

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 2 in §1659 in subsection 1 by striking out all of paragraph A (page 2, lines 1 to 6 in L.D.) and inserting the following:

‘A. "Parenting coordinator" means a neutral 3rd party appointed by the court to oversee and resolve disputes that arise between parents in interpreting and implementing the parenting plan set forth in the court's order and who:

(1) On July 1, 2009 is listed in the roster of guardians ad litem maintained by the Chief Judge of the District Court pursuant to rules adopted by the Supreme Judicial Court, or who holds one or more of the licenses listed in the rules and is listed on the roster after July 1, 2009 after completing the other requirements set forth in the rules; and

,

(2) Meets any other qualifications and requirements established by the Supreme Judicial Court.

Amend the bill in section 2 in §1659 in subsection 2 in paragraph B in the last line (page 2, line 23 in L.D.) by inserting after the following: "parties." the following: 'State funds may not be used to pay parenting coordinator fees.'

Amend the bill in section 2 in §1659 by inserting after subsection 8 the following:

**‘9. Repeal.** This section is repealed January 1, 2014.’

Amend the bill by inserting after section 2 the following:

**‘Sec. 3. Accountability and complaint process.** The Supreme Judicial Court may enter into an agreement with a professional organization of guardians ad litem, the purpose of which is to improve the practice of guardians ad litem, to establish a process to collect and review evaluations and complaints about parenting coordinators established pursuant to the Maine Revised Statutes, Title 19-A, section 1659. The organization may charge the parenting coordinators a fee, approved by the Supreme Judicial Court, for the work, but there may not be a cost to the judicial branch. A person who has not paid the required fee may not be designated as a parenting coordinator on the guardian ad litem roster established by the Supreme Judicial Court. The judicial branch is not required to establish a complaint process.

Beginning in 2010, the organization shall make an annual report by February 1st of each year to the Supreme Judicial Court and the joint standing committee of the Legislature having jurisdiction over judiciary matters. The report must include information about comments and complaints regarding parenting coordinators made to the organization, any investigation or review undertaken by the organization in response to comments and complaints and any recommendations for action by the Supreme Judicial Court and the Legislature.

**Sec. 4. Report.** Beginning March 1, 2010, the Supreme Judicial Court shall submit an annual report to the joint standing committee of the Legislature having jurisdiction over judiciary matters describing the use of parenting coordinators in domestic relations actions pursuant to the Maine Revised Statutes, Title 19-A, section 1659. The committee may report out legislation relating to parenting coordinators to the 124th Legislature and the 125th Legislature based on information and any recommendations in the reports.'

## **SUMMARY**

This amendment makes the following changes in the bill that establishes the court's authority to appoint parenting coordinators.

1. It clarifies that parenting coordinators may be selected from the guardian ad litem roster maintained by the District Court. This avoids the implication that the court would be required to establish a roster for parenting coordinators separate from the roster already established for guardians ad litem. It allows the court to establish additional requirements for parenting coordinators, but does not require that such additional qualifications be established.

2. It clarifies that no state funds may be used to pay the fees for a parenting coordinator.

3. It provides an automatic repeal date of January 1, 2014.

4. It allows the Supreme Judicial Court to enter into an agreement with a professional organization of guardians ad litem to establish a process to deal with comments and complaints about parenting coordinators. The organization must report annually by February 1st to the Supreme Judicial Court and the joint standing committee of the Legislature having jurisdiction over judiciary matters. This process does not affect the parties' rights to appeal the decision of a parenting coordinator to the court.

5. It requires the Supreme Judicial Court to report annually to the joint standing committee of the Legislature having jurisdiction over judiciary matters regarding parenting coordinators. The committee may report out legislation based on the report to the 124th and 125th Legislatures.

## **FISCAL NOTE REQUIRED**

**(See attached)**