

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

_____,)
)
 Plaintiff,)
)
 vs.)
)
 _____,)
)
 Defendant.)

File No. _____

ORDER APPOINTING
PARENTING COORDINATOR

This matter having come on before this Court on its own motion, or submitted to the Court by:

- _____ Attorney for Plaintiff;
- _____ Attorney for Defendant;
- _____ Agreement of the Parties.

The following appearances were made:

- _____ Attorney for Plaintiff;
- _____ Attorney for Defendant;
- _____ Plaintiff;
- _____ Defendant;
- _____ Other: _____

The Court having found that the parties can afford the services of a Parenting Coordinator and further finding that it is in the best interest of the children that a Parenting Coordinator be appointed to assist the parties in resolving their conflict, and for good cause having been shown:

IT IS ORDERED AS FOLLOWS:

1. **Appointment:** _____ located at _____
is appointed as the Parenting Coordinator.

2. **The Role of Parenting Coordinator:** The Parenting Coordinator shall serve to attempt to assist the parties to resolve conflicts as follows:

_____ One time parenting dispute involving _____.

_____ Ongoing parenting disputes.

3. **Agreement or Decision Binding:** Within five days of notice of the appointment, or within five days of notice of a subsequent parenting time dispute between the same parties, the Parenting Coordinator shall meet with the parties together or separately and shall make a diligent effort to facilitate an agreement to resolve the dispute. The Parenting Coordinator may confer with the parties through a telephone conference or other means. A Parenting Coordinator may make a decision without conferring with a party if the Parenting Coordinator makes a good-faith effort to confer with the party. If the parties do not reach an agreement, the Parenting Coordinator shall make a decision resolving the dispute as soon as possible but not later than five days after receiving all of the information necessary to make a decision and after the final meeting or conference with the parties. The Parenting Coordinator shall put the agreement or decision in writing and provide a copy to the parties. An agreement of the parties or a decision of the Parenting Coordinator is binding on the parties until further order of the court.

4. **Sources of Information:** Each party is ordered to provide the Parenting Coordinator with all requested information including the signing of all releases requested information for collateral contacts. The Parenting Coordinator may have contact with all professional or other individuals he/she deems necessary to perform the duties as Parenting

Coordinator (e.g., the children, therapists, physicians, child care providers, teachers, family members).

5. **Allocation of Fees:** The Parenting Coordinator's fees shall be paid by the parties as follows:

_____ Plaintiff _____%

_____ Defendant _____%

The fees shall be paid to the Parenting Coordinator within a reasonable time or pursuant to the fee agreement of the Parenting Coordinator. In the event of a request for reallocation of fees and costs, the Parenting Coordinator may submit findings and recommendations concerning this issue. The Court may use a Show Cause hearing to enforce the family to make timely payment of the fees.

6. **Confidentiality:** Statements made and documents produced as part of the Parenting Coordinator process which are not otherwise discoverable are not subject to discovery or other disclosure and are not admissible into evidence for any purpose at trial or in any other proceeding, including impeachment. Parenting Coordinators and lawyers for the parties, regarding their participation in the Parenting Coordinator process, may not be subpoenaed or called as witnesses about their participation in court proceedings. Notes, records, and recollections of Parenting Coordinators are confidential and may not be disclosed unless:

- a. The parties and the Parenting Coordinator agree in writing to the disclosure; or
- b. Disclosure is required by law or other applicable professional codes. Notes and records of Parenting Coordinators may not be disclosed to the court unless after a hearing the court determines that the notes or records should be reviewed in camera. Unless the court

determines that the notes and records contain information regarding acts that may be a violation of a state or federal criminal law, the notes and records may not be released.

7. **Immunity**: A Parenting Coordinator is immune from civil liability for damages for acts or omissions of ordinary negligence arising out of that individual's duties and responsibilities as a Parenting Coordinator.

8. **Cooperation of the Parties**: The parties shall participate in this process in good faith. The Parenting Coordinator may assess for the parties whether there has been a violation of an existing court order and, if so, recommend further court proceedings.

Dated this _____ day of _____, 20__.

Judge of District Court