

SUPREME COURT OF FLORIDA

In re Amendments to the Florida Family Law Rules of Procedure;
New Rules for Qualified and Court-Appointed Parenting
Coordinators

142 So. 3d 831 (Fla. 2014) · No. SC13-1751 · Decided July 3, 2014

SUMMARY

The Supreme Court of Florida adopted amendments to Florida Family Law Rule of Procedure 12.742 concerning parenting coordination and adopted new Rules for Qualified and Court-Appointed Parenting Coordinators. The opinion also amended and adopted related family law forms, including forms for reporting emergencies and requesting status conferences, with the amendments effective immediately.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Labarga; Justice Pariente; Justice Lewis; Justice Quince; Justice Canady; Justice Polston; Justice Perry
JURISDICTION	Florida
DECIDED	July 3, 2014
DOCKET	SC13-1751
DISPOSITION	approved
PROCEDURAL POSTURE	Original proceeding on a petition by the Committee on Alternative Dispute Resolution Rules and Policy to amend the Florida Family Law Rules of Procedure and adopt new rules governing qualified and court-appointed parenting coordinators.
PRECEDENTIAL VALUE	Published rulemaking opinion adopting amendments to the Florida Family Law Rules of Procedure and new statewide standards for parenting coordinators.
PARTIES	Committee on Alternative Dispute Resolution Rules and Policy

TOPICS

- family law procedure
- family law
- appellate procedure
- mediation
- child custody

PRACTICE AREAS

family law

civil procedure

alternative dispute resolution

appellate procedure

QUESTIONS PRESENTED

1. Whether the Supreme Court of Florida should amend Family Law Rule of Procedure 12.742 concerning parenting coordination.
2. Whether the Court should adopt new rules establishing ethical, professional, and disciplinary standards for qualified and court-appointed parenting coordinators.
3. Whether related family-law forms governing referral, coordinator responses, emergency reports, and status-conference requests should be amended or adopted.

HOLDINGS

1. The Court adopted the proposed amendments to Family Law Rule of Procedure 12.742, including requirements concerning circuit qualification processes, removal of disqualified coordinators, limitations on substantive decision-making and recommendations, emergency communications, status conferences, discovery, and parenting coordination sessions.
2. The Court adopted new Rules for Qualified and Court-Appointed Parenting Coordinators establishing standards concerning applicability, competence, integrity, impartiality, conflicts of interest, confidentiality, fees, records, safety, responsibility to courts, and discipline.
3. The amended and new rules and forms became effective immediately upon release of the opinion.

KEY QUOTATIONS

“Accordingly, the Florida Family Law Rules of Procedure and forms are amended and the new Rules for Qualified and Court-Appointed Parenting Coordinators are adopted as set forth in the appendix to this opinion.” (at 836)

“The amended and new rules and forms are effective immediately upon the release of this opinion.” (at 836)

FACTUAL BACKGROUND

The Committee on Alternative Dispute Resolution Rules and Policy proposed amendments governing parenting coordination and new ethical and disciplinary standards for qualified and court-appointed parenting coordinators. The proposal addressed qualification processes, disqualification and removal, limits on coordinators’ authority, emergency reporting, status conferences, confidentiality, discovery, ethical standards, discipline, and related forms. The Court published the proposals for comment, received comments, and adopted the proposals.

PROCEDURAL HISTORY

The ADR Committee filed a petition proposing amendments to Family Law Rule of Procedure 12.742, new Rules for Qualified and Court-Appointed Parenting Coordinators, and related forms. The proposals were published for comment, comments were received, and the Committee filed a response. The Supreme Court of

Florida considered the petition, comments, and response and adopted the amendments, new rules, and forms as proposed.

DISPOSITION

approved

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