

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order 2020-3-UFC

ADMINISTRATIVE ORDER AS TO PARENTING COORDINATION

- (a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.
- (b) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”
- (c) Pursuant to section 61.125, Florida Statutes, the purpose of parenting coordination is to provide a child-focused alternative dispute resolution process whereby a parenting coordinator assists the parents in creating or implementing a parenting plan by facilitating the resolution of disputes between the parents by providing education, making recommendations, and, with the prior approval of the parents and the court, making limited decisions within the scope of the court’s order or referral.
- (d) In *In re Amendments to the Florida Rules For Qualified And Court-Appointed Parenting Coordinators*, SC18-847 (Fla. Nov. 7, 2019), the Florida Supreme Court adopted certain amendments to the Rules For Qualified And Court-Appointed Parenting Coordinators requiring the chief judge or designee to maintain administrative responsibility over the qualification and disqualification of parenting coordinators, and providing the chief judge or designee with jurisdiction to review disciplinary decisions of the Parenting Coordinator Review Board (“PCRB”).
- (e) Consistent with the above, it is necessary to establish an administrative process for the review, approval, renewal and regulation of parenting coordinators, and formalize review procedures as permitted by Florida Rule For Qualified And Court-Appointed Parenting Coordinators 15.370.

(f) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED, effective immediately**:

I. Parenting Coordinator Registry

(1) The Office of the Trial Court Administrator will create and maintain a registry of parenting coordinators qualified pursuant to section 61.125, Florida Statutes. The registry shall include the contact information for each parenting coordinator, business address, if any, email address, and telephone and fax numbers. Unless there is a written agreement between the parties, only qualified parenting coordinators from the Court's registry may be appointed. Individuals seeking court-ordered appointments as a parenting coordinator must complete an application, as required by Florida Supreme Court Administrative Order 16-94. The application is attached hereto as Attachment "A," and shall be submitted to the following address:

Broward County Courthouse
Mediation and Arbitration
201 S.E. 6th Street, Suite WW19150
Fort Lauderdale, Florida 33301

To ensure the appointment of qualified parenting coordinators, individuals must agree to undergo an initial criminal history and background investigation at the time of application and annually thereafter for each year the parenting coordinator wishes to remain on the Circuit's registry.

(2) Individuals approved as parenting coordinators shall immediately notify the Chief Judge or Chief Judge's designee and the Office of the Trial Court Administrator when the parenting coordinator, in any jurisdiction:

- (a) Has been convicted or had adjudication withheld on a charge of child abuse, child neglect, domestic violence, parental kidnapping, or interference with custody;
- (b) Has been found by a court in a child protection hearing to have abused, neglected, or abandoned a child;
- (c) Has consented to an adjudication or a withholding of adjudication on a petition for dependency;
- (d) Is or has been a respondent in a final order or injunction of protection against domestic violence; or
- (e) Has been disqualified by the Parenting Coordinator Review Board.

(3) The failure of an approved parenting coordinator to notify the court of any item listed in paragraph (2) above or any other disqualifying circumstance as described in section 61.125, Florida Statutes, will result in the removal of the parenting coordinator from the Circuit's registry.

(4) A parenting coordinator shall not accept any case where there exists a conflict of interest (real or perceived). Each parenting coordinator has an ongoing duty to screen cases prior to providing services to avoid conflicts (real or perceived) and immediately notify the presiding judge in the event of a conflict so that another parenting coordinator may be appointed.

II. Review of Disciplinary Decisions by the PCRB

(1) Any parenting coordinator, sanctioned or found to have committed a violation of the Florida Rules For Qualified And Court-Appointed Parenting Coordinators, may seek review of such decision by submitting an original and one copy of a Notice of Review of Parenting Coordinator Disciplinary Action to the Administrative Judge of the Unified Family Court within 30 days of the decision by the Parenting Coordinator Review Board Panel ("Panel"). A copy of the notice of review shall be provided to the Dispute Resolution Center ("DRC"). The parenting coordinator shall attach a copy of the adverse decision to the notice.

(2) Except as modified by this Administrative Order, review proceedings shall be governed by the Florida Rules of Appellate Procedure.

(3) **Briefs.**

(a) An initial brief shall be submitted within 30 days of the notice of review, the contents of which shall comply with Florida Rule of Appellate Procedure 9.210(b), to the extent applicable. An appendix with those portions of the record necessary to understand the issues presented may accompany the initial brief.

(b) The answer brief, if any, shall be served and submitted within 30 days of service of the initial brief, and may be accompanied by an appendix.

(c) The reply brief, if any, shall be served and submitted within 30 days of service of the answer brief.

(4) **Standard of Review.** The Administrative Judge of the Unified Family Court shall review the Panel decision using a competent substantial evidence standard, neither reweighing the evidence in the record nor substituting the reviewer's judgment for that of the Panel.

(5) The decision of the Administrative Judge of the Unified Family Court shall be final.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 7th day of January, 2020.

/s/ Jack Tuter
Jack Tuter, Chief Judge

Attachment "A"

**AMENDED PARENTING COORDINATOR APPLICATION
For the Seventeenth Judicial Circuit, State of Florida**

Name: _____
Present Employment: _____
Organization: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail: _____
Social Security Number: _____ - _____ - _____ Driver License Number: _____
Date of Birth: _____ Place of Birth: _____
City & State
Languages fluent in other than English: _____

QUALIFICATIONS

PROFESSIONAL REQUIREMENT. Check all that apply and insert licensure or certification number(s):

- Licensed Mental Health Professional under Florida chapters 490 or 491, # _____
- Physician under Florida chapter 458 with Certification by American Board of Psychiatry and Neurology, # _____
- Florida Supreme Court Certified Family Mediator with at least a master's degree in a mental health field, # _____
- Member in good standing of The Florida Bar, # _____

PARENTING COORDINATOR REQUIREMENTS. Check all successfully completed:

- Three years post licensure or post certification practice in any one of the professions checked above.
- Family mediation training program certified by the Florida Supreme Court.

Minimum of 24 hours of parenting coordination training in parenting coordination concepts and ethics, family systems theory and application, family dynamics in separation and divorce, child and adolescent development, the parenting coordination process, parenting coordination techniques, high conflict divorce resolution techniques, and Florida family law and procedure.

Minimum of 4 hours of training in domestic violence and child abuse which is related to parenting coordination.

I will comply with Americans with Disabilities Act, the Civil Rights Act of 1964, as amended, the Florida Civil Rights Act of 1992, and any other federal or state law that prohibits discrimination on the basis of race, color, national origin, religion, sex, age, marital status, or disability.

<u>Description of Course(s) or Training</u>	<u>Date(s)</u>	<u>Name of Trainer and Entity which Sponsored or Approved Training</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I have read and am familiar with section 61.125, Florida Statutes.

I have read and am familiar with Florida Family Law Rules of Procedure 12.740, 12.741, and 12.742.

I have read and am familiar with Florida Family Law Forms 12.984(a) – (d).

I have read and am familiar with the forms, rules, and procedures in this circuit pertaining to parenting coordination.

DISQUALIFICATION

Yes No Have you been convicted or had adjudication withheld on a charge of child abuse, child neglect, domestic violence, parental kidnapping, or interference with custody or time-sharing?

Yes No Have you been found by a court in a child protection hearing to have abused, neglected, or abandoned a child?

Yes No Have you consented to an adjudication or a withholding of adjudication on a petition for dependency?

Yes No Have you been or are you currently a respondent in a final order or injunction of protection against domestic violence?

EXPERIENCE

COURT APPOINTMENT.

List all judicial circuits in which you are on its roster of qualified parenting coordinators: _____

Yes No Has any judicial circuit removed you from its roster of qualified parenting coordinators? If so, state circuit, date removed, and reason for the removal. _____

ADDITIONAL TRAINING.

Describe any additional training relevant to your services as a parenting coordinator: _____

PROFESSIONAL EXPERIENCE.

Describe your areas of practice or specialty: _____

Describe your alternative dispute resolution experience: _____

Describe any other professional experience you have that is pertinent to your ability as a parenting coordinator, (e.g. work with parents, children, or domestic violence): _____

LOCATION AND LIMITATION

LOCATION.

List any additional office locations where you can provide parenting coordination services. _____

LIMITATION.

Yes No Are you willing to work on cases with an active domestic violence injunction or a stay away order?

State any county in this circuit in which you are not willing to provide parenting coordinator services: _____

FEE STRUCTURE

Your hourly rate of compensation as a parenting coordinator: \$ _____.

Yes No Do you charge a retainer? If so, state the amount \$ _____.

Yes No Are you willing to accept pro bono or reduced fee appointments? If so, specify the conditions: _____

CRIMINAL HISTORY

If you answer **Yes** to any of the questions below, provide a **Separate Written Explanation and Copies of all Relevant Documentation** of each item including date, location, crime or incident and action and attach it to form.

Yes No Have you ever been found guilty or adjudicated guilty of a crime as an adult in this or any other state? Check YES, even if the adjudication of guilt or judgment was withheld or if the criminal record was sealed or expunged. (Include traffic crimes, such as DUI, reckless driving, or driving without privileges, but do not include traffic infractions such as excessive speed)

Yes No Do you have criminal charges or warrants pending against you or are you on probation or parole in this state or any other state?

SUPPORTING DOCUMENTATION CHECK LIST

Please check the following required documents attached to your application:

- 1. Your current professional license(s) and/or Florida Supreme Court Family Mediation Certification;
- 2. Proof of completion of Supreme Court approved family mediation training;
- 3. Proof of completion of 24 hours parenting coordination training;
- 4. Proof of at least 4 hours of training on domestic violence and abuse pertinent to parenting coordination;
- 5. Authorization to Investigate and Release of Information;
- 6. Documentation of criminal history if any; and
- 7. (Optional) Any other information that you feel might be relevant as your application is reviewed. This might include a brief description of special training or experience that might enhance your performance as a parenting coordinator.

ATTESTATION

I swear/affirm that the information supplied on this application and all documents provided are correct, that to the best of my knowledge I qualify for a position as a Parenting Coordinator as defined in section 61.125, Florida Statutes, and that I will notify in writing the chief judge or designee(s) for this judicial circuit of the following within 30 days of any such event: a) address change b) legal name change; c) change in fees; d) any criminal conviction, disqualifying event under section 61.125 or any change in the status of a professional license or certification which I currently hold.

I certify that I have read, understand and agree to abide by the **Rules for Qualified and Court Appointed Parenting Coordinators** and section 61.125. I understand that any omissions, falsifications, misstatements or misrepresentations of the information provided in this application, or information required to be subsequently provided, may be grounds for disqualification or dismissal.

My signature reflects my understanding that I am signing this document under oath under penalty of perjury.

Signature _____ Date _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me by _____
on _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp name of notary or clerk.]

____ Personally known

____ Produced identification

Type of identification produced _____

THIS COMPLETED APPLICATION AND ALL ATTACHED SUPPORTING DOCUMENTS ON THE CHECK LIST MUST BE DELIVERED TO:

Seventeenth Judicial Circuit
Broward County Courthouse
Mediation and Arbitration
201 S.E. 6th Street, Suite WW19150
Fort Lauderdale, Florida 33301

AUTHORIZATION TO INVESTIGATE AND RELEASE OF INFORMATION

I, _____ of _____
(name) (address)

authorize the above named court to conduct a criminal history and background investigation on me. I authorize the release of information and/or documents to this court from the Florida Department of Children and Families; the Florida Department of Law Enforcement; any city, county, state and/or federal law enforcement agencies; any school; and any other entity. I release this court from any and all liability and expense associated with this investigation or release of information and/or documents.

Signature _____ Date _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me by _____
on _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp name of notary or clerk.]

____ Personally known

____ Produced identification

Type of identification produced _____