

Top 5 Things to Know About Parenting Coordination

By Laura Burrows Haviland, Esq.

Parenting Coordination is defined in Maryland as “a process in which the parties work with a parenting coordinator to reduce the effects or potential effects of conflict on the parties’ child.” MD Rule 9-205.2 (a). Although it may draw upon alternative dispute resolution techniques, parenting coordination is not governed by the Rules in Title 17.

Here are the top five things to know about parenting coordination.

1. What is a Parenting Coordinator?

Pursuant to Maryland Rule 9-205.2 (b)(1) “Parenting coordination means the process in which the parties work with a parenting coordinator to reduce the effects or potential effects of conflict on the parties’ child.” Parenting Coordinators may be appointed in an action in which the custody of or visitation with a child of the parties is in issue and the Court determines that the case warrants the appointment, or the parents agree to the appointment. The parties meet with the Parenting Coordinator on a regular and consistent basis until the conflicts are resolved or minimized between them, or until the term of the Parenting Coordinator expires. By way of agreement, the Parenting Coordinator may have some decision-making authority to resolve an impasse between the parents. Parenting Coordinators often help parties work together to implement improved communication and parenting protocols, and to address parenting concerns as they arise in a timely manner.

Unlike other alternative dispute resolution processes, the Parenting Coordinator is not confidential, and may be subpoenaed by either party to testify in any trial as a fact witness (not an expert witness or custody evaluator). The Parenting Coordinator may be a legal professional, mediator, or mental health professional, but does not act as a lawyer, mediator, or therapist in

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his or her role as the Parenting Coordinator. The Parenting Coordinator may use mediation, therapeutic, or legal skills to assist in resolving conflict. The Parenting Coordinator is impartial and lacks the confidentiality requisite for therapy, attorney-client relationships, and mediation.

2. How is a Parenting Coordinator Appointed?

There are three ways in which parents can begin work with a Parenting Coordinator. The Parenting Coordinator may be appointed or begin work privately by way of a:

- Parenting coordination agreement, which is a contract signed by both parents;
- Prejudgment Appointment Order (MD Rule 9-205.2 (f)(1)), during the pendency of litigation, without consent of the parties with notice and a hearing. If your client is interested in using a Parenting Coordinator pending trial, you could obtain agreement of the other party, or file a motion to appoint a Parenting Coordinator (MD Rule 9-205.2 (f)(1)); and
- Post-Judgment Appointment Order (MD Rule 9-205.2(f) (2), after the entry of judgment, and only with the consent of the parties.

3. How Do We Find a Qualified Parenting Coordinator?

Parenting Coordinators must meet the strict qualifications necessary to be court-appointed, including 40 hours of parenting coordination training, 20 hours of family mediation training that meets the requirements of MD Rule 17-106(b), a postgraduate degree (in psychology, social work, counseling, negotiation, conflict management, or a related subject area, or from an accredited medical or law school), and three years of professional experience. MD Rule 9-205.2(c).

It is the duty of the family support services coordinator for the circuit court of each county to place qualified individuals on a list of parenting coordinators, which list “shall be accessible to the public.” MD Rule 9-205.2(d). Many circuit courts do not have published lists of available parenting coordinators.

Pro tip: Make sure your local family support services coordinator has a published list of parenting coordinators.

4. How Are Parenting Coordinator Fees Paid?

Subject to any agreement of the parties, the Court shall designate how and by whom the Parenting Coordinator shall be paid. Parenting Coordinator fees vary by professional, usually ranging between \$200-500 per hour, much like the range of attorney fees. Parents usually divide the cost of the Parenting Coordinator's fees, unless otherwise agreed upon or ordered by the Court. The parents should expect to pay for the Parenting Coordinator's time during sessions, reviewing and drafting documents, and if necessary, testifying. Some jurisdictions have fees allocated to reduce the Parenting Coordinator costs.

5. Why Would a Parenting Coordinator Testify?

The Parenting Coordinator can testify about observations of the parents' behaviors during sessions, follow through over time on tasks, and their ability to communicate and reach decisions. Many parents bring character witnesses to trial, who have not observed the parents together post-separation. A well-prepared case often settles. A Parenting Coordinator may be the best fact witness available for any trier of fact to determine the parents' behaviors, co-parenting capabilities, and reasonableness. The Parenting Coordinator has the unique perspective of having worked with the parents together after their separation, and leading up to the trial. If the case cannot settle, the willingness or unwillingness of a parent to attempt to work with a Parenting Coordinator, could be a key factor in determining custody.

Another Useful MSBA Member Resource: [Sample Marital Settlement Agreement](#)



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