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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PINALBY

MR
DEPUTY

IN THE MATTER OF ESTABLISHING)
PARENTING COORDINATION)
SERVICES AND AUTHORIZING)
HIGH CONFLICT RESOLUTION)
EDUCATION COURSE)
_____)

ADMINISTRATIVE ORDER
No. 2009 - 73

Whereas, Rule 66(D) – (F), Arizona Rules of Family Law Procedure, require the parties in any Family Court action to consider alternative dispute resolution (hereafter referred to as “ADR”) no later than ninety days following the first appearance of a respondent; that the parties confer either in person or by telephone about the possibilities for a prompt settlement or resolution of the case and whether they might benefit from participating in some alternative dispute resolution process; that the attorneys and all unrepresented parties who have appeared in the case are responsible for attempting in good faith to settle the case or agree upon an appropriate alternate dispute resolution process in their case; and authorize the Court to direct the parties to submit disputed issues to an alternate dispute resolution program; and

Whereas, Rule 68(E), Arizona Rules of Family Law Procedure, provides that Conciliation Services may approve, establish or administer other services designed to assist the parties or the Court in resolving a dispute; and provides that parties may be charged a fee for services; and

Whereas, Rule 74(A) – (D), Arizona Rules of Family Law Procedure, authorizes the Court to determine the need for and appoint a Parenting Coordinator in any proceeding under Title 25, A.R.S. in matters where the parents are persistently in conflict, there is a history of family violence or substance abuse, there are serious mental health concerns, a child has special needs or it would otherwise be in the children’s best interest to appoint a Parenting Coordinator; that Conciliation Services staff may serve as a Parenting Coordinator; that the Parenting Coordinator’s length of appointment will be ordered by the Court; that the Court will determine the allocation of fees between the parties; and

Whereas, the Family Court has an elevated percentage of matters with litigants that are in persistent conflict, have a history of family violence and/or substance abuse and have mental health problems that cause the litigants to use inordinate judicial resources which causes systemic delay of prompt resolution of cases; and

Whereas, research indicates that parental conflict is harmful to children; that parents and children benefit from learning strategies to reduce conflict, that jurisdictions that have implemented a High Conflict Resolution Class realize a reduction in unnecessary court involvement; and

Whereas, the implementation of Parenting Coordination Services and a High Conflict Resolution Class are necessary in these matters to effectively and timely adjudicate the issues and prevent delay and harm to the parents and children.

IT IS ORDERED:

1. Conciliation Court is authorized to establish and implement a Parenting Coordination program to provide assistance in all Family Court cases where the Court determines a need for and appoints a Parenting Coordinator.

2. The program shall be known as the "Parenting Coordination Program" and shall be conducted in accordance with family law statutes, Court rules, and department policy, and to be amended as authorized by the Family Court Presiding Judge. Litigants shall be assessed a fee for services as ordered by the Court.

3. Conciliation Court is authorized to establish and implement a High Conflict Resolution Course designed to educate parents in conflict resolution, problem solving and communication skills. Litigants shall be assessed a sanction/attendance fee of \$40.00 per person.

DATED this 5th day of August, 2009.



Hon. Kevin D. White, Presiding Judge
Family Court Department

Approved by 
R. Carter Olson, Presiding Judge

Original: Clerk of the Superior Court

Copies: Superior Court Judges
Diana R. Hegyi, Director, Family Services of the Conciliation Court