

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE
FAMILY DIVISION**

Plaintiff

VS

CASE NO:

Defendant

_____ /

Attorney for the Plaintiff

Attorney for the Defendant

ORDER APPOINTING PARENTING MEDIATOR AND COORDINATOR

At a session of said Court, held in the Courthouse in the
City of Flint, County of Genesee and the State of
Michigan on _____

PRESENT: THE HONORABLE _____

1. Appointment

IT IS HEREBY ORDERED THAT **Theresa K. Cooke MA, LMSW, LLP** will be appointed as Parenting MEDIATOR and Coordinator/educator until further order of the court

2. AUTHORITY OF PARENTING COORDINATOR:

The parties understand and agree that the Order Appointing Parenting Mediator and Coordinator gives the Parenting Mediator and Coordinator the following authority:

- A. Parenting Mediator and Coordinator as Facilitator: The Parenting Coordinator will facilitate with the parties to resolve disputes regarding the minor child(ren). Before making any recommendation to the Court, the Parenting Coordinator will meet with the parties and if needed/appropriate the child(ren) and collaborating parties to facilitating resolution of any parenting dispute.
- B. Parenting Mediator and Coordinator as Fact Finder and Recommender: The Parenting Coordinator will have the authority to make written recommendations to the Court regarding conflicts that arise which cannot be resolved between the parties, including but not limited to the following:

1. Communication between the parents and between the parents and the child(ren).
2. Transportation to and from parenting time of the child(ren)
3. Changes to vacation or holiday schedules
4. Minor or occasional adjustments in the parenting time schedule
5. Participation in parenting time by significant others, relatives, etc
6. Sports, lessons, and recreation, enrichment activities and summer camp
7. Education and school choices
8. School attendance, homework
9. Child(ren)'s psychological examination, assessments, Child(ren)'s psychotherapy, including selection of a therapist if the parties cannot agree
10. Psychotherapy for the parties

Recommendations will be submitted to the parties and their attorneys

- C. Reservation of Court's Exclusive Jurisdiction The Parenting Mediator and Coordinator will not make any recommendation which modifies a court order for custody or parenting time. The Parenting Mediator and Coordinator will not address child support issues.

3. QUASI-JUDICIAL IMMUNITY

The Parenting Mediator and Coordinator has quasi-judicial immunity and cannot be sued based on his or her actions in this matter. Testimony by the Parenting Mediator and Coordinator will not constitute a waiver of the Parenting Mediator and Coordinator quasi-judicial immunity.

4. PROCEDURE AND RIGHTS OF PARENTING COORDINATOR

The parties agree to participate in the dispute resolution process as defined by the Parenting Coordinator and to be present when requested by the Parenting Mediator and Coordinator. The Parenting Mediator and Coordinator will have the right:

- a. To require the parties to attend meetings
- b. To request the parties to execute releases deemed necessary by Parenting Mediator and Coordinator
- c. To interview the parties or child(ren) in any combination, and to exclude any party (attorney) from such interview
- d. To have access to any therapist or any of the parties child(ren) and access to school or medical records
- e. To have reasonable access to the child(ren)
- f. To obtain releases for any evaluation, psychological testing or test results performed on any of the child(ren), including releases needed to speak directly with the relevant professionals
- g. To have access to educators of the child(ren)

5. RECOMMENDATIONS

Recommendations will be sent in writing to the parties and their attorneys,. If the Parenting Mediator and Coordinator makes recommendations on issues addressed under item 2-B, a party may object to the recommendation in writing. Recommendations will not be implemented by the parties until confirmed or modified by the Court. Either attorney may file a motion to adopt the recommendation and submit a proposed order to the court within 14 days of the receipt of the Parenting Mediator and Coordinator's recommendation

6. WAIVER OF PRIVILEGE

A therapist-patient relationship is not created between either parent and the Parenting Mediator and Coordinator. By signing this agreement, the parties understand that they are waiving the right to any privileged communication.

An attorney-client relationship is not created by this stipulation. By signing this agreement, the parties understand that they are waiving the right to any privileged communication.

7. FEES

The Parenting Coordinator's fees are \$ 100 per session and will be shared _____% from the Plaintiff and the _____% from the Defendant.

The Parenting Mediator and Coordinator will bill at the hourly rate. Should the parties or their attorney subpoena the Parenting Coordinator, time will be billed by the Parenting Mediator and Coordinator at the rate of \$100.00 per hour for the court appearances or out of office time spend on the case.

If either party fails to provide 24 hour notice of cancellation of any appointment with the Parenting Mediator and Coordinator, the party will pay all of the Parenting Coordinator's charges for missed appointments at the full hourly rate, at the discretion of the Parenting Mediator and Coordinator. The Parenting Mediator and Coordinator will set forth the details of the fee agreement upon the first initial session with the party.

The parties agree that the Parenting Mediator and Coordinator will be paid at the end of each in-person session. Billing sent for other services will be paid upon receipt of the billing.

The court has the jurisdiction to enforce all Parenting Mediator and Coordinator fees.

If the Parenting Mediator and Coordinator declines this appointment, he/she will give written notice to the Court and appointed attorneys within (14) fourteen days.

The above is agreed by the parties

Plaintiff

Plaintiff Attorney

Defendant

Defendant Attorney

FAMILY DIVISION JUDGE