

FAMILY COURT INTAKE/TRIAGE GLOSSARY OF DEFINITIONS

Mediation for parenting issues/timesharing: is a non-adversarial way for parents to come together in a safe environment with the help of another person (called a mediator) to develop a mutually acceptable parenting plan. The mediator is an impartial trained professional who is there to help parties focus on the issues, clarify areas of agreement and disagreement, and encourage resolution. The mediator will not provide legal advice or decide who is right or wrong. Mediations are confidential and provide an opportunity for the parents to develop their own co-parenting plan that is a legally binding contract. Per Rule 12.740, Fla. Fam. L.R.P. 12.740, et seq., judges have the authority to order all contested family matters and issues to mediation.

Co-parenting Facilitation/Parenting Plan Facilitation: may be ordered when the court finds that the parents lack an ability to effectively co-parent together and/or when the parties are unable to establish or comply with previously ordered or agreed upon contact arrangements between the parties and the child(ren) in such a way that it is negatively affecting a child's relationship with a parent. The Facilitator may interview the parents, children, and other parties as authorized by the court to determine the best interests of the child(ren). The Facilitator will assist the parents in understanding the developmental and emotional needs of the child(ren) involved and focus on coaching techniques for the parents to effectively communicate, reduce conflict, collaborate and make child-centric decisions. The Facilitator will also work with the parents to develop and/or modify parenting plans/agreements to reduce conflict, monitor compliance with agreements as to timesharing, make limited decisions within the scope of the court's referral and make recommendations to the court.

Issue Focused Evaluation: addresses narrowly defined referral questions identified by the judge. This differs from more comprehensive evaluations in that its scope is very specific and may be ordered because of an already identified area of concern. The Issue Focused Evaluation may be conducted by appropriately trained clinicians licensed under F.S. Chapters 490 or 491, depending on the issues being addressed.

Intensive parent education (in addition to mandated 4 hour course): an educational program that focuses on building strong healthy parent-child relationships. The course emphasizes co-parenting skills such as communication and conflict resolution as well as parenting skills that are likely to improve the child(ren)'s emotional adjustment. Topics may include balanced child-centered parenting, sharing control, building child(ren)'s self-concept and resilience, setting limits without anger, effective discipline strategies, setting boundaries, improving listening skills, and positive interactions. The goal of the course is for the child(ren)'s needs to be met by building parenting skills and healthy co-parenting skills so child(ren) are kept out of conflict between their parents. The program focuses on improving the quality of parenting and can be done on an individual basis.

Parenting Coordination: an alternative dispute resolution process where a neutral trained professional (Parenting Coordinator PC) works with parents to develop co-parenting skills and parenting plans that are in their child(ren)'s best interests. Parenting Coordinators focus on parent education in child development and emotional needs, communication skills, child focused decision making, and dispute resolution to help parents learn to successfully co-parent. The parenting coordinator assists the parents in creating or implementing a parenting plan by facilitating the resolution of disputes between the parents, by providing education, by making recommendations, and, with the prior approval of the parents and the court, making limited decisions within the scope of the court's order of referral. Parties may choose to utilize a Parenting Coordinator (PC) on their own or a court may appoint a PC. If there has been a history of intimate partner violence, the court may not refer the parties to parenting coordination unless both parents consent. Unless there is a written agreement between the parties, the court may appoint only a qualified parenting coordinator pursuant to Florida Statute 61.125 (3).

Social Investigation: also known in some circuits as a Home Study, is a process performed by an impartial licensed mental health professional or according to F.S. 61.20 is qualified by the court, because the parents are unable to agree on pertinent details relating to the child and each parent. A Home Study is designed to be an evaluation of the suitability of the home and its environment in terms of safety and meeting the needs of the child(ren). A Home Study may be included as part of a Social Investigation or it may be conducted independently as a stand-alone process.

Parenting Plan Evaluation: previously referred to as a custody evaluation, is a process performed by a licensed psychologist, according to F.S. 61.122, who is qualified to provide the court, the parents, and the parents' attorneys with a thorough report addressing the best interests of the child within the context of the parents' capacities to parent, their co-parenting relationship, and considerations for their parenting plan; and may involve psychological testing. The evaluation is limited in scope and does not provide any assistance in developing the parent plan. It only evaluates the existing plan or proposed plan and makes recommendations to the court.

Relocation Risk Assessment: is used when a principle residence parent is seeking a change of residence more than 50 miles from the current residence. Per Florida Statute 61.13001(7) the following risks to the child(ren) should be evaluated: geographical distance and travel time; psychological stability of the relocating parent and parenting effectiveness of both parents; child(ren)'s unique needs/differences in the children's temperaments/special developmental needs; involvement by parent left behind/parental communication process; gatekeeping and support for the other parent-child relationship; safety considerations/interparental conflict, intimate partner violence and abuse; recentness of the separation/divorce. The Relocation Risk Assessment evaluates each of these risks as to the best interests of the child(ren) and reports the findings to the court.

Guardian ad Litem: pursuant to Florida Statute 61.401, may be appointed in the development or modification of a parenting plan if the court finds it in the best interest of the child(ren). A Guardian ad Litem must be certified and qualified under 61.402 Florida Statute. A Guardian ad Litem will act as a next friend to the child(ren) who will investigate the best interests of the child and speak on the child's behalf in court when there are safety issues or concerns. The Guardian ad Litem will generate a report to the court on findings, based upon interviews with the parents, the child and collateral sources (relatives, school, doctor, etc.).

Supervised Parenting Time: a court-ordered program of services for distressed or divorcing families with a history of conflict and/or substance misuse issues. It provides an opportunity for parents who are not currently residing with their children to maintain contact with them in a safe and neutral setting. Observations may be reported to the court. This is not therapy.

Therapeutic Visitation: is supervised parenting time with intervention and education provided to the supervised parent while spending time with the child(ren). This allows the parent to receive counsel and guidance regarding appropriate parenting skills and interactions with the child(ren). It may involve having the child(ren) share their feelings and concerns with the parent in a safe environment. This service requires a licensed mental health professional.

Family Therapy Reunification Specialist: used in situations where there has been a physical and/or emotional estrangement in the parent-child relationship and frequent contact between a parent and child is absent. There is often a notable conflict in the co-parents' relationship as well. Reunification family therapy uses a whole family system approach since the core issues that tend to emerge in the reunification process include the readiness and willingness of the child, communication among family members/parents, behavioral exchanges especially between the reunifying parent and the child, and/or parenting and problem solving. The focus of reunification family therapy is not on just the estranged parent and child(ren), but rather on reparation of relationships within the family system. The goal of reunification family therapy is to repair parent-child relationships so the child can develop healthy relationships with both parents. This service requires a licensed mental health professional.

Mental Health Assessment: may be court ordered for the purpose of identifying the presence of a mental condition and indication for therapeutic intervention. This process is survey oriented, and may result in recommendations for more in depth psychological or psychiatric evaluations. These assessments should be conducted by licensed mental health providers who will select the protocols and instruments to be utilized commensurate with their licensure and training.

Psychological Evaluation of Adult or Child: may be court ordered secondary to the findings of a Mental Health Assessment or for the purpose of identifying the presence of a mental disorder, cognitive impairment, neurological indicators, and differential diagnosis; and generally involves the use of psychological testing instruments; as per Rule 12.360, Fla. Fam. L.R.P., if for an adult and under Rule 12.363, Fla. Fam. L.R.P., if for a child. A report is provided to each party evaluated and the party's attorney, if represented, and Guardian ad Litem, if any, and will include the reason for referral and relevant assessment information. If a child is evaluated, the report is sent to both

parents (unless otherwise directed by the court), their attorneys, and Guardian ad Litem. The court is provided notice that the report has been completed and that the appropriate parties and their counsel have received a copy. A psychological evaluation can only be conducted by practitioners who are licensed under F.S. 490.

Substance Misuse/Abuse Evaluation: may include drug testing, psychological testing, interview regarding past and current substance misuse/dependency issues, reviewing of past treatment records, interviews of collateral people; and a written report of findings, which should include, at minimum, determination of level of assistance needed for problems associated with substance use and recommendations regarding course of treatment. The interview should be conducted by someone who has certification in chemical dependency.

Domestic Violence/Intimate Partner Violence Services: may involve an assessment conducted by someone who is certified as an expert in intimate partner violence to determine if intimate partner violence/anger issues/chemical dependency exist and, if so, a referral to the appropriate group is made (i.e. Batterer's Intervention/Anger Management- with or without a substance use disorder). However, recommendations based on the evaluation will be provided to the court, with no disclosure to the clients, for safety precautions.

Real Estate Appraisal: is used to determine the value of a home or commercial property. Appraisal reports contain a thorough breakdown of the features of the property and are created by a licensed real estate professionals who have successfully completed necessary training and professional credentials. A court can also request an appraisal be done to resolve property distribution disputes. Appraisals result in an opinion as to the fair market value of real estate and gives you a better understanding of a realistic selling price.

Business Evaluation: is a complex process of determining the economic value of a business or company unit and are used in dissolution of marriage cases to determine the fair market value of a business, using objective measures and evaluating all aspects of a business, to arrive at a value for purposes of an equitable property division between spouses. There are several methods of valuing a business. Common approaches to business valuations include a review of financial statements, cash flow analysis and similar company comparisons. Business valuers are certified as accredited in business valuation (AVB) by the American Institute of Certified Public Accountants (AICPA) or certified as accredited valuation analysts (AVA) or certified valuation analysts (CVA) by the National Association of Certified Valuation Analysts (NACVA). The American Society of Appraisers (ASA) also provide business valuation certifications.

Retirement Plan Evaluation: is used to determine the value of retirement plans, a sometimes overlooked asset. Retirement plans generally fall under the broad classification of either Defined Benefit or Defined Contribution plans. A Defined Contribution Pension Plan requires a "contribution" to be made now, with the future value of the benefits left uncertain. Generally the account balance as of any given point in time is the present value, however, the computation is complicated, especially when pre-marital contributions are involved. A Defined Benefit Plan is

the expectant payment of a monthly benefit at a certain retirement age and is generally based on an employee's length of service and salary. It is used to determine a present value calculation for property distribution purposes. Many factors play an important role in determining an accurate value for purposes of equitable distribution.

Certified Public Accountant/CPA: has met specific state and education licensing requirements, passed the CPA exam, and worked one year under the supervision of a CPA. They have a rigorous continuing professional education requirements. In the dissolution of marriage context, they play a specific role of investigating personal and business finances. An experienced CPA can assist in locating hidden or obscured income and assets. They can make complicated financial information accessible and understandable and know the kinds of specialized information needed to interface with the family court system. This is commonly referred to as "forensic" accounting or a forensic CPA. CPAs are regulated by the Florida Board of Accountancy (www.flcpa.org).

Certified Divorce Financial Analyst: is used to analyze the present value basis of assets and project its future value. It is a financial planning vehicle to explore ways to maximize the marital estate by taking into account the tax impact of certain transactions between spouses. An analysis can also be done for purposes of determining a spouse's need for alimony and the other spouse's ability to pay alimony. The Institute for Certified Financial Analysts is the certifying entity (<https://institutedfa.com>). The qualifications can be found at <https://institutedfa.com/cdfa-certification-requirement>.

Vocational Evaluation: a comprehensive interview and testing of the client in the areas of intelligence, aptitudes, achievement levels, interests and personality traits. A review and collection of medical records is conducted to determine if the client has any limitations or restrictions with regards to employment potential. A transferable skills analysis and labor market survey is performed to determine the availability of appropriate jobs. A projection of earning capacity and/or wage loss is also included. A full report is provided and summarizes the evaluation and provides recommendations for the future. This evaluation is more comprehensive than a work income potential evaluation.

Mediation regarding financial issues: is a process where a neutral, impartial third person acts to encourage and facilitate the resolution of a dispute without prescribing what it should be. It is an informal and non-adversarial process intended to help disputing parties reach a mutually acceptable agreement.