JEFFERSON COUNTY MEDIATION SERVICES
VOLUNTEER COLLOQUIUM MINUTES
November 17, 2015

Volunteers Present: Neila Achter, Marty Atlas, Jaydee Bachman, Jolena Brush, Marta Cary-Skovrinski, Suzanne Chambers-Yates, Calyn Crow, Jim Druck, Marilyn Exley, Anita Gilbertson, Rogelio H. Flores, Mary Ann Foster, Hazel Hanley, Patricia Hirschboek, Matt Jarvinen, Heideh Kabir, Joe Lasky, Marianne Lizza-Irwin, Nuria Lopez, Beth Merritts, Mary Mesch, Mikkilynn Olmsted, Wesley Parks, Elaine Rains, Elizabeth Reppond, Virginia Robbins, Ronnie Rosenbaum, Alexa Sample, Jerry Schopen, Joel Scoville, Julie Trent

Others Present: Peggy Evans, Daryl Rous
Staff Present: Mark Loye, Julie Carter, Helena Jo Goldstein

I. Welcome:

Mark Loye welcomed everyone to the meeting and asked those present to introduce themselves.

II. Presentation: Tips for Mediating a Solid Parenting Plan
     Presenter: M. Arden Hauer, MA, JD

Ms. Hauer began the presentation by explaining that parenting plans should be tailored to meet the needs of the parties. Couples who get along well and communicate frequently may be content with vague terms in the plan. The less the parties communicate the more specific the plan needs to be. The plan can serve as a default arrangement. In other words, the parties may agree to be flexible and communicate, but that in case of disagreement, what is written in the plan will control.

In Colorado, parenting responsibilities have two aspects: decision making and physical care. The decision making can be divided up subject by subject. For example, parents can decide to have joint decision making about medical issues, but to have one parent have sole decision making about religion. The parenting plan, in Section A, provides a grid for various types of decisions. There are also blank lines, so that parties can add in specific issues that are important to them.

If the parties have been separated for a while you can ask them, what have you been doing? Is it working? If so, don't reinvent the wheel, incorporate what has been working. If one party feels the current situation (or the proposal on the table) is unfair, ask them to explain why.

The ten page parenting plan provided by the court is only a starting point. For example, in Section B (Parenting Time) a number of holidays are listed to divide up between the parents.

But the Jewish and Muslim holidays are not even mentioned. Ms. Hauer encouraged mediators to draw up their own extensive list of holidays. Then the parties can be asked which ones are important to them, but no holidays are accidentally overlooked.

Paragraph B6 is called travel and vacations plans, but it does not raise nearly enough issues. Note that it mentions out-of-state travel plans only. There are complex rules about traveling out of the country with children. Do the parties have to agree on passport applications or contact information for out of the country travel? If the child goes away for three weeks with one parent, does the other parent get make-up parenting time? How much notice does one parent need to give the other if they are planning a trip out of the country, or as long as three weeks? Is it okay with both parents if one parent takes the child out of school to accommodate vacation or travel plans?

Section C restates the Colorado law on relocation. This is an important issue to discuss with the parties. As time goes by, many people want to relocate due to new jobs, new relationships, to have family help with the children, or to be closer to aging parents. This is the type of issue parties may need to discuss several times before they reach resolution. Mediators need to be comfortable with that process.

Section D2 addresses medical and other expenses. The parties need to understand that amount calculated by the child support worksheet is for basic food and shelter only. It does not cover participation in sports or school clubs or trips. It does not cover special events like prom attire, or lifestyle choices such as piano lessons. The parties should discuss how such expenses will be handled. The parties may also want to discuss college expenses.

Colorado law states that extraordinary medical expenses are expenses that exceed $250 per year. Many parties opt not to keep track of that, and instead split all such costs 50-50, or in proportion to their income.

Income tax issues (see Section E) can often be used as bargaining chips during parenting plan negotiations. Some parents want to be able to claim the personal exemption for the child for emotional reasons. But the ability to claim head of household status or the child credit have measurable financial impact. The person with higher income may be willing to give on another issue to get these benefits.

Section F is a good place to talk about issues such as what happens with new relationships. Do the parties want to agree to give the other parent a heads up before the child is introduced to a new significant other? Other topics that can be covered here are: do the parties want to give each other right of first refusal if a babysitter is going to be needed? Do the parties want to agree that the child will be encouraged to maintain a relationship with the families of both parents? Do the parents want to agree that they will act appropriately if both are present for a school event? Do they want to agree to have a monthly parenting meeting to discuss issues connected to the children (and only such issues)? Do the parents want to make an agreement about life insurance while the children are minors?

Mr. Loye thanked Ms. Hauer for her informative presentation. He also thanked everyone who attended for participating in the discussion, and wished them a good evening.

IV. **Next Colloquium: Tuesday, January 19, 2015**, 6:00 – 8:00 p.m. in the Open Space Hearing Room (Ponderosa Room). **Topic:** To be announced (suggestions always welcomed). In general, the Colloquia are held on the third Tuesday of odd numbered months, except for July.

The meeting was adjourned.

Submitted by: *Helena Jo Goldstein*
            Helena Jo Goldstein, Program Manager

Approved by: *Mark Loye*
            Mark Loye, Program Director