

PARENTING COORDINATION AND COURT RELITIGATION: A CASE STUDY

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This case study explores the degree to which the number of court motions changed 1 year after parenting coordination was implemented with high-conflict co-parenting couples and examines the parents' demographic profile. Findings indicate a reduction of approximately 75% in child-related court filings, as well as a 40% decrease in other motions, resulting in a decrease of 50% in all motions filed, thus saving these once high-conflict couples, and the court, significant time and resources. The diverse demographic profile illuminates training and research implications regarding the use of parenting coordination as an intervention for high-conflict co-parenting couples.

Keywords: *parenting coordination; court relitigation; court motions; efficacy*

Although parental separation and divorce are prevalent in American society, the impact on children can be extremely stressful, traumatic, and damaging (Elrod & Ramsey, 2001). Even parents who were never married benefit from assistance that considers the entire family unit in addition to the needs of the individuals and allows for less adversarial alternatives to conflict resolution, rather than leaving the fate of the children to decisions of family court judges, attorneys, and custody evaluators. While it has been suggested that children typically survive parental separation and divorce, they cannot subsist unscathed when there is prolonged, chronic hostility between parents (Firestone & Weinstein, 2004; Kelly, 2002; Mason, 1999; Elrod & Ramsey, 2001). In fact, research has shown that the best predictor of poor outcomes for children is a high level of conflict between the parents (Kelly, 2002). Specifically, research warns that chronic conflict involving the court process, custody evaluations, parental alienation or estrangement, and hostility between co-parents can cause serious emotional and behavioral problems in children (Hetherington & Kelly, 2002; Kelly, 2002), while eroding the relationship between children and one or both parents (Elrod, 2001; Elrod & Ramsey, 2001). In essence, high-conflict relationship dissolution can cause substantial emotional risk and psychological harm to the children who are victims of the resulting parental discord (Mitcham-Smith & Henry, 2007). The time, energy, and resources of these parents are often devoted to their vicious cycle of repeated litigation, leaving the children to pay the price of their parents' stormy court battles.

THE COST OF RELITIGATION

The antagonistic tenor of litigation tends to make divorcing and separating couples adversaries and less likely to reach a settlement or develop an amicable co-parenting relationship following the divorce (Oregon Task Force on Family Law, 1997). According to the literature, family courts and allied professionals spend approximately 90% (Coates,

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Deutsch, Starnes, Sullivan, & Sydlik, 2004) of their time on roughly 10% of the divorcing and separating parents considered to be high conflict (Neff & Cooper, 2004). The financial consequences of relitigation can be significant (Nomaguchi, 2005) to the parting couple. A typical divorce costs approximately \$30,000 to \$35,000 (Fried, 2005; SmartMoney.com, 2008). With an average divorce lawyer charging up to \$350 per hour, and an experienced lawyer as high as \$500 per hour, the bill could run well into the thousands, multiplied by two (one attorney per parent). Moreover, costly expert witnesses may charge \$5,000 to \$10,000 just to appear in court (Durst, 2005), in addition to their pretrial fees for their work with the parties. These types of litigation costs can escalate to exorbitant amounts when divorcing and separating couples continuously engage in legal battles.

Couples themselves are not the only ones that may experience financial loss; the government and community also incur losses related to marital or relationship dissolution and conflict. For example, the Family Law Supreme Court Steering Committee (2003) indicated that family law cases account for over 40% of court filings and almost 70% of reopenings. According to Popenoe and Whitehead (2004), a single divorce case costs the state and federal governments an estimated \$30,000 in assistance for factors such as increased food stamp use, public housing, bankruptcies, and juvenile delinquency. Furthermore, it is estimated that, in 2002, the nation's 10.4 million divorces cost taxpayers in excess of \$30 billion. For example, the cost of divorce to the state of Florida in 2002 totaled almost \$2.5 billion (Schramm, 2006). The longer a case lingers in the court system, the higher the cost to the court and the community.

Historically, litigation and other interventions such as counseling, family mediation, and divorce education programs have been the preferred methods to assist divorcing and separating parents. However, it is becoming increasingly apparent to not only the family court system, but to divorcing parents as well, that these methods alone may not fully address the needs of high-conflict co-parents or diminish their demand for relitigation in family court systems (Johnston & Roseby, 1997; Macoby & Mnookin, 1992; Neff & Cooper, 2004). Consequently, a need exists for an effective model to assist high-conflict co-parents in resolving pre- and postdivorce issues relative to the new family dynamic.

PARENTING COORDINATION AS AN ALTERNATIVE INTERVENTION FOR HIGH-CONFLICT CO-PARENTING COUPLES

One resolution to the progressive problem of high-conflict parental separation and marital dissolution is the rapidly growing intervention called parenting coordination. According to the Guidelines for Parenting Coordination developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination (2006), the objective of this developing professional field is:

to assist high conflict parents to implement their parenting plan, to monitor compliance with the details of the plan, to resolve conflicts regarding their children and the parenting plan in a timely manner, and to protect and sustain safe, healthy and meaningful parent-child relationships (p. 2).

Parenting coordinators (PCs) are designated by judges through court orders, which outline the PC's functions as "educator, case manager, facilitator, conflict manager, and if within the scope of the court order, decision-maker" (Appell, n.d.).

Many family court judges have begun to direct high-conflict couples to PCs to assist these families in implementing their parenting plan. The parenting plan is typically outlined in the final divorce decree, settlement agreement, or other court order. The plan addresses how the co-parents are to share responsibility for their family, including procedures regarding parental communication, decision making, and the time sharing of the children. However, the details of these arrangements are often left generalized and ambiguous, without specifically delineating the means for carrying them out. This leaves high-conflict divorcing or separating parents without clear direction, resulting in various levels of impasse, frustration, and hostility (Bacher, Fieldstone, & Jonasz, 2005). Integrating skills used in case management, mediation, and counseling, the PC teaches high-conflict couples how to adhere to their parenting plan and co-parent in the best interest of their children, thereby decreasing their relitigation rates and potentially saving time, energy, and financial resources that can be put to better use for families and the courts. In some court circuits, rather than dictating a parenting plan to parents who are in impasse and disagreement, family court judges have begun to enlist PCs to assist high-conflict parents in developing their own parenting plan, with the hope of minimizing their conflict earlier in the legal process.

While attention is increasingly being focused on parenting coordination as an intervention to reduce the negative effects of parental separation and divorce on children and their parents, research regarding its effect on relitigation in the court system is practically nonexistent. One way to measure the efficacy of parenting coordination is to determine if and how this intervention minimizes and/or eliminates relitigation among high-conflict couples once they have participated in parenting coordination. According to Ash and Guyer (1986), high-conflict couples resort to the adversarial court process more often to address their child-related conflicts concerning issues such as time sharing and co-parenting. Because the purpose of parenting coordination is to reduce conflict between parents, the effectiveness of parenting coordination can be observed in the degree to which parental conflict decreases and, thereby, court docket loads are reduced (Kramer & Kowal, 1998; Ash & Guyer, 1986). Additionally, it is crucial for PCs to become aware of the demographic profile of their cases in order to obtain the appropriate training to be as effective as possible.

The purpose of this study is to explore the degree to which changes occurred in the number of motions filed by high-conflict co-parents the year before and the year after parenting coordination was implemented. The study also considers some of the demographics of these co-parents.

RESEARCH QUESTIONS

The research questions for this investigation include: (1) are there changes in the number of motions filed among high-conflict couples the year before and the year after parenting coordination was implemented? and (2) what are some of the demographics among the couples studied?

METHOD

A case study research design was utilized to examine how the number of motions filed by high-conflict parents changed when parenting coordination was used in a single

organization—a court system—to begin to shed light on the impact of parenting coordination on the rate of relitigation among separating or divorcing co-parenting couples. According to Yin (2003), “in general, case studies are the preferred strategy when “how” or “why” questions are being posed, when the investigator has little control over events, and when the focus is on a contemporary phenomenon within some real-life context” (p. 1). In addition, case studies can be useful when examining a single entity (Bogdan & Biklen, 2003). Court records were examined from pre- to post-parenting coordination to determine the degree to which relitigation was minimized and/or eliminated. Miles and Huberman (1984) suggested that a variety of techniques may be employed in analyzing case study data, including comparing the frequency of events during different time periods. Although case studies are typically categorized as qualitative in nature, Bogdan and Biklen (2003) assert that they may also utilize quantitative evidence.

A collaborative project with the senior author at a major research university and the Family Court Services unit of a Judicial Circuit Court in the South was established to study the efficacy of parenting coordination. This site was selected because of its program’s reputation as a leader in the state’s family court system, with strong advocacy and a model for parenting coordination as an intervention in high-conflict relationship dissolution cases. A small grant was secured from the participating university to support the research project.

The cases used in this study were drawn randomly from the pool of 88 couples who were ordered to parenting coordination during the 2006 calendar year (37 cases were addressed in-house and the others were referred to community providers). From the time of divorce or separation, these couples had been litigating in the family court system for varying numbers of years. A convenience sample was selected based on the amount of material accessible in the available court records regarding demographics and court docket information available per case. Thus, the total number of motions filed among 49 couples was compared 1 year prior to (2005–06) and 1 year following (2006–07) their participation in parenting coordination intervention.

Once the sample was established, nonconfidential information in case files and public court documents were reviewed and the results were analyzed across specific demographic categories. For the purposes of data analysis, the cases were arranged according to gender into two groups, Fathers and Mothers, as all cases were litigating couples with shared children. The specific data collected regarding the co-parents included: the age and number of children involved; length of marriage; number of years in litigation; number of pre- to post-parenting coordination motions; and the couples’ race/ethnicity, socioeconomic status, and occupation/career.

FINDINGS

CHANGE IN NUMBER OF MOTIONS FILED PRE- TO POST-PARENTING COORDINATION

Total Motions. In order to determine the possible effectiveness of parenting coordination, the total number of motions filed among the 49 couples was compared 1 year prior to (2005–06) and 1 year following (2006–07) the designation of the PC. The data showed that 491 total motions were filed in the year prior to parenting coordination, compared to the year following, when 254 motions were filed. This represents a reduction of 237

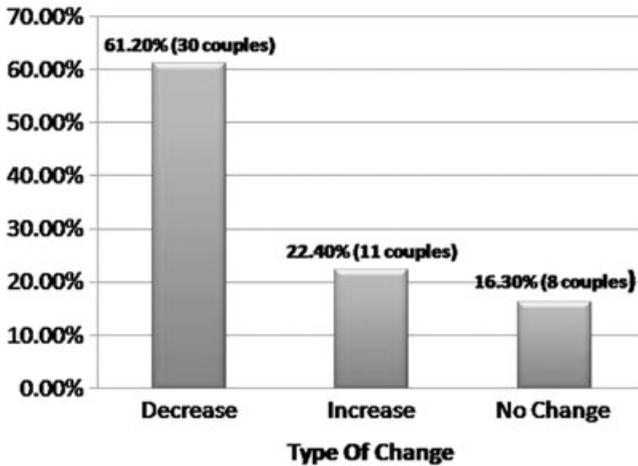


Figure 1 Percentage of Couples who Decreased, Increased, and Had No Change in Total Motions Filed (Pre- to Post-Parenting Coordination).

(48.27%) total motions filed. Of these 237 motions, there was a 75% decrease in child-related motions and a 40% decrease in all other motions.

The data also revealed that 30 couples (61.2%) of the total 49 decreased in the number of total motions filed pre- to post-PC services. In contrast, a total of 11 couples (22%) of the total 49 showed an increase in the number of total motions filed 1 year after parenting coordination as compared to 1 year before; however, the increase of 50 motions involved a majority that were not child related. Lastly, 8 couples (16%) of the total 49 showed no difference in the number of total motions filed. Of these 8 couples, 7 had filed zero total motions in the year prior to referral to a PC as well as zero total motions in the year following services. Figure 1 depicts the percentage of couples who decreased, increased, and had no change in the number of total motions filed in the year preceding the appointment of a PC and in the year following.

Child-Related Motions. To further evaluate the possible effectiveness of parenting coordination, only child-related motions (i.e., time sharing, holidays and vacations, medical, school related, etc.) filed 1 year before (2005–06) and 1 year following (2006–07) parenting coordination services were compared. Among the 49 couples only, 29 child-related motions were filed in the year following parenting coordination, compared to 116 child-related motions filed the year before. This represents a decrease of 87 (75%) child-related motions filed.

The data reveal that 30 couples (61.2%) of the total 49 decreased in the number of child-related motions filed pre- to post-parenting coordination services. However, 15 couples (30.6%) of the total 49 showed no difference in the number of child-related motions filed. Of these 15 couples, 13 (26.5%) had filed zero child-related motions in the year prior to referral to a PC as well as zero motions in the year following services. If the 15 couples that remained neutral are eliminated from the figure representing those that actually decreased in motions, the percentage rises to 88% of couples decreasing in child-related motions during the year following parenting coordination. Additionally, there were 4 couples (8.2%) of the total 49 that showed an increase in child-related motions filed,

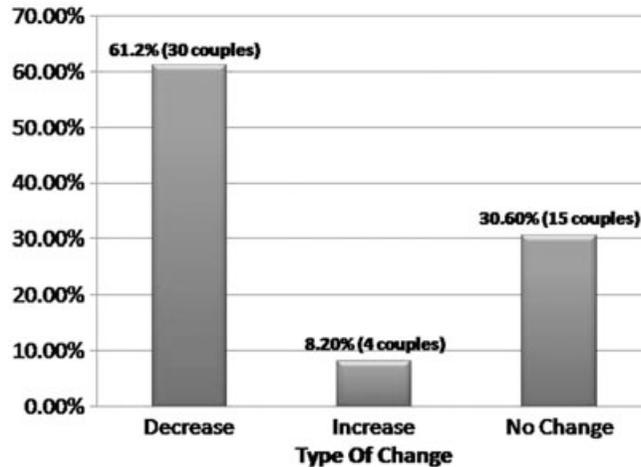


Figure 2 Percentage of Couples who Decreased, Increased, and Had No Change in Child-Related Motions Filed (Pre- to Post-Parenting Coordination).

accounting for an increase of only 7 cases for all four couples. Figure 2 depicts the percentage of couples who decreased, increased, and had no change in the number of child-related motions filed in the year preceding the appointment of a PC and in the year following parenting coordination services.

CHANGE IN NUMBER OF MOTIONS FILED AMONG COUPLES WHO SHOWED A DECREASE PRE- TO POST- PARENTING COORDINATION

Total Motions. From public court dockets, it was determined that 30 couples (61.2%) out of the total 49 couples showed a decrease of 287 (73%) in the total motions filed pre- to post-parenting coordination services. In the year preceding parenting coordination, these 30 couples filed 392 total motions, as compared with 105 total motions filed in the year following. More specifically, 1 couple decreased the number of motions filed by 25%, 5 couples decreased by up to 50%, 10 couples decreased by up to 75%, 5 couples decreased by more than 75%, and 9 couples filed zero total motions in the year after parenting coordination services.

Child-Related Motions. For child-related motions only, 30 couples (61.2%) out of the total 49 showed a decrease to 94 (82%) motions filed. In the year preceding parenting coordination, these 30 couples filed 114 child-related motions, as compared with 20 child-related motions filed in the year following. Of these 30 couples, 4 decreased between 25–50%, 6 couples decreased between 51–75%, 1 couple decreased by more than 75%, and 19 couples filed zero child-related motions in the year after parenting coordination services. Figure 3 shows the difference in the number of total and child-related motions filed 1 year prior to and 1 year following parenting coordination.

TIME LITIGATING BEFORE REFERRAL TO PARENTING COORDINATION

In all cases, the couples referred to parenting coordination showed a decrease in motions filed, despite the length of time litigating in the court system before being referred to PCs.

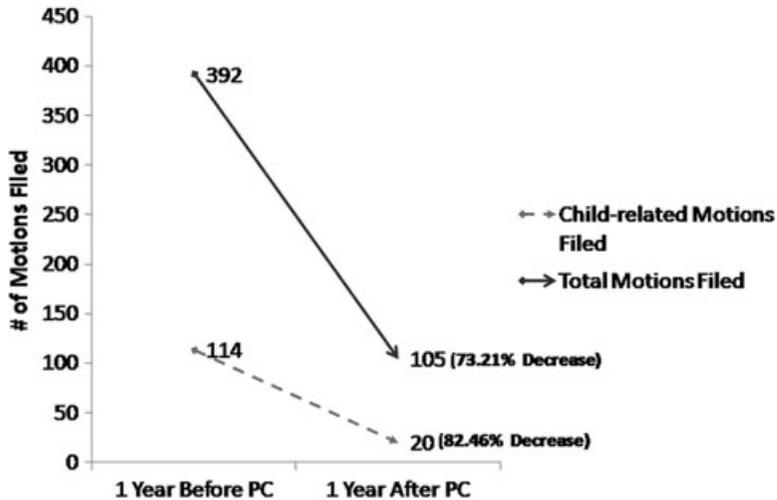


Figure 3 Difference in Number of Motions Filed by 30 Couples (Pre- to Post-Parenting Coordination).

For example, those couples who had been litigating for a 0–2 year time span had filed 28 motions prior to parenting coordination; after parenting coordination, the motions they filed decreased to 17 (60.7%). In a 2–4 year span, motions decreased from 7 to 5 (71.4%); in a 4–6 year span, motions decreased from 8 to 6 (75%); in a 6+ years time span, motions decreased from 5 to 2 (40%).

SAMPLE DEMOGRAPHICS

Length of Marriage/Never Married. The length of marriage of couples among the cases ranged from “never married but raising shared child(ren)” to 20 years. The majority of couples, 28.6%, were married for 5 to 9 years, followed by 24.5% never married pairs raising shared child(ren). Closely following were the 22.5% of couples who were married between 10 and 14 years, and then 14.3% of couples married 15 or more years. It is note worthy that 10.2% of the couples were married between 0 and 4 years. These findings indicate that couples who have not been married very long can also experience high-conflict marital dissolution.

Time from Divorce/Separation to Court-Ordered Parenting Coordination. The most common length of time from first filing the case to the point at which court-ordered parenting coordination occurred was between 0 and 2 years, for 57.1% of the couples. Both 2 to 4 years and 4 to 6 years was the length of time for 16.3% of couples, respectively. Only 10.2% of couples were ordered to parenting coordination during the 6 to 8 years following divorce/separation.

Age/Number of Children Involved. Among the 49 couples, 80 children were involved, with the highest number of children (28.2%) between the ages of 5 and 8 years old. The second highest, 25.0%, were between 9 and 12 years old. Children 17 years and older made up the smallest group, 8.8%. A majority of the couples, 49%, had only one child and 32.7% had two children.

Ethnicity. The ethnic make up of the cases analyzed indicated that Hispanics (36%) constituted the largest group followed by Caucasians (11%), Black/African Americans (10%), and 43% Other/no answer. Information regarding the socioeconomic status of these couples revealed that 31% were considered indigent by the court and received free parenting coordination services in-house, while 69% were considered able to pay for outside parenting coordination services and were referred to community providers.

Occupation. Occupations and careers varied among the co-parents in this study with the Fathers employed in jobs ranging from skill/trade to professional (requiring an advanced degree) (12%). The Mothers were most often employed in sales occupations (22%) followed by those who were unemployed or homemakers (20%).

DISCUSSION

Results of this study seem to indicate that litigating divorced/separated couples do, in fact, file fewer motions in the domestic relations court when utilizing the services of a PC. Over 60% of couples filed fewer total motions in the first year parenting coordination was court ordered, including 75% fewer child-related motions and 40% non-child-related motions. These findings are substantial in terms of the time saved by all involved in the court system, including the judges, lawyers, support staff, and the parents themselves. This finding is consistent with the results of the study conducted in a California county, which also reported a decrease in the number of relitigation cases after participating in parenting coordination (Kelly, 2002).

PRE- TO POST- PARENTING COORDINATION MOTIONS FILED

A comparison of the total number of motions filed in the year preceding parenting coordination involvement and the year following implies that this intervention is effective. Notably, of the 30 couples who decreased their total motions, nearly one-third decreased by a full 100% and filed zero motions in the year following parenting coordination participation. Furthermore, this study determined that nearly two-thirds decreased by a full 100% and filed zero further child-related motions after parenting coordination participation. Further, because 40% of all non-child related motions decreased in the year post-parenting coordination, it is likely that the process was beneficial even beyond the scope of the PC's order. These results seem to indicate that the advantages of parenting coordination can be substantial and may even lessen parental contention to a degree that permeates their ability to resolve issues not related to the parenting coordination process. The results also suggest that there may be some issues that require court attention and are not suited for resolution in the parenting coordination process (i.e., financial matters). However, a question remains as to why some parents are more likely to profit from this intervention, while others continue to litigate, even if less than before the PC was designated.

TIME SPENT LITIGATING PRIOR TO PC REFERRAL

While it might seem likely that the earlier the PC was appointed, the more effective the process would be in reducing the number of motions filed, results seems to indicate

a significant benefit possible for all cases in this study. Neff and Cooper (2004) point out that 8% to 12% of parents continue high litigation rates 2–3 years after they divorce (Hetherington & Kelly, 2002; Maccoby & Mnookin, 1992). Consistent with their findings, it appears from this study that parenting coordination was most successful in decreasing the number of motions filed in cases with 2 to 6 years of protracted litigation.

For those issues that continued to be addressed in court, it is important to recognize that a certain number are related to subjects that parenting coordination does not address (i.e. financial matters). Additionally, some motions are unavoidable in the legal process and are usually resolved in the first year(s) of litigation. Furthermore, there may be some reasons specific to the parents themselves, such as those who are emotionally disturbed or have a personality disorder (Neff & Cooper, 2004; Johnston & Campbell, 1988; Johnston & Roseby, 1997), that do not lend themselves to processes where resolution is a goal.

Therefore, it is likely that even with a parenting coordination process in place, not all motions, even those that are child related, will be resolved with all couples. Still, no matter the duration of litigation prior to PC appointment, the process was beneficial in almost all cases.

LENGTH OF MARRIAGE/NEVER MARRIED COUPLES

The length of marriage among couples court ordered to parenting coordination provided interesting results. The majority of the couples were married between 5 and 9 years, followed closely by couples who were never married but cohabited and raised shared children. Cohabitation and couples living separately with children are becoming increasingly prevalent (DeLeire & Kalil, 2005; Manning, 2001) and actually constitute a formal data set in the U.S. Census. According to Manning (2001), cohabitation is a two-parent family unit that raises children together outside of a formal marriage. Peters indicated in 2000 that more than one out of three children is born to unmarried parents, either living together or separately. Additionally, one-fifth of Black and Hispanic children, versus one-tenth of White children, were born to cohabiting couples. Thus, understanding the number of families formed by unwed and/or cohabiting parents, and the outcomes after dissolution as compared to married parents, are important due to the large number of children involved (Avellar & Smock, 2005).

Furthermore, Osborne, Manning, and Smock (2007) indicated that, compared to married couples, cohabiters are at a higher risk for separation, with findings indicating that children of cohabiting parents are over five times more likely to experience parental separation than children of married parents. Less committed partnerships may lead to separation of the couple, which is essentially an informal and unstructured divorce. Therefore, it could be concluded that the separation of the cohabitating family unit might produce some similarities to a formal divorce and require similar resolution strategies/programs. Undoubtedly, in each situation of separating couples, there are distinct needs and issues unique to their previous living arrangement. With the prevalence of cohabitation and unwed parents living separately with children in this country, and the fact that nearly one-quarter of couples in this study were in the “never married but sharing children” category, parenting coordination providers may need to be well-educated regarding the dynamics and unique needs of these partnerships.

TIME FROM DIVORCE/SEPARATION TO COURT-ORDERED PARENTING COORDINATION

The court's determination of the best time for referring a couple to parenting coordination is important in increasing the likelihood of success, as measured by a decrease in motions filed following intervention. While it might seem likely that the earlier the PC is appointed, the more effective, this study seems to indicate a possible significant benefit of parenting coordination intervention for all cases. Roughly one-third of the couples were referred to parenting coordination between 2 and 6 years postdivorce/separation. This appears to coincide with the findings of Neff and Cooper (2004) above, that most couples are able to reduce their conflict after 2 years, with the court taking a more active role to minimize the protracted conflict of those couples who remain involved in litigation thereafter. This group may have filed numerous motions and were finally referred for parenting coordination services when the court could no longer adequately mitigate the disputes between parties. In many cases the adversarial act of litigation itself may breed further litigation, reinforcing the couples self-destructive means toward resolution (Girdner, 1986) and increasing their children's exposure to parental discord. Consequently, it is to be expected that, by the time a PC is designated, the litigating parties have spent a great deal of time and money on legal matters, absorbed a great deal of the court's time in relitigating issues regarding the same case, and accordingly, their conflict has exacerbated even further. It is, therefore, relevant that parenting coordination was beneficial to these cases in reducing litigation in all child-related instances where parents have shown a decrease in number of motions filed.

Perhaps most telling is that the total number of motions initiated by the parties the year after the appointment of the PC was reduced by approximately one half. This implies that the parties and the court have saved up to 50% of the costs (i.e., time, money) that might have been incurred if the parties had continued without parenting coordination intervention.

CHILDREN CAUGHT IN THE MIDDLE

Most of the co-parents in this study had either one or two children between the ages of 5 to 12 years old. These children, as opposed to those in their later teen years, are dependent upon their parents for decisions regarding their living arrangements, time spent with each parent, monetary expenditures, educational decisions, and many other factors that directly contribute to the healthy maturation of the child. Parents who continuously relitigate in the family court and are ultimately referred to parenting coordination services are in need of education in co-parenting strategies and how to place the focus on the needs of the children and the family as a whole, not simply the divorcing adults. Research by Gottman and Levenson (2000) on marital satisfaction over time indicates that there are two critical periods for the survival of a marriage. The initial period is during the first 7 years of marriage, when half of all divorces occur. The second period is during mid-life, when children are reaching their teenage years, and has been viewed as the lowest point in marital satisfaction overall. These two time periods correspond with the ages of the majority of the children in this study, between 5 and 12 years old, suggesting that this is a critical time for families to participate in effective, family-focused parenting coordination in order to create stability for children who have witnessed parental discord during these formative years. This critical time period (formative years) also infers that PCs must be aware of child

development and how life cycle events of both the children and their parents will continue to influence the co-parenting relationship of the parties in the years ahead.

DEMOGRAPHICS

Diversity. Findings in this study also paint a unique portrait of the diversity among couples who utilized PCs in the specific court district studied. Although the diverse characteristics of this population may not be absolutely representative of all excessively litigious divorcing couples in the court system, it may serve as a basis for study of the ethnic makeup of individuals currently utilizing parenting coordination as a conflict-resolution strategy.

Among the Fathers who indicated a racial group, Hispanic was mostly reported, followed by White/Caucasian and Black/African American. Similarly, among the Mothers who designated a racial group, Hispanic was reported most frequently, followed by Black/African American and White/Caucasian. This demographic representation of parenting coordination users is likely due to the location of the court system, which has a high percentage of Hispanic residents, rather than a higher instance of high-conflict divorce within the Hispanic culture as opposed to the other racial groups. Nevertheless, because culturally diverse groups vary in the rates at which family dissolution occurs (Goldstein & Harknett, 2006), understanding the rates of separation among couples of different cultural groups, and factors involved, including possible barriers to services, are necessary to effectively prescribe a resolution strategy in the best interests of the individuals. Thus, parenting coordination training protocol should adequately address multicultural principles and techniques applicable to understanding and assisting diverse populations.

Socioeconomic Status. The socioeconomic status of individuals studied was important because of the court's designation of a couple's ability to pay or receive free (in-house) parenting coordination services. In-house parenting coordination refers to the services provided at no cost to court-ordered families and is housed within the Family Court Services office and staffed by professionals who are employees in the court system. By referring a couple to in-house parenting coordination services, the judge has ruled that they meet the criteria for indigence or otherwise lack the resources necessary to afford the process; however, this designation is solely at the discretion of the presiding judge. Although gross monthly income data could be gathered through court files, mitigating circumstances (i.e., alimony, child support payments, special needs, etc.) could distort the complete financial picture if analyzed out of context. Therefore, the court's ruling for services to be provided without charge was the indicator to designate the socioeconomic status of individuals. For example, slightly over two-thirds of couples who were ordered to parenting coordination were considered able to pay out of pocket, while slightly less than one-third were referred for in-house, free of charge, parenting coordination services.

An awareness of the number of individuals referred to outside or in-house services is useful in determining how a court system will allocate its resources in funding parenting coordination services. In 2000, the American Bar Association's Family Law Section (Elrod & Ramsey, 2001) recognized the need for parenting coordination in high-conflict cases and recommended that such a process be available through the court's case management or service delivery program, especially for parents who cannot afford a community provider.

The findings in this study indicate that utilizing PCs may decrease half the number of hearings for these parties, and therefore, funding for in-house parenting coordination is a cost-effective measure for the court in freeing the judge's time for other cases. The issue of affordability of parenting coordination services is one that continues to be addressed by court systems, professionals, and parties alike.

By having free in-house services available for those who are less financially capable of paying, parenting coordination providers may help to limit the financially straining litigation cycle that further depletes the resources of divorcing and separating couples. Thus, domestic relations systems that are not yet utilizing the services of PCs on an in-house and/or outside referral basis might do well to adopt the model of the court system studied if they are interested in improving their family court services.

Occupation/Career. The occupation/career data in this research painted a general picture of the parents involved in the cases studied. For example, five occupational groups were represented equally in the survey for Fathers, ranging from skill/trade to professional (requiring an advanced degree). The results do not yield any conclusive generalizations about the career fields of Fathers who relitigate most often. In contrast, the Mothers were most often employed in sales occupations, closely followed by those who were unemployed, homemakers, or chose not to answer. The Mothers in this study were a more homogenous group than the Fathers with respect to occupation and were more likely to be non-wage earners than the Fathers (only 4 men reported being unemployed/homemaker versus 10 women). Although this occupational data was rather inconclusive, as Nomaguchi (2005) and Fried (2005) note, divorce can be extremely financially draining and the earning ability of the separating parties may affect their access to quality counsel. In addition, those women who were unemployed/homemakers during their marriage may be at a significant financial disadvantage after severing ties to their former partner, because men typically have greater financial resources (Nomaguchi, 2005). If it were not for the availability of in-house, no-cost parenting coordination, many of the parents in this study would not have been able to afford these services.

LIMITATIONS

The client cases used in this study were not randomly selected. They were a convenience sample of cases that contained specific demographic and court docket information relative to the variables explored. Thus, the ability to generalize the results of this study is limited. Additionally, data from only one court system, with unique demographics that may not be consistent with the national average, was used in this study. Client cases from a larger number of court systems may have generated a sample more representative of all court systems utilizing parenting coordination, thereby increasing the reliability and ability to generalize the findings. There is also the possibility that, in addition to parenting coordination services, other unknown variables may have been responsible for the decline of post-parenting coordination court motions filed. More in-depth qualitative and quantitative study of individuals involved in parenting coordination pre- and post- relitigation may provide richer, more definitive outcomes. Comparing the number of motions filed from cases with parenting coordination to cases where a PC was not designated, by using control groups, may yield more specific results.

IMPLICATIONS

The results of this study seem to demonstrate that participation in parenting coordination reduces the number of motions filed by relitigating couples to some degree. Further, it appears that the parenting coordination process is beneficial for the parties throughout the duration of the couple's legal process and has positive implications well beyond the resolution of child-related issues. Therefore, more family court systems might consider implementing the model of parenting coordination referral that exists in the family court used in this study. Limitations in the funding of courts is certainly a prevalent issue, and the usefulness of parenting coordination as an effective intervention with high-conflict families is important to consider as a cost-saving measure to the courts. Clearly in this study, with total motions from the high-conflict cases decreasing by up to one-half and 75% for child-related issues, the utility of parenting coordination is confirmed as an effective measure to reduce court hearings, while strengthening the parents' ability to resolve issues independent from the court. Consequently, a need exists to educate courts, lawyers, families, and communities about the benefits of utilizing parenting coordination as a means to resolve divorce and separation co-parenting issues.

Although parenting coordination is a relatively new professional field, it appears to produce increasingly positive outcomes (Coates, Deutsch, Starnes, Sullivan, & Sydlík, 2004; Johnston, 2000; Neff & Cooper, 2004), as demonstrated in this study. While it has been noted that judges who utilize the method within their court favor parenting coordination (Coates et al., 2004; Johnston, 2000), the efficacy of this new intervention has not been widely assessed and evaluated, and further validation might encourage its use in other circuits.

The demographic profile of the cases studied indicated that couples were from diverse populations with varying family living situations, which, although not surprising, illuminate considerations for training PCs, including developing multicultural competence and understanding the dynamics of different types of relationship dissolution. According to Lee (2006) and Sue (2003), the multiculturally competent PC must possess the knowledge, skills, attitude, and an awareness to work effectively with culturally and racially diverse clients. For example, awareness and understanding of the world view of diverse populations will assist in cultivating a cultural sensitivity for working with diverse groups. Additionally, because the parenting coordination process integrates elements of counseling, conflict resolution, education, and arbitration, incorporating cultural-specific techniques and strategies into these modalities will help to address the myriad issues germane to culturally diverse co-parents. Moreover, the PC must learn to capitalize on the cultural-specific strengths (i.e., extended family, community support, spirituality, religion, and positive ethnic identity), as appropriate, to assist in the PC process (Henry & Mitcham-Smith, 2008).

Understanding the dynamics of different types of relationship dissolution is crucial in PC training inasmuch as divorce, separation from marriage, and the end of a non-marriage relationship are becoming normative among couples (Raley, 2000). Just as it is imperative to understand the effects of relationship dissolution on children from separated, married, or cohabiting couples, likewise it is important to understand the same effects on children of nonmarried separated couples. While couples in different living arrangements may disengage from relationships in a similar manner and require similar intervention, differences may also exist and require different resolution strategies (Henry & Mitcham-Smith, 2008).

Because parenting coordination is an emerging intervention, few studies have focused on its processes and outcomes. However, the Association of Family and Conciliation Courts Task Force on Parenting Coordination (2005) noted the need to standardize the role, training, and standards for PCs and warned that, until qualifications/certifications are in place to delineate more concrete processes and protocols, parenting coordination will not be valued as a credible profession. In 2005, the Task Force developed Guidelines for PCs, which are being utilized nationally to help set the standards for professionals.

While the results of this study are encouraging relative to the usefulness of parenting coordination services to the courts, parents, and children who participate, further research is needed to clarify the multifaceted professional role and efficacy of PCs. For example, quantitative and qualitative investigations are needed to fully understand the effect parenting coordination has on the litigating high-conflict couple and the degree to which the individuals involved believe the process has been beneficial. Additionally, analysis of various demographic factors would provide useful information for preparing multi-culturally competent PCs and for meeting the unique needs of diverse co-parents and their children. Specifically, areas of further study may include:

- the demographics of other court systems in which parenting coordination is utilized and whether those litigants court ordered reflect those demographics;
- the implication of culture and ethnicity of the participants, as well as the influence, if any, of the culture and/or ethnicity of the designated PC;
- a cost–benefit analysis of parenting coordination to the participants, including savings in legal process costs and attorneys fees;
- a cost–benefit analysis of an in-house parenting coordination program versus court and judiciary time in handling those high-conflict cases that cannot afford independent PCs;
- the benefits of parenting coordination on the decision-making process of the couple for non-child-related issues;
- the efficacy of parenting coordination when parties are represented by legal counsel compared to pro se;
- attorney surveys to determine the strengths and weaknesses of the process as seen by the legal community;
- parent surveys to determine satisfaction of participants;
- reasons that some parents benefit more than others from the parenting coordination process;
- effects of parenting coordination on children;
- the ultimate time within the legal process best suited for the designation of a PC in any given case; and
- the potential use of PCs in nontraditional family systems.

In essence, although the above research agenda would certainly enhance the body of knowledge regarding parenting coordination, this study makes a significant contribution to the literature in at least two very important ways. First, it validates the importance of parenting coordination intervention in reducing relitigation among high-conflict divorcing couples. Second, it also challenges family court judges, lawyers, mental health practitioners, and other professionals to consider parenting coordination as a highly viable solution for helping high-conflict couples to realign themselves as effective co-parents with the best interests of their children in mind.

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