a binding temporary decision. This~~  
10 ~~interim decision shall be made without prejudice and shall not be regarded as~~  
11 ~~precedent as to any future action or procedure for any other dispute. The decision~~  
12 ~~shall be submitted to the assigned judge with a copy to the parties (or counsel, if~~  
13 ~~represented) in a written report that shall document all substantive issues addressed~~  
14 ~~and the basis for the decision for review and entry of any appropriate orders at the~~  
15 ~~judge's earliest opportunity. Thereafter, the procedures set forth in paragraph H shall~~  
16 ~~apply.~~

17 **H L. Report.** Recommendations by the ~~Parenting Coordinator~~ parenting coordinator  
18 ~~shall~~ must be made or confirmed to the court and ~~parties~~ parents in a form  
19 substantially similar to ~~Form 9,~~ the Parenting Coordinator's Report and  
20 Recommendation, in Rule 97 of these rules, which ~~shall~~ must be ~~submitted~~ mailed

1 or transmitted to the assigned judge no later than five (5) business days after an oral  
2 ~~determination or~~ receipt of all information necessary to make a recommendation. A  
3 copy of the report ~~will~~ must be mailed or transmitted to the ~~parties~~ parents or ~~their~~  
4 counsel, if represented, on the date of submission same day it is mailed or transmitted  
5 to the court. The report may be transmitted by fax or email to the ~~parties~~ parents at  
6 a fax number or email address provided by the ~~parties~~ parents to the ~~Parenting~~  
7 ~~Coordinator~~ parenting coordinator. The parenting coordinator must not file its report  
8 with the clerk of the court, unless the court specifically authorizes the parenting  
9 coordinator to do so.

10 **J M. Court Action.** The court, upon receipt of a report and recommendation from a  
11 ~~Parenting Coordinator~~ parenting coordinator, may, subject to subparagraph O, do  
12 any of the following:

13 ~~(1) approve~~ Approve or modify the recommendation and adopt it as an ~~interim~~ order  
14 of the court, ~~subject to either party objecting or requesting a hearing not later than~~  
15 ~~10 days after the date of filing of the court's order;~~

16 ~~(2) modify the recommendation and adopt the modified recommendation as an~~  
17 ~~interim order of the court, subject to either party objecting or requesting a hearing~~  
18 ~~not later than 10 days after the date of filing of the court's order;~~ (3) ~~reject~~ Reject the  
19 recommendation report in whole or in part and affirm the current order, ~~subject to~~  
20 ~~either party objecting or requesting a hearing not later than 10 days after the date of~~

1 ~~filing of the court's order; or (4 3).~~ Set a hearing ~~on the assigned judicial officer's~~  
2 ~~calendar~~ regarding the recommendation.

3 The court may use ~~Form 10,~~ the Order Regarding Parenting Coordinator's Report  
4 and Recommendations, in Rule 97 of these rules, for purposes of this subparagraph.

5 **I N. Objection.** A ~~party~~ parent who objects to a recommendation made by the  
6 parenting coordinator shall ~~must,~~ within 10 business days of the date of the court's  
7 order, file with the court a pleading entitled, Objection. The pleading must set forth  
8 ~~clearly state in writing~~ the objection to the recommendation, the basis for the  
9 objection, a proposed solution, and whether a hearing is requested. ~~The judicial~~  
10 ~~officer shall set a hearing if requested. If no hearing is requested, the judicial officer~~  
11 ~~may rule on the objection without further hearing. By agreement of the parties or~~  
12 ~~order of the court, the recommendations of the Parenting Coordinator will remain in~~  
13 ~~effect during this objection period and process unless and until it is affected by a~~  
14 ~~further order of the court.~~

15 **O. Action on Objection.** If an objection to the report and recommendation of the  
16 parenting coordinator is filed, the court must issue an interim order pending  
17 resolution of the objection.

18 **K P. Immunity.** ~~The Parenting Coordinator~~ parenting coordinator has immunity in  
19 accordance with Arizona law as to all acts undertaken pursuant to and consistent  
20 with the appointment order of the court.

1 **Q. Parent Grievance or Complaint against a Parenting Coordinator for**

2 **Unethical or Unprofessional Conduct.** In addition to any action a parent may take

3 as provided by law, at any time during the parenting coordination process a parent

4 may file a motion with the court regarding any alleged impropriety or unethical

5 conduct by the parenting coordinator. The court must take whatever action it deems

6 appropriate with respect to such complaint. At minimum, if the court concludes that

7 there is a reasonable basis for the parent’s complaint, the court must refer the parent’s

8 complaint to the parenting coordinator’s regulatory or licensing agency.

9 **L R. Applicability.** No ~~county~~ court is required to employ or ~~utilize~~ use Parenting

10 ~~Coordinators~~ parenting coordinators; however, in the event a ~~county~~ court elects to

11 use ~~Parenting Coordinators~~ parenting coordinators, these rules ~~shall~~ must apply.

12 **PARENTING COORDINATOR WORKGROUP COMMENTS**

13 The term “fees” includes all fees, costs and charges associated with the

14 services of the parenting coordinator.

15 The term “financial circumstances” includes income, assets, liabilities, and

16 financial obligations. Primary to any financial obligations are child support and

17 spousal maintenance.

18 By way of example only, a parenting coordinator may make recommendations

19 regarding legal decision-making and parenting time issues about choice of school,

1 exchanges, holiday scheduling, discipline, health issues, school and extracurricular  
2 activities, and managing problematic behaviors of the parents or the children.

3 Examples of time sensitive issues where a parenting coordinator may make a  
4 binding temporary decision include the exchange time for Mother's Day, because it  
5 was not defined in the Parenting Plan; and whether a child can attend a short notice,  
6 significant family event with a parent that does not impact the amount of parenting  
7 time with the other parent.

8 A binding temporary change differs from a binding temporary decision in that  
9 it can impact legal decision-making and parenting time. The intent is to prevent or  
10 end a risk of harm to the children for example, alcohol or drug abuse by a parent,  
11 child abuse, or family violence.

12 In a case where the parenting coordinator is licensed by the Arizona Board of  
13 Psychologist Examiners and a parent has filed a complaint with the court regarding  
14 unprofessional conduct, pursuant to A.R.S. § 32-2081(b), prior to referring a  
15 complaint arising out of a court ordered evaluation, treatment or psychoeducation to  
16 the board, the court must find that there is a substantial basis to refer the complaint  
17 for consideration by the board.

1 **Proposed Rule**  
2 (Clean version)

3

4

## APPENDIX B

5 **Arizona Rules of Family Law Procedure**

6 **Rule 74. Parenting Coordinator**

7 **A. Determination of Need for Parenting Coordinator and Appointment.** The

8 overall objective of parenting coordination is to assist parents in conflict to

9 implement their parenting plan, to assist with compliance with the details of the plan,

10 to resolve conflict regarding their children and the parenting plan in a timely manner,

11 and, in so doing, to protect and sustain safe, healthy and meaningful parent-child

12 relationships.

13 **B. Appointment of a Parenting Coordinator.** The court may appoint a parenting

14 coordinator in any proceeding under Title 25, A.R.S. at any time after entry of a legal

15 decision-making or parenting time order. The appointment of a parenting

16 coordinator is appropriate when either:

17 1. The parents stipulate to the appointment of a parenting coordinator; or

18 2. The court finds one or both parents have demonstrated an inability or

19 unwillingness to agree on legal decision-making or parenting time issues and that

20 without a parenting coordinator the parents would engage in protracted litigation.

1 Before the court appoints a parenting coordinator, the court must first give the parties  
2 the opportunity to identify a person instead of a parenting coordinator with  
3 appropriate education, experience, and expertise to whom they both agree to submit  
4 any future disputes regarding the implementation of the parenting plan or legal  
5 decision-making orders.

6 **C. Selection of a Parenting Coordinator.** Any parenting coordinator appointed by  
7 the court must qualify as a parenting coordinator under subparagraph D. The parents  
8 must first be given the opportunity to agree on who their parenting coordinator will  
9 be. If the parents are unable to agree, the court may select the parenting coordinator.

10 A person appointed as a parenting coordinator may not serve in any other function  
11 or role in the case. A person who is or has already served in a legal, treatment,  
12 evaluative, or therapeutic role in the case must not be appointed as the parenting  
13 coordinator and must not serve in any other role in the case unless both the parents  
14 and the parenting coordinator agree.

15 **D. Persons Who May Serve as Parenting Coordinators.** The following persons  
16 may serve as a parenting coordinator:

- 17 1. An attorney who is licensed to practice law in Arizona;
- 18 2. A psychiatrist who is licensed to practice medicine or osteopathy in Arizona;
- 19 3. A psychologist who is licensed to practice psychology in Arizona;

- 1 4. A person who is licensed to practice independently by the Arizona Board of
- 2 Behavioral Health Examiners;
- 3 5. Professional staff of a court’s conciliation services department; or
- 4 6. A person with education, experience, and expertise who is deemed qualified by
- 5 the court’s presiding judge or a designee.

6 The court may prescribe additional requirements for service as a parenting  
7 coordinator.

8 **E. Term of Service.** The term of the parenting coordinator will be designated in the  
9 Order of Appointment.

10 **1. Initial Term.** A parenting coordinator’s initial term must not exceed one year  
11 unless the parents agree to a longer term.

12 **2. Reappointment.** The parenting coordinator may contact the court in writing to  
13 request reappointment or to notify the court that the appointment term has ended or  
14 is about to end. A copy must also be sent to each parent or counsel, if represented.

15 A parenting coordinator must not contact a parent to seek or suggest reappointment.  
16 Either or both parents may contact the court in writing to request reappointment of  
17 the parenting coordinator.

18 **3. Replacement of the Parenting Coordinator.** A parent may file a motion with  
19 the court requesting that the court replace the existing parenting coordinator. The  
20 motion will not be granted unless the moving parent establishes good cause for the

1 requested relief. Mere disagreement with one or more of the parenting coordinator's  
2 recommendations will not constitute good cause for replacement of the parenting  
3 coordinator.

4 **4. Resignation.** The parenting coordinator may resign upon notice to each parent  
5 and order of the court.

6 **5. Discharge.** A parent may file a motion with the court requesting that the court  
7 discharge the parenting coordinator prior to the expiration of the appointment.

8 Absent an order of the court; however, one or both parents cannot unilaterally  
9 discharge the parenting coordinator. The court may terminate the service of the  
10 parenting coordinator at any time for good cause or upon finding that there is no  
11 longer a need for the parenting coordinator.

12 **F. Fees.**

13 **1. Ability to Pay.** Unless the parents stipulate or agree to the appointment of a  
14 parenting coordinator, the court may not appoint a parenting coordinator without  
15 first determining that the parents can afford the parenting coordinator's fees. In  
16 determining if a parent can afford the parenting coordinator's fees, the court must  
17 consider all of the parents' then-existing financial resources and obligations,  
18 including child support and spousal maintenance obligations. The court may not  
19 appoint a parenting coordinator if the court determines that one of the parents is  
20 unable to pay the parent's allocated portion of the fees, unless the other parent

1 consents to paying all of the parenting coordinator’s fees. Based upon the parents’  
2 financial circumstances, the court will determine how to allocate the parenting  
3 coordinator’s fees between the parents.

4 **2. Adjustment to Allocation of Fees.** A parenting coordinator may recommend to  
5 or a parent may request of the court an adjustment in allocation of fees.  
6 Circumstances that may warrant an adjustment to the allocation of the parenting  
7 coordinator’s fees include, but are not limited to, a change in one or both parent’s  
8 financial circumstances or instances where one parent is using the parenting  
9 coordination process excessively to harass the other parent. Any such  
10 recommendation or request must be submitted to the court in writing and must  
11 explain in detail the basis for the recommendation or request. If submitted by the  
12 parenting coordinator, a copy of the recommendation must be provided to each  
13 parent or counsel, if represented. If submitted by a parent, a copy of the request must  
14 be provided to the other parent or the other parent’s counsel, if represented, and the  
15 parenting coordinator.

16 **3. Time of Payment.** Prior to the first substantive meeting with the parents, the  
17 parenting coordinator must fully disclose and explain the basis of any fees and  
18 charges to the parents. A parenting coordinator can require a total retainer equal to  
19 not more than two times the parenting coordinator’s hourly rate as long as the  
20 retainer is used to pay for services as they are rendered. If a parenting coordinator

1 does not charge a retainer, a parenting coordinator can require prepayment for the  
2 specific service to be rendered prior to the time that service is rendered.

3 **G. Confidentiality.** Parenting coordination is not a confidential process, either for  
4 communications among the parents and their children and the parenting coordinator,  
5 or for communications among the parenting coordinator and other relevant parties  
6 to the parenting coordination process, or for communications with the court.

7 **H. Powers and Scope of Appointment.** Except pursuant to subparagraph J, a  
8 parenting coordinator cannot change any existing court orders. A parenting  
9 coordinator can, however, make recommendations to the court regarding  
10 implementation, clarification, modification, and enforcement of any court order  
11 regarding legal decision-making or parenting time. A parenting coordinator cannot  
12 recommend a change to the court’s existing order allocating legal decision-making  
13 authority or recommend a substantial change in parenting time.

14 Counsel are not permitted to attend parenting coordinator meetings unless agreed to  
15 jointly by the parents and the parenting coordinator, or ordered by the court.

16 **I. Time Sensitive Issue Authority and Procedure.**

17 **1. Binding Temporary Decision.** Notwithstanding the limitations of subparagraph  
18 H, a short-term, emerging, and time sensitive situation or dispute within the scope  
19 of authority of the parenting coordinator may arise that requires an immediate  
20 decision for the welfare of the children and the parents, but does not require a

1 substantial change to either parent’s legal decision-making authority or parenting  
2 time. On such occasion, a parenting coordinator may make a binding temporary  
3 decision. The decision and any additional recommendations of the parenting  
4 coordinator must be submitted to the assigned judge and each parent or counsel, if  
5 represented, in accordance with subparagraph L, below.

6 **2. Binding Temporary Change on an Emergency Basis.** A parenting coordinator,  
7 during the course and scope of the appointment, may determine that a parent’s  
8 functioning is impaired and, as a result, the parent is either incapable of fulfilling the  
9 court-ordered legal decision-making or parenting functions, or will expose the  
10 children to an imminent risk of harm. On such occasion, a parenting coordinator may  
11 make a binding temporary change in the court’s legal decision-making or parenting  
12 time orders if doing so is in the best interest of the children. The parenting  
13 coordinator must notify in writing the assigned judge and each parent or counsel, if  
14 represented, of any such binding temporary change and the reason therefore by the  
15 next business day. The court must hold a hearing within 10 calendar days of  
16 receiving this written notification. At that hearing the court may affirm, modify, or  
17 vacate the parenting coordinator’s binding temporary change. If the court  
18 determines, as a result of this hearing, that an evidentiary hearing is necessary, the  
19 court must set such evidentiary hearing within 60 calendar days, unless additional  
20 medical, psychological, psychiatric, or substance abuse testing is ordered, in which

1 case the evidentiary hearing is to be set within 30 calendar days of the completion  
2 of such testing. Unless modified or vacated by the court, the parenting coordinator's  
3 binding temporary change must remain in effect until the evidentiary hearing.

4 **K. Additional Authority of Parenting Coordinator.** The parenting coordinator

5 may interview all members of the immediate and extended family or household of  
6 both parents and the children. To the extent provided in the Order of Appointment,

7 the parenting coordinator may interview and request information from any persons

8 whom the parenting coordinator deems to have information relevant to the issue

9 currently before the parenting coordinator, including doctors, therapists, schools, or

10 other caretakers. The parenting coordinator must notify each parent and the court in

11 writing of any person, other than the children's school personnel or members of the

12 immediate and extended family or household of both parents and the children, whom

13 the parenting coordinator intends to interview, and any person or entities from whom

14 the parenting coordinator intends to request documents. The parenting coordinator

15 may recommend that the court order the parents or children to participate in ancillary

16 services, to be provided by the court or third parties, including but not limited to

17 physical or psychological examinations or assessments, counseling, and alcohol or

18 drug monitoring and testing.

19 **L. Report.** Recommendations by the parenting coordinator must be made or

20 confirmed to the court and parents in a form substantially similar to the Parenting

1 Coordinator's Report and Recommendation, in Rule 97 of these rules, which must  
2 be mailed or transmitted to the assigned judge no later than five business days after  
3 receipt of all information necessary to make a recommendation. A copy of the report  
4 must be mailed or transmitted to the parents or counsel, if represented, on the same  
5 day it is mailed or transmitted to the court. The report may be transmitted by fax or  
6 email to the parents at a fax number or email address provided by the parents to the  
7 parenting coordinator. The parenting coordinator must not file its report with the  
8 clerk of the court, unless the court specifically authorizes the parenting coordinator  
9 to do so.

10 **M. Court Action.** The court, upon receipt of a report and recommendation from a  
11 parenting coordinator, may, subject to subparagraph O, do any of the following:

- 12 1. Approve or modify the recommendation and adopt it as an order of the court;
- 13 2. Reject the recommendation report in whole or in part and affirm the current order;
- 14 or
- 15 3. Set a hearing regarding the recommendation.

16 The court may use the Order Regarding Parenting Coordinator's Report and  
17 Recommendations, in Rule 97 of these rules, for purposes of this subparagraph.

18 **N. Objection.** A parent who objects to a recommendation made by the parenting  
19 coordinator must, within 10 business days of the date of the court's order, file with  
20 the court a pleading entitled, Objection. The pleading must set forth the objection to

1 the recommendation, the basis for the objection, a proposed solution, and whether a  
2 hearing is requested.

3 **O. Action on Objection.** If an objection to the report and recommendation of the  
4 parenting coordinator is filed, the action taken by the court pursuant to subsection M  
5 will remain in effect pending resolution of the objection.

6 **P. Immunity.** The parenting coordinator has immunity in accordance with Arizona  
7 law as to all acts undertaken pursuant to and consistent with the appointment order  
8 of the court.

9 **Q. Parent Grievance or Complaint against a Parenting Coordinator for**  
10 **Unethical or Unprofessional Conduct.** In addition to any action a parent may take  
11 as provided by law, at any time during the parenting coordination process a parent  
12 may file a motion with the court regarding any alleged impropriety or unethical  
13 conduct by the parenting coordinator. The court must take whatever action it deems  
14 appropriate with respect to such complaint. At minimum, if the court concludes that  
15 there is a reasonable basis for the parent's complaint, the court must refer the parent's  
16 complaint to the parenting coordinator's regulatory or licensing agency.

17 **R. Applicability.** No court is required to employ or use parenting coordinators;  
18 however, in the event a court elects to use parenting coordinators, these rules must  
19 apply.

20

1 **PARENTING COORDINATOR WORKGROUP COMMENTS**

2           The term “fees” includes all fees, costs and charges associated with the  
3 services of the parenting coordinator.

4           The term “financial circumstances” includes income, assets, liabilities, and  
5 financial obligations. Primary to any financial obligations are child support and  
6 spousal maintenance.

7           By way of example only, a parenting coordinator may make recommendations  
8 regarding legal decision-making and parenting time issues about choice of school,  
9 exchanges, holiday scheduling, discipline, health issues, school and extracurricular  
10 activities, and managing problematic behaviors of the parents or the children.

11           Examples of time sensitive issues where a parenting coordinator may make a  
12 binding temporary decision include the exchange time for Mother’s Day, because it  
13 was not defined in the Parenting Plan; and whether a child can attend a short notice,  
14 significant family event with a parent that does not impact the amount of parenting  
15 time with the other parent.

16           A binding temporary change differs from a binding temporary decision in that  
17 it can impact legal decision-making and parenting time. The intent is to prevent or  
18 end a risk of harm to the children for example, alcohol or drug abuse by a parent,  
19 child abuse, or family violence.

1           In a case where the parenting coordinator is licensed by the Arizona Board of  
2   Psychologist Examiners and a parent has filed a complaint with the court regarding  
3   unprofessional conduct, pursuant to A.R.S. § 32-2081(b), prior to referring a  
4   complaint arising out of a court ordered evaluation, treatment or psychoeducation to  
5   the board, the court must find that there is a substantial basis to refer the complaint  
6   for consideration by the board.

**Preliminary Comments**  
 (Comments received prior to filing)

**APPENDIX C**

<b>COMMENTS</b>	<b>RESPONSE</b>
<b>Committee on Superior Court (COSC) 11/7/14</b>	
<b>COSC Members</b>	
In subparagraph D.6, why was the authority limited to the presiding judge? Could the assigned judge or a designee be included?	“or designee” was added to the subparagraph.
The proposed amendments are a large step in a better direction.	
Why is the State Bar Family Law Section unaware of this effort?	<p>At the Administrative Office of the Courts, workgroups are formed to get the ball rolling on an identified issue; not to finalize the solution. Informally established, workgroups bring a small number of very busy, highly knowledgeable, subject matter experts together to discuss an issue, identify possible solutions and, if a solution is found, draft recommendations for the Arizona Judicial Council (AJC) to consider.</p> <p>The draft recommendations are then presented to the appropriate AJC standing committees for comment and, if requested by the workgroup, a possible vote of support to move forward. Because AJC standing committee meetings are open to the public, this is the first opportunity for the public to learn about and comment on the recommendations. This committee is the first to which the proposed rule amendments are being presented.</p>

	Workgroup membership included family court presiding judges, a family court judge, a court administrator, a family court administrator and a conciliation court director as well as representatives from the Administrative Office of the Courts. It is being routed through this committee, the Presiding Judge's meeting and the Arizona Judicial Council to garner support for filing the petition.
The Superior Court in Mohave County is re-establishing its parenting coordinator program and supports this effort.	
<b>Members of the Public</b>	
Right direction. Supports the changes to the rule and addressing the issue related to A.R.S. §32-2081. What dictates financial ability?	Because parenting coordinators are typically appointed post decree, the court will have in its file <i>Affidavits of Financial Information</i> as well as one or more child support worksheets. That information, along with any additional information provided by the parties, can be used to determine the parents' ability to afford a Parenting Coordinator."
Organizations such as CARE should be allowed to be parenting coordinators.	
Parenting coordinators should be used pre-decree to resolve parenting plan and legal-decision making issues.	
All parenting coordinators should have a PhD in psychology.	
The appointment of a parenting coordinator prohibits a parent from contacting the court regarding needed court action.	The Order of Appointment currently contains language that could be so construed. The Order will be reviewed and revised as needed.

Parenting coordinator fees are too high.	
The inability to pay a parenting coordinator's fees sets a parent up for contempt.	The proposed changes regarding determining the parents' ability to afford a parenting coordinator, and reallocation should financial circumstances change should address this issue.
Rule 74 should be merge back into ARCP Rule 53 for Special Masters where there is a defined scope of authority, finding of fact, conclusion of law, an application process with qualifications.	
Hold parenting coordinators accountable. Do not rubberstamp the report and recommendations.	An interim order is made by the judge upon receipt of the parenting coordinator's report and recommendation. The judge may approve, modify and approve or reject the recommendations made by the parenting coordinator. If a parent files an objection to the report and recommendations, the interim order is reconsidered. When the objection period is over, if no objection has been filed, the interim order becomes the court's final order.
Develop a document to provide information to parents about how to object. Parents currently receive ineffective instruction upon appointment of the parenting coordinator.	A change to Form 11, <i>Parent Information regarding the use of Parenting Coordinators</i> will be considered by the workgroup.
Set a firm date for the end of the parenting coordinator's term.	
Allow sessions with the parenting coordinator to be audio taped.	
Develop standard orders.	The Order of Appointment will be reviewed and revised as needed.

<p>Prioritize the payment of child support before court fees and payments to court-appointed officials.</p>	<p>This is the current practice. Therefore, to address the comment the workgroup added language to make it clear to the reader that child support obligations will be considered by the court when determining whether the parents can afford a parenting coordinator.</p>
<p>Educate parents about divorce before they file.</p>	<p>Parties in a divorce, separation or paternity action where child support, legal decision-making or parenting time are at issue are ordered upon filing to attend a parent education program. If the parties change their minds after filing, they may ask the court to dismiss the case.</p>
<p><b>Meeting of the Presiding Judges (12/10/14)</b></p>	
<p>Does the parenting coordinator's report to the court include an accounting of the retainer if one is charged?</p>	<p>Financial arrangements are among the parenting coordinator and the parents.</p>
<p>Child support and spousal maintenance are considered as obligations by the court when determining ability to pay. Shouldn't spousal maintenance also be considered as a resource when determining ability to pay?</p>	
<p>The Order of Appointment states the parents cannot come back to court when a parenting coordinator is appointed.</p>	<p>Though that was not the intent of that language, it will be considered for revision. The workgroup will be addressing the Order after the filing of the petition.</p>
<p>The amendments seem to resolve the issues brought forward.</p>	

<b>Arizona Judicial Council (12/11/14)</b>	
Subparagraph C, 2 <sup>nd</sup> Sentence Clarification is needed if the person selected by the parent will serve instead of a PC and will not be subject to the requirements of this rule.	
More needs to be done to assist indigent parents.	
What happens when a parenting coordinator is needed but the parents do not have the ability to pay?	In Maricopa County, the parents are referred to mediation, open negotiation or a settlement conference. In Pima County, the Conciliation Court provides the parenting coordinator services.
How does this fit with equal access to justice?	Neither Arizona Law nor the Arizona Rules of Family Law Procedure authorize the submission of many of these types of disputes to the Court. The only post decree petitions that are authorized by Arizona law and the Arizona Rules of Family Law Procedure are post decree petitions to enforce or modify existing court orders.  The provision of parenting coordinators offers the parents a means to settle parenting disputes, if they are unable to do so between themselves.
Are the decisions made by the parenting coordinator enforceable?	The decisions are binding, but temporary. Once the decision is reported/recommended to the court, the court may affirm, modify or reject the recommendation.
Parenting Coordinators are invaluable to the court. Will there be changes made to Form 11, Information for	Yes.

<p>Parents regarding the Use of Parenting Coordinators?</p>	
<p>How are parenting coordinators solicited? Perhaps having a diverse group (such as religious leaders and other trusted persons known to the parents) would heighten the program's credibility.</p>	<p>In Maricopa County, qualified persons who would like to be on the list maintained by the court must complete an application process and meet at a minimum the requirements set forth in Rule 74.</p>
<p>Are the fees set or are they market-driven?</p>	<p>The fees, ranging from \$90 to \$900/hour, are market driven. The individual who received the most appointments in Maricopa County in 2013 charged \$150/hour which is at the lower end of the range.</p>