

**Successful Therapy for Children**  
**Coping with Parents in Continued Conflict, During or After Separation or Divorce**

**\*\*Important: This contract is only required for parents who are either separated / divorced or are in the process of a separation / divorce that continue to be in a high state of conflict or disagreement regarding custody and/or high conflict regarding co-parenting their child together. Effective co-parenting means that both parents can communicate in writing AND in person the needs of their child and are both able to implement an agreed parenting plan without regular conflict. Sure, all parents (even those not separated or divorced) have conflict regarding co-parenting. This contract applies to those parents where co-parenting conflict is happening most, if not all, the time between parents.**

**Parent Contract**

At Peak Counseling, our main objective working with children is to help them develop emotional stability and to strengthen their sense of self-worth and importance in life. As they transition into adulthood, our goal is to teach them the skills to live a happy and healthy life. One of the key indicators helping a child develop into a healthy adult is being raised within a loving and supportive family. Parents have the challenging responsibility to make sure this happens.

There are times when parents are unable to reconcile their differences and their relationship with each other ends in separation or divorce. And there are very challenging situations that exist between parents that occur such as domestic violence or other misconduct. There are many legitimate reasons parents continue to stay in conflict where it interferes with effective co-parenting. But like it or not, if the other parent shares any physical custody or visitation in any way, it will be necessary that both parents are able to respect and agree with the other parent's strategies or at least "tolerates" the other parental strategies. And at times the parents ever disagree with the other parent's strategies, they can communicate with each other and come up with an agreed-upon plan moving forward without conflict.

When effective co-parenting already exists between both parents, individual therapy with the child is possible. However, at Peak Counseling, we have found that when separated or divorced parents have a conflicting relationship with each other and are not co-parenting, that individual therapy with their child is **not** effective. In these situations, individual therapy with the child can be more harmful than helpful. When both parents continue to be in conflict with each other, two things often happen when the child starts individual therapy:

- Therapy with the child is often used for "evidence building" against the other parent for future court and custody. One parent hopes to have the mistreatment or "poor" parenting documented by the therapist. One parent may want to prove that the other

parent is not “fit” to have custody. When this happens, the therapist's clinical notes of the child’s therapy sessions are usually requested by one or both parents. Remember, even parents that don’t have any physical custody may still have medical 50-50 custody and therefore have every right to the child records and chart or information regarding what has happened in therapy. When a parent uses therapy as evidence or to support their case, things the child stated in therapy become “public” to those allowed to view the record. When this happens, the child often feels betrayed that what they said in a safe and confidential environment (therapy) is made public for both parents and others to hear. In addition, often one or both parents request the child’s therapist to testify regarding their individual therapy with the child. In the end, it is almost inevitable after the custody decision is made by the court that one or both parents feel the therapist didn’t support “their side of the story” and “threw them under the bus”. At that point, one or both parents usually abruptly pulls their child from therapy with little or no warning. Therapy ends up being more harmful to the child than helpful to the child. We are engaging in therapy services and not custody investigation services. Note: There are specialized therapists that work intentionally with custody cases with the intention of sharing notes and clinical information and are willing to have an opinion regarding custody. This is not a service we offer, but can recommend names in the community that offer the service.

- One parent or both parents may bring up issues regarding the other parent hoping that the child’s therapist will talk with the other parent to convince them to change. However, this is not the role of the therapist. This role is for a co-parenting therapist or mediator.

### **What to expect for your child’s individual therapy:**

- Individual therapy sessions are usually between 30-60 minutes, depending on the child’s needs.
- One-on-one time with your child, allowing them to freely communicate their thoughts and feelings without worrying about their parent’s reactions.
- Parent’s involvement is minimal, where the parent checks in with the child’s therapist for 5 minutes or less at the start of the session, to let the therapist know about their concerns. Minimal parent involvement allows therapy to focus on just the child’s issues, not the parent’s issues.
- The parent can request updates and progress toward treatment goals at any time. These updates are by phone or person to person.

Your child’s individual therapy is **NOT**:

- For purposes of court or custody.
- For one parent to address their concerns about the other parent.
- For changing the other parent.
- For family therapy.
- For co-parenting help.
- For helping parents manage disagreements.
- For determining if a parent is fit to be the child’s parent.

## **AGREEMENT BETWEEN PARENTS:**

**\*\*IMPORTANT:** As providers we have a legal mandate and ethical responsibility to “do no harm to our client”. Keep in mind that this agreement is between both parents, to avoid the therapy process causing harm to the child. However, please keep in mind that HIPAA regulations state that a parent with medical custody has full rights to all their child’s records and information regarding the treatment of their child, regardless of this contract.

1. The parents agree not to use the child’s records in any way for any type of court or custody matter.
2. The parents agree that the child’s clinical records can only be used for clinical purposes, such as, but not limited to, giving records to another provider to improve the child’s quality of care and continuity of care.
3. If the parent requests the records be released directly to themselves, the parent will not use those records for reasons of custody.
4. Because therapy notes with your child often contain information regarding all family members (including both parents), any request to release the child’s records needs to be signed by both parents. If one parent requests records for any reason, the therapist will inform the other parent that this request has been made. If the other parent states they do not agree with releasing the records, the records will not be released.
5. The parent agrees not to request a written summary regarding the child’s individual therapy (unless the written summary is for purposes of clinical care or continuity of care).
6. The parents agree not to request that the child’s therapist testify in court. If this request is made, the therapist will notify legal representation and/or the judge that this agreement was signed by both parents and believes that testifying will cause harm to the therapeutic process with the child. At that point the therapist may request a judge’s order to proceed with testifying regarding custody.
7. If both parents have medical custody, both parents must sign a consent that Peak Counseling can treat your child. If both parents do not consent, we will not start treatment with your child. If treatment is already started and one of the parents no longer agrees or consents to treatment, that parent must notify Peak Counseling of this in writing and therapy will be terminated immediately with your child. For the purpose of paperwork, only one parent needs to fill out the “new client” paperwork packet and a signature on this “parent contract” (signature below) will indicate the other parents consent that Peak Counseling can treat your child.
8. The parents agree to work with EITHER a co-parenting therapist or a conflict mediator, to help them manage parental disagreements and conflicts. Please keep in mind that the intention of working with a co-parent therapist or mediator is primarily for managing parental disagreements and not necessarily for “helping you get along again” (although if this happens that’s great). Both parents agree to sign a release of information to allow the child’s individual therapist at Peak Counseling to communicate with the parent’s co-

parenting therapist or mediator. Individual therapy with the child will not be started OR may be suspended unless both parents have established a co-parenting therapist or mediator (it will be up to the Peak Counseling therapist). If conflict remains between both parents, it is required that both parents stay in co-parenting therapy as long as their child is in individual therapy at Peak Counseling. Please indicate below the agreed upon co-parenting therapist OR the conflict mediator the parents choose to use. If the parents are "in process" of finding or scheduling with a co-parent therapist or mediator, please write down "in process" and other information about scheduling (such as stating "on waiting list for John as he stated 4 months out for new appointments")

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9. If the parents are aware that they are going to court for custody of their child or anticipate that it soon will be going to court, we request therapy with your child not be started and only started after the court is finished and custody has been decided. There are exceptions where a child is going through a great deal of emotional distress and requires that they start therapy as soon as possible. In these situations, we are willing to start therapy with the child if the terms of this agreement are signed by both parents (which will include that the parents have a co-parent therapist or mediator they are working with).

**By signing below, you acknowledge you have read this document and agree to the terms of individual therapy with your child. Both parents must sign this form.**

**Parent Signature** \_\_\_\_\_

**Relationship to Child:** \_\_\_\_\_

**Printed name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Parent Signature** \_\_\_\_\_

**Relationship to Child:** \_\_\_\_\_

**Printed name:** \_\_\_\_\_

**Date:** \_\_\_\_\_