

EXPEDITED PARENTING TIME MEDIATION PROGRAM

Purpose

(1) *Mission Statement.* The mission of Expedited Parenting Time Mediation is to provide an impartial and efficient forum for resolving parenting time disputes through mediation.

(2) *Goals.* The goals of Expedited Parenting Time Mediation is to provide a forum for quickly resolving parenting time disputes without the involvement of the court, minimize family conflict, encourage shared decision-making, and support healthy relationships and communication among family members.

(3) *The objectives of the program are:*

(A) To provide an informal and collaborative method to minimize family conflict by assisting parents in quickly resolving parenting time issues;

(B) To support improved parental decision-making and to promote agreement and compromise in place of litigation over parenting time and to conserve limited family resources in family cases;

(C) To improve parental problem-solving and communication capacities;

(D) To create incentives to pursue mediation including flexibility to negotiate critical issues without judicial intervention;

(E) To improve rural access to mediation services, as well as access by underprivileged and minority persons;

(F) To reduce post-decree litigation and conflict in family cases;

4) *Scope and Definition.* Mediation for disputes concerning parenting time issues. "Parenting time" sets specific dates, times, and locations of when each parent, grandparent or guardian sees the child. "Mediation" is a process by which a non-judicial neutral mediator facilitates communication between parties to assist the parties in reaching voluntary decisions related to their dispute.

Expedited Parenting Time Mediation Services

(1) *Services Provided.* The court will automatically provide up to two hours of mediation. Mediators will be compensated at a rate to be set annually by the state court administrator.

(2) *Method.* Parties will participate in a telephone mediation session. Counsel for represented parties may participate in the mediation session.

Selection of Mediators.

(1) *Qualifications.* Mediators must have a contract with the court to provide mediation services for the Family Mediation Program.

(2) *Mediation Assignment.* Mediators will be assigned cases by the program administrator and will manage cases assigned through conclusion of mediation.

(3) *Conflicts of Interest and Bias.* A mediator may not be removed unless the mediator or the parties' petition the program administrator based upon bias or conflicts of interest. Parties and attorneys may not request a change of mediator unless they present clear evidence of bias or conflict of interest as described in Supplement 2, the ABA Model Standards of Practice for Family and Divorce Mediation.

(4) *Standards.* All mediators must agree to follow the standards in Supplement 2. Any violation of standards may be reported to the program administrator.

(5) *Confidentiality.* The program requires the highest ethical standards, including confidentiality. Mediators may not discuss or reveal the details of any mediation proceeding or any information provided by a party in a mediation proceeding to any judge, magistrate, or third party.

Expedited Parenting Time Mediation Process

Process for Expedited Parenting Time Mediation:

(A) Parties will complete and submit the request for Expedited Parenting Time Mediation provided on the website.

(B) Upon receipt of the request, the program administrator will assign a mediator and forward the parties information to the assigned mediator.

(C) Within 3 days of the receipt of the referral, the mediator will provide the parties three dates and times for a one-hour mediation session.

(D) The mediation session is to be conducted through telephone conferencing or other reliable electronic means.

(E) Mediation process should be completed in 7 business days.

(F) Any requests to deviate from this timeframe must be submitted to the program administrator

(G) Once a case is assigned, the mediator will manage the case and report the outcome to the program administrator.

(H) If the parties reach agreement, the mediator must prepare a written summary for the parties to sign noting all agreements made and using the parties' own words. A copy of the summary must be given to each party.

Concluding Mediation.

(1) *Outcome.* The mediator must notify the program administrator when the mediation has concluded for any reason, and advise of one of the following outcomes:

(A) agreement has been reached in whole or part; or

(B) the parties were unable to reach agreement.

(2) *Paperwork.* The mediator must submit the closing forms and invoice to the program administrator. The mediator is responsible for collecting fees from the parties for additional mediation sessions not paid by the court.

Program Evaluation.

(1) *Evaluation.* Parties are encouraged to cooperate with the research and evaluation protocol to help measure the impact and success of the program by completing an electronic survey.