

**SFLAC GUIDELINES RE: QUALIFICATIONS
FOR APPOINTMENT AND TRAINING OF PARENTING COORDINATORS,
CUSTODY EVALUATORS and SUPERVISED VISITATION PROVIDERS
September 10, 2004**

INTRODUCTION

In 2001, the 71st Oregon Legislative Assembly passed Senate Bill 167 modifying ORS 107.425 to provide for the appointment by the court of individuals, or panels of individuals, to assist the court and/or parents in resolving disputes regarding parenting time and in creating and implementing parenting plans.

SB 167 provided that the presiding judge of each judicial district would establish qualifications for the appointment and training of individuals and panels and the designation of programs under that statute. *“In establishing qualifications, a presiding judge shall take into consideration any guidelines recommended by the statewide family law advisory committee.”* ORS 107.425(3)(d)

The State Family Law Advisory Committee (SFLAC) appointed a workgroup¹ to research existing national guidelines and make recommendations for qualifications and training required in three areas of services which may be ordered pursuant to ORS 107.425:

- parenting coordination
- custody evaluation
- supervised parenting time

The SFLAC reviewed and approved the recommendations of the workgroup on June 4, 2004, and recommended them to the Kingsley Click, State Court Administrator.

These guidelines reflect a broad, general perspective of the designated services, and should be customized for the particular needs and resources of each jurisdiction. It is strongly suggested that an evaluation feedback process be established for all of the roles identified above to assure competency, responsiveness and accountability.

¹ The SB 167 Workgroup was chaired by Dr. Edward Vien (licensed psychologist, Portland), Leah Baer (supervised parenting time provider, Portland), Dave Hakanson (mediator, Bend), Hugh McIsaac (custody evaluator and panel trainer, Manzanita), Melissa Schuler (supervised parenting time provider, Portland), Alison Taylor (Executive Director, Oregon Family Institute, Hillsboro), BeaLisa Sydlik (Family Law Policy Analyst, OJD, Salem)

PARENTING COORDINATORS (PCs)

PCs should be a mental health professional (defined as someone with a graduate degree in psychology, counseling, or social work or equivalent training, expertise, and education or medicine with psychiatric specialization), attorney, or domestic relations mediator. To the extent the PC is an arbitrator and renders binding decisions, s/he should have the qualifications and authority of an arbitrator as defined in Chapter 13 of the Uniform Trial Court Rules and Oregon Revised Statutes 36.400-36.425. The PC should also take continuing education classes and have peer supervision relevant to the role of parenting coordination. Areas of expertise should include:

- Conflict resolution and theory, including mediation skills
- Child development and psychology, including divorce adjustment knowledge
- Family dynamics and family systems theory
- Parenting education models and techniques
- Domestic violence and cultural sensitivity
- Domestic relations law
- Ethical standards, including confidentiality, dual roles, cultural sensitivity and objectivity and collaborative processes

The SFLAC notes that the Association of Family and Conciliation Courts (www.afcnet.org) recently published its Task Force on Parenting Coordination's professional publication "*Parenting Coordination Implementation Issues*", and will soon publish the Task Force's recommended standards of practice and qualifications for parenting coordinators. The workgroup urges those seeking guidelines for parenting coordinator qualifications and standards of practice to consult these professional publications for more detailed information.

CUSTODY EVALUATORS (CE)

CEs should be a mental health professional (defined as someone with a graduate degree in psychology, counseling, social work, or medicine with forensic specialization). Licensure would not be a requirement, but CEs should have a period of supervised practice with a minimum of five supervised evaluations, and continuing education relevant to the role of the CE. Areas of expertise should include:

- Child development, psychopathology, and family systems theory
- Divorce adjustment, including high conflict families and co-parenting strategies
- Domestic violence, substance abuse, and child maltreatment
- Interviewing techniques, observation skills, and documentation
- Parenting time schedules, construction and implementation
- Ethical standards, including confidentiality, dual roles, cultural sensitivity and objectivity and collaborative processes
- Expert witness testimony and domestic relations law
- Ability to work with professionals in other disciplines
- Participates in some kind of evaluation feedback process approved by the local jurisdiction

PARENTING TIME SUPERVISORS (PTS)

PTSs should be a mental health professional (defined as someone with a graduate degree in psychology, counseling, social work, or equivalent training, expertise, and education, or medicine with psychiatric specialization). Those PTSs who provide “therapeutic PTS” should have additional training and expertise in working with the diagnosis, behavior and treatment of mental health, child abuse, and substance abuse. The PTS should also take continuing education classes and have peer supervision relevant to parenting time supervision. Areas of expertise should include:

- Family violence, including physical, emotional and sexual abuse
- Interventions to prevent physical or emotional harm and de-escalation of conflict
- Training in conflict resolution and communication skills
- Observation skills and documentation
- Effective verbal and written communication, including assertiveness, reflective listening, and providing feedback
- Child development and divorce adjustment
- Substance abuse education and detection
- Ethical parameters, including confidentiality, personal boundaries, dual relationships, cultural sensitivity and objectivity
- Domestic relations law
- Expert witness skill and training

To the extent that the PTS is associated with a formal program or non-profit, business entity, the program should have a foundational mission statement and set of procedures or rules that address the safety and security of children, adults and PTSs. Safety and comfort (physical, emotional, and psychological) of the child should be paramount. The procedures/rules should address at a minimum the following:

- Intake/Orientation interview with parents/guardians (to assess family needs and suitability of program for each family)
 - Taking family histories
 - Scheduling visits
 - Fees/costs
 - Documentation/record keeping, including during PTS visits
 - Court-related matters, including PTS testimony
 - Prohibited and allowed behaviors
 - Extent of consultation with other professionals as needed or requested by the PTS (with Release of Information)
 - Feedback sessions for noncustodial parents
 - Liability insurance coverage
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RECOMMENDED READING LIST

The SFLAC recommends that professionals providing services in the designated areas be familiar with the following resources:

CUSTODY EVALUATION

STANDARDS/GUIDELINES

- AFCC Guidelines Model (1994)
- APA (1994 Guidelines for CE's)
- Speciality Guidelines for Forensic Psychologists
- APA Ethics Code (2001)

- Training Flyer: "New 20-hour Child Custody Training for Rule 1257.4" - California
- Guidelines for Psychology Evaluations in Child Protection Matters, by Committee on Professional Practice and Standards Board of Professional Affairs, Approved by Council of Representatives, APA, Feb. 1998

ARTICLES

- "Psychologist's Current Practices and Procedures in CCE's: 5 year after APA Guidelines," Professional Psychology: Research and Practice, 2001, Vol. 32, No 3, 261-268

- "Custody Evaluation Practices: A Survey of Experienced Professionals (Revisited)," by Marc J. Ackerman, Melissa C. Ackerman. Professional Psychology: Research and Practices, 1997, Vol. 28, No. 2, 137-145

- "Child Custody Evaluation Practices: A 1996 Survey of Psychologists," by Marc J. Ackerman, Family Law Quarterly, Vol. 30, # 3, Fall 1996

- "An Interdisciplinary Collaborative Model for Developing Psycholegal Questions for In Court Ordered CC Evaluations," by Jonathan Gould, Ph.D., Juvenile and Family Court Journal, Winter 1999, 43-52

- "Practice Parameters for Child Custody Evaluations," J. Am. Academy, Child Adolescent Psychiatry, 36:10, Supplement. Oct 1997

- "Frequency of Child Custody Evaluation Complaints and Related Disciplinary Action: A Survey of the Association of State and Provincial Psychology Boards," by Karl Kirkland and Kristen L. Kirkland, Professional Psychology: Research and Practice, 2001, Vol. 32, No. 2, 171-174

- "On the Use and Misuse of Psychological Testing in Child Custody Evaluations," by David M. Brodzinsky, Professional Psychology: Research and Practice, 1993, Vol. 24, No. 2, 213-219

- "The Real Numbers: Psychological Testing in Custody Evaluations," by Margaret A. Hagen and Nicole Castagna, Professional Psychology: Res. and Practice, 2001, Vol. 32, No. 3, 269-271

BOOKS

- Child Custody Evaluations: A Practical Guide, by Dianne Skafte, Sage Public's, Inc., 1985
- Conducting Child Custody Evaluations, A Comprehensive Guide, by Philip M. Stahl, Sage Publications, Inc., 1994
- Complex Issues in Child Custody Evaluations, by Philip M. Stahl, 1999, Sage Publics, Inc.
- Conducting Scientifically Crafted Child Custody Evaluations, by Jonathan W. Gould, Ph.D., Sage Publications, Inc., 1998

PARENTING COORDINATION

STANDARDS/GUIDELINES

- Parenting Coordination Standards of Practice, *in press*, Association of Family and Conciliation Courts, www.afccnet.org

ARTICLES

- Coates, C.A., Deutsch, R., Starnes, H., Sullivan, M.J., Sydlik, B. "Parenting Coordination for High Conflict Families," Family Court Review, 2004, Vol. 42, No 2, 246-262
- Coates, C.A., Jones, W., Bushard, P., Deutsch, R., Hicks, B., Stahl, P., Sullivan, M.J., Sydlik, B. Wistner, R., "Parenting Coordination: Implementation Issues," August 2003, Association of Family and Conciliation Courts, \$12, www.afccnet.org

BOOKS

- Baris, M.A., Coates, C.A., Duvall, B.B., Garrity, C.B., Johnson, E.T., LaCrosse, E.R., Working with High Conflict Families of Divorce: A Guide for Professionals. New Jersey: Jason Aronson Publishers, 2000.
- Garrity, C.B. and Baris, M.A., Caught in the Middle: Protecting the Children of High-Conflict Divorce. New York: Lexington Books, 1994.

SUPERVISED PARENTING TIME

STANDARDS/GUIDELINES

- NYSPCC Professional's Handbook on Providing Supervised Visitation, by New York Society for the Prevention of Cruelty to Children, by Anne Reiniger, 2000
- Standards and Guidelines for Supervised Visitation Network Practice (Supervised Visitation Network - <http://www.svnetwork.net/>)