

CAUSE NO. \_\_\_\_\_

IN THE INTEREST OF

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IN THE \_\_\_\_\_ JUDICIAL

DISTRICT COURT

CHILD(REN)

\_\_\_\_\_ COUNTY, TEXAS

**ORDER APPOINTING PARENTING FACILITATOR**

THIS CAUSE having come before this Court and this Court having reviewed the file and being otherwise fully advised in the premises this Court finds that there is good cause shown for appointment of a Parenting Facilitator and that such an appointment is in the best interest of the children in this cause.

1. IT IS THEREFORE ORDERED that:

- Bradley S. Craig, LMSW-IPR, CFLE
- Cecilia Powers, LCSW-S

of Between Two Homes Direct Services is appointed as the parenting facilitator. All parties shall provide a copy of this order along with all fully completed intake forms (Personal Data Form, Attorney Release Form, Mental Health Professional Release Forms, Medical Release Forms, Consent for Teleservices, Service Form, a non-altered signed copy of the Advisement Form with initials on each page, each available online at [childreninthemiddle.com/parenting-facilitation](http://childreninthemiddle.com/parenting-facilitation)) necessary to initiate services from to the parenting facilitator to [intake@betweentwohomes.com](mailto:intake@betweentwohomes.com) within seven (7) business days of this order. All parties are ordered to cooperate with the Parenting Facilitator in scheduling and completing the requirements for parenting facilitation services. The Parenting Facilitator shall select a date for the initial appointment, and all parties are ORDERED to appear as directed by the Parenting Facilitator and thereafter follow all logistical instructions (regarding meeting times, meeting places, meeting participants, meeting rules, etc.) given by the Parenting Facilitator.

2. All parties shall provide a certificate of completion of the online Between Two Homes<sup>®</sup>: Making Two Homes Work class not less than 48 weekday business hours prior to the initial session from <https://betweentwohomes.com/making-two-homes-work>. For instance, if the appointment is set for Friday at noon, the certificate must be submitted by the preceding Wednesday at noon. If the appointment is on Monday at noon, the certificate is due by the preceding Thursday at noon.

3. IT IS FURTHER ORDERED that the Parenting Facilitator may meet with the parties or the children jointly or separately. It is up to the Parenting Facilitator's discretion as to whether appointments will be joint or separate, by telepresence or in person. The dates, duration, frequency, location, and persons in attendance for each session with the Parenting Facilitator shall be left to the discretion of the Parenting Facilitator, who is specifically authorized to notify the Court if any party is failing to comply with directions for session attendance.

4. IT IS FURTHER ORDERED that the expense of the Parenting Facilitator shall be divided between the parties as follows: \_\_\_\_\_% Petitioner \_\_\_\_\_% Respondent. The parties will advance the cost of the Parenting Facilitator in equal shares, with the exception that the Parenting Facilitator may assess to each party a pro rata share for time expended for reviewing documentation, individual sessions, out-of-session time, and other services based on the time required per parent. The Court deems these payments be taxed as costs of suit. The parties must advance the cost of the Parenting Facilitator in the form of a retainer established by the Parenting Facilitator. The parties are ORDERED to pay their respective portions of the initial retainer within seven days of the signing of this Order and any additional retainer required the day of any invoice or bill from the Parenting Facilitator is posted.

5. **IT IS ORDERED** that parenting facilitation proceeds in two phases:

**Phase One-Coparenting Plan Development:** The process will include no less than 6 sessions, unless coparenting issues are resolved, and may include other adult family members at the direction of the consultant with report back date on Phase progress due \_\_\_\_\_. All attempts to reach solutions regarding the coparenting relationship and issues related to the children will be detailed in writing by Parenting Facilitator as a "session summary" plan that will not constitute an agreement unless finalized by each attorney in this cause.

- IT IS FURTHER ORDERED that during Phase One the Parenting Facilitator shall have the following responsibilities and the authority to take such steps as necessary to carry out their responsibilities. The Parenting Facilitator shall assist the parties in minimizing child-related conflicts between the parents and resolving issues related to parenting or other family issues. The parenting facilitator's duties are limited to matters that will aid the parties in the following areas:
  1. identifying disputed issues;
  2. exploring possibilities for problem solving;
  3. understanding parenting plans and reaching agreement about parenting issues to be included in a parenting plan; and
  4. settling disputes regarding parenting issues and reaching a proposed joint resolution or statement of intent regarding these disputes.

- If coparenting issues are not resolved by the report back date, parenting facilitation will move to Phase 2. If all coparenting issues are resolved, parenting facilitation services will be terminated, and all parenting facilitation retainers refunded to the parties.

### **Phase Two-Case Management**

6. IT IS ORDERED that during Phase 2 the Parenting Facilitator has the following duties and the authority to take such steps as necessary to carry out these duties. The Parenting Facilitator will assist the parties in minimizing child-related conflicts between the parents and resolving issues related to parenting or other family issues through aiding them in:

1. identifying disputed issues;
2. reducing misunderstandings;
3. clarifying priorities;
4. exploring possibilities for problem solving;
5. developing methods of collaboration in parenting;
6. understanding parenting plans and reaching agreement about parenting issues to be included in a parenting plan;
7. complying with the court's order regarding conservatorship or possession of and access to the child;
8. implementing parenting plans;
9. obtaining training regarding problem solving, conflict management, and parenting skills;
10. settling disputes regarding parenting issues and reaching a proposed joint resolution or statement of intent regarding these disputes; and
11. monitor the parties' compliance with court orders.

In order to carry out the duties outlined above the Parenting Facilitator is specifically instructed and authorized to:

- assist the parties and the children to promote the children's rights of access to both parents and to protect the children's best interests in general in compliance with the previous orders of this court;
- communicate with the parties, children, health care providers, psychological providers, and any other third parties as deemed necessary by the Parenting Facilitator;
- make recommendations to the court and attorneys regarding other mental health professionals involved in the case and coordinate services of the other mental health

professionals with the parenting facilitator to provide continuity of care to the family;

- utilize a licensed communications coach to assist the Parenting Facilitation process;
- utilize employees or contractors to assist the Parenting Facilitation process;
- when beneficial, recommend that one or both of the parents or the subject child(ren) avail themselves of appropriate community resources, including, but not limited to, random drug screens, formal parenting classes, psychological assessment, individual psychotherapy, child therapy, and/or family counseling; and
- notify the Court if any party is failing to comply with the spirit or letter of this order or other orders of the Court.

5. IT IS FURTHER ORDERED that independent of the phases the parties must:

- cooperate with the Parenting Facilitator in the execution of the duties outlined above;
- follow the recommendations of the parenting facilitator as specifically authorized;
- execute any necessary authorizations within 48 hours of the request from the Parenting Facilitator in order to enable the Parenting Facilitator to obtain information about the children, the parties, other caretakers, or other members of a party's household;
- promptly disclose to the Parenting Facilitator in writing all information including name, address, e-mail, and fax for any and all mental health professionals, mental health consultants, or family/life/coparenting coaches who have provided services or consultation to any party in the past five years, are providing services or consultation currently, or upon initiation of services or consultation;
- complete assignments, such as homework between sessions, as directed by the Parenting Facilitator by the deadlines set by the Parenting Facilitator;
- set up and maintain an ourfamilywizard.com account upon receipt of the initial Parenting Facilitation session notice to allow the parenting facilitator access to all files and communications and to utilize the Our Family Wizard application as directed by the Parenting Facilitator;
- follow [the guidelines](#) provided by the parenting facilitator for written communications between the parents;
- direct any disagreements regarding the children to the Parenting Facilitator before seeking court action, unless a child's safety is jeopardized. The Parenting Facilitator will work with both parents to resolve the conflict and, if necessary, will recommend an appropriate resolution to the parties and their legal counsel;
- contact the Parenting Facilitator between sessions only in writing. The assistance provided by the Parenting Facilitator is not intended to be a crisis intervention service;

- notify the Parenting Facilitator in writing within 24 hours of any changes in their contact information, legal representation, ability to access ourfamilywizard communications and/or email, residency, incarceration status, change in access to the subject children, relationships status, or occupants of their home.

6. IT IS ORDERED that the custodian of any relevant records relating to the child or any party to the action, including records regarding social services, coaching, mental health treatment and evaluation records, law enforcement records, school records, records of a probate or court proceeding, and records of a trust or account for which the child is a beneficiary, shall provide immediate access and shall release the records to the Parenting Facilitator without requiring a further order or release from the parties except that a child's drug- or alcohol-treatment record that is confidential under 42 U.S.C. section 290dd-2 shall be released only as provided under applicable federal regulations.

7. IT IS ORDERED that the parenting facilitator will communicate concurrently with all attorneys of record for the adults.

8. IT IS ORDERED that no information gathered by the Parenting Facilitator, including any conversation between the evaluator and any party, child, investigator, attorney or collateral source, is confidential or protected by any privilege. Information provided by the parties may be shared with others involved in the Parenting Facilitation (including where necessary and appropriate, children and collateral sources) so that verification of information provided can be sought and so that others are afforded the opportunity to respond to issues raised. The Parenting Facilitator must inform any party, child, attorney or collateral source that any information received is not confidential or protected by any privilege or discovery.

9. IT IS ORDERED that the Parenting Facilitator may testify at the final hearing or other hearing in this case, at the written request of any attorney of record, however, unless otherwise ordered by the Court, the requesting party is responsible for the Parenting Facilitator's customary and usual fees for testifying and said fees must be paid or advanced at least one week prior to the hearing and payment of said fees is a condition precedent to the Parenting Facilitator's required testimony.

10. The appointment of the parenting facilitator does not divest the Court of its exclusive jurisdiction to determine issues of conservatorship, support, parenting time or the authority to exercise management and control of this suit. Accordingly, the parenting facilitator may not modify any order, judgement, or decree.

11. Referral to parenting facilitation is not a substitute for trial, and the case may be tried if not settled or agreed to continue in parenting facilitation or other intervention service. The Court shall remove the parenting facilitator on the request and agreement of all parties, on the request of the parenting facilitator, on the motion of a party if good cause is shown or if the parenting facilitator ceases to satisfy the minimum qualifications required by section 153.6101 of the Texas Family Code. The parenting facilitator may recommend termination of the service when making a status report.

12. Notwithstanding any rule, standard of care, or privilege that applies to the parenting facilitator's professional license, communication made by a participant in parenting facilitation is

subject to disclosure and may be offered in any judicial or administrative proceeding, if otherwise admissible under the rules of evidence.

13. IT IS FURTHER ORDERED that the Parenting Facilitator shall submit a written report regarding the status of this case to the court and attorneys of record as deemed appropriate by the parenting facilitator and at the request of either attorney or the Court. IT IS FURTHER ORDERED that the report may include a recommendation to the parties to implement or clarify provisions of the Court's order that are consistent with the intent of the order and in the best interests of the child. IT IS FURTHER ORDERED that the report may include any other information required by the Court but may not include recommendations regarding conservatorship of or possession or access to the subject child(ren).

Signed on this \_\_\_\_\_, 20\_\_.

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Judge Presiding