

COURT OF QUEEN'S BENCH OF ALBERTA

FAMILY LAW PRACTICE NOTE 7

INTERVENTIONS

EFFECTIVE October 1, 2012

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I. PURPOSE AND APPLICATION

1. Interventions are appropriate in the context of family law case management for a small minority of separated and divorcing families where decisions concerning children are before the Court and where:
 - i. the families are experiencing a state of high conflict;
 - ii. the intervention of the Court is required; and
 - iii. the Court requires assistance from Parenting Experts.
2. It is in the best interests of children who are members of conflicted families that there be early, quick and effective intervention by the Courts and Parenting Experts.
3. Under this Practice Note a Parenting Expert will not provide an opinion or recommendations as to the best interests of the children, including opinions or recommendations regarding parenting time/responsibilities, custody, access or relocation. For such an opinion, the Court may order a Parenting Time/Parenting Responsibility Assessment under Practice Note 8. A Parenting Expert can describe what is happening in the family and/or with the children.

4. At any time in the process of an Intervention, the Parenting Expert may by letter make recommendations to the Court regarding a process or processes that may be helpful to the family in addressing and/or resolving parenting issues.
5. The Parenting Expert is a friend of the Court and is appointed by the Court to assist the Court and the parties to find a resolution to their conflicts, using tools appropriate to the family and the particular issues before the Court.
6. This Practice Note intended for use to assist the Court to identify challenges specific to the high conflict family, and to facilitate resolution using Parenting Experts.
7. This Practice Note takes into account the limitations imposed on Parenting Experts by the professional bodies that govern them, and has been prepared in consultation with the College of Alberta Psychologists and the Alberta College of Social Workers.
8. This Practice Note expressly recognizes that Parenting Experts are not permitted by their colleges to engage in both an intervention under Practice Note 7 (Interventions) and a parenting assessment under Practice Note 8 (Parenting Time and Parenting Responsibilities Assessment¹) with the same person or family. To avoid a reasonable apprehension of bias, the Parenting Expert may also not be permitted to engage in more than one intervention. In some cases, one expert may be required for each of the parties and for the children.
9. This Practice Note does not apply to matters under the *Child, Youth and Family Enhancement Act*, RSA 2000, c C-12.

II. GENERAL PROVISIONS

10. The Court may make an order appointing a Parenting Expert to conduct an Intervention.
11. The Intervention Order may include any terms that the Court finds appropriate in the circumstances of the case including:
 - i. describe the nature of the issues in dispute;
 - ii. describe the type of Intervention; and
 - iii. set the time limits for the Intervention.

¹ In the past, this was called Bi-lateral Custody Assessment. For information about the Child Custody Assessment , Professional Guidelines for Psychologists, College of Alberta Psychologists, please look on line at <http://www.cap.ab.ca/documents.aspx?DocTypeCode=ProG> item 3.

12. Failing agreement by the parties as to the Parenting Expert to be appointed by the Court, the Court will select the Expert taking into consideration the parties' suggestions. The Expert may not be appointed unless the Expert consents to act.
13. Prior to finalizing the Intervention Order, the Court shall direct the Parties to consult the Parenting Expert about the description of the Intervention to be included in the Order to ensure that it describes accurately what the Parenting Expert can do and is consistent with the retainer agreement that will be entered into between the parties and the Parenting Expert.
14. Where an order is made under this Practice Note, and the parties are not under case management, the Court shall direct the parties to make an application for case management or, alternatively, shall order that any letters or reports from the Parenting Experts are to be sent by the Parenting Expert to the judge making the Practice Note 7 Intervention Order, effectively assuming case management of that family. If case management is ordered, the judge making the Practice Note 7 Order, must manage the file until a case management judge is appointed.
15. It is expected that the Parenting Expert will communicate with the Court by letter.
16. Neither the parties nor the children may receive copies of the letter from the Parenting Expert without an order of the Court. However, counsel or the Parenting Expert may provide a copy of the Parenting Expert's recommendations, if there are any, to the parties without a further order of the Court.
17. Given that the letters or reports from the Parenting Expert are intended for use in case management, the letters or reports may, in the discretion of the case management justice, be kept on the case management justice's file or the justice may seal the letters or reports on the court file.
18. If the matter goes to trial, a party may apply to the case management justice for an order that the letters or reports may be introduced at trial and the justice may, in his/her discretion, make such an order and may order that the letters or reports be sealed.
19. Where the Parenting Expert communicates with the Court by letter, the Parenting Expert shall copy the letter to counsel for the parties if they have counsel, but in any event the Parenting Expert shall not send the letter directly to the parties or the children. The parties are entitled to view the letter with their counsel.
20. Where a party is self-represented, the party may make arrangements with the Clerk of the Court to read the letter with the Clerk. The self-represented party shall not receive or make a copy of the letter but may take notes on the contents of the letter. The self-represented party must provide those notes to the Clerk who will make a copy for the judge which copy shall be forwarded to the case management judge for that judge's file. The parties shall not discuss the report with the children.

21. The letters or reports received from the Parenting Expert shall not be included in any affidavit filed by the parties in the court. However, the Court may rely on the letters or reports when making decisions in case management.
22. The Parenting Expert may, by letter, seek directions from the Court at any time during an Intervention. Such directions may include but are not limited to directions from the Court in the following circumstances:
 - (a) where a party withdraws from an Intervention,
 - (b) where a party fails to cooperate with the Parenting Expert, or
 - (c) where fees for the Intervention are not paid as directed by the Court.

Once a letter is received, the Court may convene a hearing with the Parenting Expert and the parties, or may attempt to resolve the issue by letter to the parties and the Parenting Expert.

23. If, at any point, the Parenting Expert determines that continuing the Intervention would not be useful, the Parenting Expert may terminate the Intervention and report by letter to the Court and legal counsel:
 - i. that the Intervention has not been successful, describing factors contributing to the success or lack of success;
 - ii. that referral to a more appropriate Intervention could be beneficial;
 - iii. that because there has been no resolution or significant allegations have arisen, a Parenting Time and Parenting Responsibilities Assessment (see Practice Note 8) is necessary, or
 - iv. anything else that the Parenting Expert thinks will be useful in resolving the matter.
24. Where the Intervention results in a written resolution such as a parenting plan defining how the proposed new family arrangements will meet the children's needs, the Parenting Expert shall forward the written resolution to the Court and the Court may require the parties to include the resolution as part of a court order.
25. Where the Intervention does not result in a written resolution, the Parenting Expert shall communicate the substance of the Intervention to the Court in a letter and the Court may use the letter as the basis for a court order determining appropriate parenting arrangements or next steps.
26. Each Order for an Intervention must address funding, time lines for funding, and each parent's responsibility for that funding. Before ordering an Intervention the Court must determine the ability of the parties to pay. If the parties cannot pay and subsidies are not available, then a Practice Note 7 Intervention Order must not be made.

27. Each Order must address the intended use of a Parenting Expert report or letter. In particular, the Order should address whether the report or letter may be used only for interim applications, only for trials or for both.
28. The Court may include a provision in any order prohibiting further applications by the parties with respect to parenting, custody or access until the Intervention is completed, unless the safety or health of a child is at risk or the Parenting Expert recommends an application.
29. To facilitate the Intervention, the Court may include a provision in the Intervention Order limiting or suspending a no contact provision, an emergency protection order, or a restraining order insofar as it is necessary to facilitate the Intervention.
30. Where a parent refuses to provide his/her consent to the Parenting Expert for an Intervention or consent to allow the Parenting Expert to speak to the children alone or with the other parent, the Court may dispense with that parent's consent and order the Intervention to proceed without that parent's involvement
31. Unless otherwise ordered, no complaint may be made to the professional body governing the practice of the Parenting Expert until the Intervention is complete.
32. The Court should consider ordering that the parties cannot make any applications to the Court while an Intervention is ongoing.
33. Appendix A provides a draft form of order for Practice Note 7 Interventions. This form of order is a guide and may be modified to suit the specific case.

III. INTERVENTIONS

34. The term intervention refers to a short or long-term involvement by Parenting Expert on behalf of the court.
35. There are two primary types of Interventions conducted by a Parenting Expert: an Evaluative Intervention which provides information to the court to assist in decision-making, and a Therapeutic Intervention which attempts to work towards resolution, manage conflict and make changes in the existing family dynamic.
36. It should be noted that an individual Parenting Expert may not be permitted by their professional colleges to conduct more than one type of intervention with a given family to prevent the situation of role conflict.
37. It is for the Court, the parties and the Parenting Expert to determine what type of intervention(s) are best for the particular family before the Court:

A. Evaluative Interventions: To provide information to the Court

Evaluative Interventions provide information to the Court to assist in decision-making. They are not of sufficient scope to provide recommendations regarding parenting time or parenting responsibilities, custody or access. Such interventions include:

- i. **Triage:** The Parenting Expert will evaluate the family and make recommendations to the Court concerning the type of intervention(s) that may best meet the needs of that family. The recommendations may be to provide various forms of therapeutic support to the family, to obtain additional information, to identify issues or needs that need to be addressed in more detail or to obtain an assessment under Practice Note 8 to determine parenting time, parenting responsibilities, custody or access.
- ii. **The Voice of the Child:** Canvassing the specific needs or, where appropriate, the wishes of the children. The Parenting Expert will generally interview each parent and each child separately with a view to identifying special needs or risk factors. Often the child is seen twice, once after being in the care of each parent. In some cases, a Voice of the Child intervention can be expanded to include examining the children for emotional, behavioural, academic/intellectual or other needs which would indicate that a child is in need of therapy or special programming and supports. In some cases, a medical opinion may also be sought.
- iii. **Parent Psychological Evaluation:** An evaluation of one parent. Under this procedure, a Parenting Expert cannot make recommendations to the Court regarding parenting time and parenting responsibilities, custody, access or relocation of the children; however, the Parenting Expert can examine if there are risk factors present that suggest the parent cannot adequately meet the needs of a child and what supports would be required.

B. Therapeutic Interventions: To Make Changes in the Family Dynamic

In Therapeutic Interventions the Parenting Expert works with individual or combinations of family members in an attempt to reduce conflict, facilitate parenting agreements, revise existing parenting plans, address children's needs or repair damaged parent-child relationships.

Therapeutic Interventions may generally take the form of individual counselling, but may take the form of group counselling in some cases.

- i. **Educational Sessions:** In addition to the Parenting After Separation Course, the Court may order that family members attend education courses or sessions, including the Parenting After Separation High

Conflict course and the Focus on Communication in Separation course, to assist the parents to understand the needs of their children, the roles of parents or other caregivers' and negative impacts on children of prolonged conflict.

- ii. **Mediation:** A mediator is appointed to assist the parties in resolving parenting issues, or the parties are directed to attend the Family Justice Mediation program. This Intervention can only be ordered with the consent of both parents. The goal is to settle disputes and/or build a parenting plan. Where a resolution is reached or a parenting plan developed, the Parenting Expert will report that to the court.

- iii. **Therapeutic Intervention with One Parent**

For the purpose of changing the attitudes, beliefs and practices of an individual parent who is seen to be creating difficulties for the children through their actions or who is impeding the ability to reach resolution on parenting issues. In other cases, each parent is seen to need individual counseling to address their own issues which are impeding cooperation and progress.

- iv. **Therapeutic Intervention with Both Parents**

Therapeutic Interventions with both parents have the Parenting Expert attempting to resolve conflict, address parenting issues or disputes or build a parenting plan with the parents. The key difference between this form of intervention and mediation is that there is active teaching, modeling and guidance provided to the parents and that the emotional relationship between the parents can be addressed as much as the practical parenting issues. Therapeutic Interventions also serve to assist family members in the adjustment to changed circumstances and the restructuring of family roles.

This type of intervention is known by a variety of names including Parental Conflict Intervention, Family Restructuring Therapy, Post-Separation/Divorce Counseling, or, in some cases when an arbitration component is not included, Parent Coordination.

In cases of extreme conflict, significant concerns pertaining to mental health of a parent or a history of violence, one Parenting Expert may be appointed for each parent and all joint sessions will involve both Parenting Experts. The Court, in this case, should authorize the Parenting Experts to consult with one another.

- v. **Therapeutic Intervention with Child Only**

A therapeutic intervention only involving the child has the key focus of helping them with the adjustment issues pertaining to having a

separated/divorced family. It can address difficulties in relationships with parents or other children, including siblings, difficulties learning, and difficulties with behaviour. It is not seen to be sufficient to minimize damage done by high conflict parents without the parents also being in a therapeutic process.

vi. **Therapeutic Intervention with Parents and Children**

The purpose of a therapeutic intervention involving both parents and children is for the Parenting Expert to actively work with the family in an attempt to increase cooperation, facilitate a change in relationships, meet the emotional needs of family members and/or develop a parenting plan. Often, there are separate Parenting Expert(s) for the parents and for the child with all Parenting Experts given authority to confer with one another. The individual therapist working with the child can provide information regarding the child's needs or opinions to the Parenting Expert(s) working with the parents. The child's therapist may also be part of a team working to reunite children with rejected parents in remedial facilitated access/parent-child reunification.

vii. **Remedial Facilitated Access/Parent-Child Reunification:**

Facilitating remedial access between parent and child. This includes assisting a parent and a child to meet and become reacquainted when one parent has been out of a child's life for a long time. Depending on the complexity of the case and the presence of past allegations, it can take place with a single Parenting Expert working with the parent and child, two Parenting Experts (one for the child and one for the parents), or, in extreme cases, three Parenting Experts (one for the child and one for each parent).

C. Mediation/Arbitration

Parenting Coordination: The Court may delegate decision-making to a Parenting Expert (parenting coordinator/arbitrator), where both parties to the action have consented. The Parenting Expert will assist the parents to decide parenting issues within the context and specific instructions of a Court Order which establishes the parameters for the parenting coordinator/arbitrator and for custody/access/parenting time and parenting responsibilities.

The Parenting Expert is a qualified arbitrator. The Parenting Expert will act as a mediator when the parents encounter conflict. Where the Parenting Expert cannot assist the parties to negotiate a settlement of the conflict, the Parenting Expert may decide the issue and the parties are bound by

that decision because of their jurisdiction as arbitrators. No decision of the Parenting Expert may override the Court Order.

The Consent Court Order should clearly state the nature of the decisions to be made by the Parenting Expert.

Appendix B provides a draft form of order for Parenting Coordination Orders. This form of order is a guide and may be modified to suit the specific case.

D. Other

- i. The Court may also order other forms of intervention such as multidisciplinary teams, facilitated planning meetings, ethno cultural-specific models (eg. Peacemaking, family group decision-making) or group therapy.
- ii. Any other kind of intervention not listed herein which the Court considers appropriate in the circumstances of the case.

IV. CONFIDENTIALITY

38. All participants shall be made aware that the Parenting Expert has the discretion either to disclose all information received from a parent, child or other source, or to keep all or some information confidential if it is in the best interests of the children to do so. However, if the dispute between the parents proceeds to trial, the Court may compel production of any information not previously disclosed.

APPENDIX A – INTERVENTION ORDER

Form FPN7-1
[Family Practice Note 7]

COURT FILE NUMBER

COURT

COURT OF QUEEN’S BENCH OF ALBERTA

JUDICIAL CENTRE

PLAINTIFF

DEFENDANT

Clerk’s Stamp

DOCUMENT

INTERVENTION ORDER

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

DATE ON WHICH ORDER WAS PRONOUNCED:

LOCATION OF HEARING OR TRIAL: _____, **Alberta**

NAME OF JUDGE WHO MADE THIS ORDER:

THE COURT HAS REVIEWED THE AFFIDAVITS FILED IN SUPPORT OF THIS APPLICATION AND HAS BEEN ADVISED OF THE FOLLOWING:

- A. THE NAME AND BIRTHDATE of each child of the marriage is as follows:
(Indicate full names and dates of birth for each child of the marriage.)

Name	Date of Birth

- B. The interim Order of Justice [name of Justice] provides that the [parent(s)] has/have [parenting time, joint, sole, shared] custody of the children, and that the primary residence of the children is with [mother/father].
- C. The purpose of the Intervention is [put in purpose of Intervention].
- D. The Parenting Expert appointed by the Court in this Order is a friend of the Court and responsible to the Court and not responsible to either party.

- E. The Parenting Expert may not disclose all information received from a parent, child or other source, and may keep all or some information confidential if it is in the best interests of the children to do so, but if the dispute between the parents proceeds to trial, the Court may compel production of information from the Parenting Expert.
- F. [Put in any other preamble information].

IT IS ORDERED THAT:

1. [Name of professional] is hereby appointed as Parenting Expert to carry out the following [short-term or long-term] Intervention under Family Law Practice Note 7:

*(Describe fully the nature of the Intervention that is being ordered considering the issues in dispute and the types of intervention set out in Practice Note 7. **The Parenting Expert should be consulted on the description of the Intervention to be included in the Intervention Order to ensure that it is consistent with what the Parenting Expert can do**)*
2. *(Where the Intervention is short-term, the following should be included)* This is a short-term Intervention which must not take longer than [specify the number of hours] hours without leave of the Court.
3. *(Where the Intervention is long-term, the Court should consider setting time lines in consultation with the Parenting Expert.)*
4. *(Where the parties are not under case management at the time this Intervention Order is made, the Court will either direct the parties to apply for case management or shall order that the Parenting Expert send any letters or reports to the judge making this Intervention Order.)*
5. The Parenting Expert may at any time during the course of his/her mandate seek directions from the Court on notice to the parties provided that the Parenting Expert has given a reasonable time to counsel to respond before seeking directions from the Court. Such directions may include circumstances where:
 - (a) a party withdraws from the Intervention;
 - (b) the parties are not cooperating with the Parenting Expert;
 - (c) the Parenting Expert concludes that the Intervention should be terminated, in which case the Parenting Expert shall identify the factors contributing to the termination and shall make recommendations to the Court as to further Interventions that the Court might order; or
 - (d) the parties have failed to fund the Intervention in accordance with the terms of this Order.
6. When seeking directions, the Parenting Expert may communicate with the Court by letter with copies to counsel representing the parties.
7. The Parenting Expert shall not, without leave of the Court, give the letter or copies of the letter to the parties or the children.
8. The parties are entitled to view the letters with their counsel. However, counsel for the parties shall not, without leave of the Court, give a copy of the letter to the parties or to the children. *(Where one or both of the parties are self-represented, set out in the order how they will view the letter **by contacting the Clerk of the Court** and following the procedure set on in section 20 of the Practice Note)*

9. The Parenting Expert or counsel may provide a copy of the Parenting Expert's recommendations, if there are any, to the parties without a further order of the Court.
10. The parties may use the letters or reports from the Parenting Expert for: [all purposes in the litigation, or only for the purpose of the case management, or only for the purposes of interim applications, or only for the purpose of trial, or anything else the Court may order.]
11. If a parenting plan or other written resolution is developed by the parties during the course of the Intervention, they shall file it with the Court.
12. If the Intervention does not result in a parenting plan or written resolution, the Parenting Expert shall communicate the substance of the Intervention to the court in a letter.
13. Where it is necessary for the Parenting Expert to speak with a child, either alone or with the parents, the consent of the parents is hereby dispensed with.
14. [*Consider whether there are any no contact provisions, emergency protection orders, or restraining orders that should be limited or suspended to facilitate the Intervention.*]
15. The parties may not include in an affidavit any letters or reports of what transpired during the Intervention.
16. Subject to the ultimate determination by the trial Justice as to how the parties shall bear the costs of the Parenting Expert, the remuneration of the Parenting Expert shall be paid in the first instance by the parties as follows:
 - (a) [address whether either or both parties are to seek a subsidy]
 - (b) [name of party] is to bear [percentage] share of the costs in the interim; and
 - (c) [name of other party] is to bear [percentage] share of the costs in the interim.
17. If either party fails to comply with the terms of this order concerning remuneration of the Parenting Expert by [set date], the parties shall return to this Court for further direction [set default date].
18. (*If there are to be no applications to the Court until Intervention, Evaluation or Assessment is complete*) There shall be no applications to the Court until the Intervention is complete without leave of the Court.
19. Unless otherwise ordered, no complaint may be made to the professional body governing the practice of the Parenting Expert until the Intervention is complete.

Justice of the Court of Queen's Bench

APPENDIX B – PARENTING COORDINATION ORDER

Form FPN7-2
[Family Practice Note 7]

COURT FILE NUMBER

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

PLAINTIFF

DEFENDANT

DOCUMENT

PARENTING COORDINATION ORDER

Clerk's Stamp

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

DATE ON WHICH ORDER WAS PRONOUNCED:

LOCATION OF HEARING OR TRIAL: _____, **Alberta**

NAME OF JUDGE WHO MADE THIS ORDER:

THE COURT HAS REVIEWED THE AFFIDAVITS FILED IN SUPPORT OF THIS APPLICATION AND HAS BEEN ADVISED OF THE FOLLOWING:

- A. THE NAME AND BIRTHDATE of each child of the marriage is as follows:
(Indicate full names and dates of birth for each child of the marriage.)

Name	Date of Birth

- B. The interim Order of Justice [name of Justice] provides that the [parent(s)] has/have [parenting time, joint, sole, shared] custody of the children, and that the primary residence of the children is with [mother/father].
- C. The parties have difficulties in reaching an agreement concerning their parenting responsibilities.
- D. The parties have consented to the appointment of a Parenting Coordinator to assist the parents to decide parenting issues and to act as a mediator when the parents encounter conflict

- E. The parties have consented to being bound by the decisions of the Parenting Coordinator, subject to Court review as provided below.
- F. The Parenting Coordinator appointed by the Court in this Order is a friend of the Court and responsible to the Court and not responsible to either party.
- G. The Parenting Coordinator may not disclose all information received from a parent, child or other source, and may keep all or some information confidential if it is in the best interests of the children to do so, but if the dispute between the parents proceeds to trial, the Court may compel production of information from the Parenting Coordinator.
- H. [Put in any other preamble information.]

IT IS ORDERED THAT:

- 1. Justice [name of Justice] is appointed Case Manager in this matter.

(Where the parties are not under case management at the time this Parenting Coordination Order is made, the Court will either direct the parties to apply for case management or shall order that the Parenting Coordinator send any letters or reports to the judge making this Parenting Coordination Order.)

- 2. [Name of professional], is hereby appointed as Parenting Coordinator under Family Practice Note 7 to assist the parties in deciding the following parenting issues:

(Describe fully the issues in dispute and the nature of the coordination/mediation/arbitration that is being ordered, including custody/access/parenting time and parenting responsibilities. The Parenting Coordinator should be consulted on the description to be included in this Parenting Coordination Order to ensure that it is consistent with what the Parenting Coordinator can do.)

- 3. The authority of the Parenting Coordinator is to:

- (a) Meet with each of the parties, alone or together, in the Parenting Coordinator's discretion;
- (b) Meet or consult with such other persons as teachers, care providers, extended family members, or others, in the Parenting Coordinator's discretion;
- (c) Consult with and report to Counsel for the parties in the Parenting Coordinator's discretion;
- (d) Assist the parties in reaching as much agreement as possible about how they will parent their child(ren);
- (e) Assist the parties in developing a Parenting Plan setting out how the parenting responsibilities will be shared between the parties;
- (f) If the Parenting Coordinator determines at any given time that the parties cannot reach an agreement about some or all details of a Parenting Plan, to create and supervise a plan for the division or sharing of parental responsibilities between the parties, incorporating those matters the parties have agreed upon;
- (g) If, at any time, the parties have a dispute over any detail of parenting within the Parenting Plan, the Parenting Coordinator shall decide the matter and the parties are bound by that decision. The procedure to be followed shall be in the Parenting Coordinator's discretion provided there is, at a minimum, a brief telephone communication with each of the parents before the Parenting Coordinator's decision is communicated to both parties;

- (h) The Parenting Plan for the division of sharing of parenting responsibilities between the parties shall include, without limiting the generality of the Plan:
- The time the children spend with each parent;
 - The time the children spend with third party care providers being the extended family, child care providers or others;
 - The physical location of the children including residence from time to time;
 - Any travel plans that involve the children;
 - The basis upon which the children may be taken temporarily outside a 100 km radius from [the municipality where the children normally reside];
 - Medical, dental or other matters upon which the parents do not agree;
 - Activities that the children should be registered in;
 - *(List any additional parenting responsibilities to be set out in the Parenting Plan.)*
- (i) *(List any other authority that the Parenting Coordinator has in conducting the coordination/mediation/arbitration.)*
4. The Parenting Coordinator has no authority to make decisions concerning the payment of child support by either party.
 5. No decision of the Parenting Coordinator may override this Order.
 6. The Parenting Plan shall be based upon the best interests of the child consistent with:
 - (a) The accepted child development literature;
 - (b) The particular needs of these children; and
 - (c) The ability of the parents to work together within the Plan.
 7. If a Parenting Plan is developed by the parties or by the Parenting Coordinator, it shall be filed with the Court.
 8. If the Coordination does not result in a Parenting Plan or written resolution, the Parenting Coordinator shall communicate the substance of the Coordination to the Case Management Judge in a letter.
 9. Where it is necessary for the Parenting Coordinator to speak with a child, either alone or with the parents, the consent of the parents is hereby dispensed with.
 10. *[Consider whether there are any no contact provisions, emergency protection orders, or restraining orders that should be limited or suspended to facilitate the Coordination.]*
 11. On notice to the parties, the Parenting Coordinator can refer concerns about the well-being of the children to the Case Management Judge in writing.
 12. The Parenting Coordinator may at any time during the course of his or her mandate seek directions from the Case Management Judge on notice to the parties provided that the Parenting Coordinator has given a reasonable time for the parties to respond before seeking directions from the Court. Such directions may include circumstances where:
 - (a) a party withdraws his or her consent from participating in the Coordination;

- (b) the parties are not cooperating with the Parenting Coordinator;
 - (c) the Parenting Coordinator concludes that the Coordination should be terminated, in which case the Parenting Coordinator shall identify the factors contributing to the termination and shall make recommendations to the Case Management Judge as to further interventions that the Court might order; or
 - (d) the parties have failed to fund the Coordination in accordance with the terms of this Order.
13. When seeking directions, the Parenting Coordinator may communicate with the Court by letter with copies to counsel representing the parties.
14. The Parenting Coordinator shall not, without leave of the Court, give the letter or copies of the letter to the parties or the children.
15. The parties are entitled to view the letters with their counsel. However, counsel for the parties shall not, without leave of the Court, give a copy of the letter to the parties or to the children.
- (Where one or both of the parties are self-represented, set out in the order how they will view the letter by contacting the Clerk of the Court and following the procedure set on in section 20 of Family Practice Note 7.)*
16. The Parenting Coordinator or counsel may provide a copy of the Parenting Plan to the parties without a further order of the Court.
17. The parties may use the letters or reports from the Parenting Coordinator for: [all purposes in the litigation, or only for the purpose of the case management, or only for the purposes of interim applications, or only for the purpose of trial, or anything else the Court may order.]
18. The parties may not include in an affidavit any letters or reports of what transpired during the Coordination.
19. If either party objects to a decision of the Parenting Coordinator, that party can appeal to the Case Management Judge, provided that:
- (a) The objecting party must first raise his or her objections to the Parenting Coordinator in writing,
 - (b) Until the Case Management Judge rules on the objection, the Parenting Coordinator's decision is to be followed.
 - (c) The Case Management Judge shall convene a case conference with the parties and their counsel (if any) present. The Parenting Coordinator shall attend the case conference if either party or the judge requests his or her attendance.
 - (d) The party objecting to the Case Management Judge about a decision of the Parenting Coordinator shall have the onus to show that the decision of the Parenting Coordinator should be changed.
20. Subject to the ultimate determination by the trial Justice as to how the parties shall bear the costs of the Parenting Expert, the remuneration of the Parenting Expert shall be paid in the first instance by the parties as follows:
- (a) [address whether either or both parties are to seek a subsidy]
 - (b) [name of party] is to bear [percentage] share of the costs in the interim; and
 - (c) [name of other party] is to bear [percentage] share of the costs in the interim.

21. If either party fails to comply with the terms of this order concerning remuneration of the Parenting Coordinator by [set date], the parties shall return to this Court for further direction [set default date].
22. *(If there are to be no applications to the Court until the Coordination is complete is complete)*
There shall be no applications to the Court until the Coordination is complete without leave of the Court.
23. Unless otherwise ordered, no complaint may be made to the professional body governing the practice of the Parenting Coordinator until the Coordination is complete.

Justice of the Court of Queen's Bench of Alberta

CONSENTED TO BY:

Plaintiff (OR Solicitor for the Plaintiff)
(if Plaintiff signs, attach Affidavit of Execution)

AND BY:

Defendant (OR Solicitor for the Defendant)
(if Defendant signs, attach Affidavit of Execution)