

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
AMENDING ARIZONA CODE OF	)	Administrative Order
JUDICIAL ADMINISTRATION § 3-202:	)	<u>No. 2010 - 134</u>
PARENT EDUCATION PROGRAMS	)	(Affecting Administrative
	)	Order No. 2010-81)
	)	

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An amendment to the above-captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on December 7, 2010, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 3-202 is amended as indicated on the attached document. All other provisions of § 3-202, as originally adopted, remain unchanged and in effect.

Dated this 22nd day of December, 2010.

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REBECCA WHITE BERCH  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**  
**Part 3: Superior Court**  
**Chapter 2: Domestic Relations**  
**Section 3-202: Parent Education Programs**

**A. Definitions.** In this section, the following definitions apply:

“Alternative delivery method (ADM)” means a method of presenting a parent education program other than by an in-classroom presenter.

“Attend” means to participate in a parent education program, whether at a classroom site, or using the materials for an ADM program.

“Co-parenting skills” means open dialog and cooperation between parents in decision-making regarding raising children.

“Court” means the superior court in each county.

~~“Parenting plan” means a written document containing an agreement between parents indicating how a child will be raised and cared for after the parents separate or divorce. A written parenting plan is required whenever parents ask the court for joint custody document that states when the child will be with each parent and how decisions will be made. The parenting plan may be developed by the parent on their own or with the help of a professional such as a mediator, an attorney, or a judge.~~

“Presenter” means a person who conducts a parent education program on children’s issues; or in the case of an ADM program, where a presenter is not present, who serves as the program’s point of contact to answer participant questions by telephonic or electronic means.

“Provider” means a court, political subdivision or private entity that contracts with or is approved by the court to provide ~~domestic relations education on~~ parent education programs.

**B. Authority.** A.R.S. § 25-351 provides:

- A. The superior court in each county shall adopt and implement an educational program for the purpose of educating persons about the impacts that divorce, the restructuring of families and judicial involvement have on children.
- B. The supreme court shall adopt minimum standards for educational programs. The presiding judge of the superior court in each county shall submit an educational program plan to the supreme court for approval. The plan shall be consistent with the minimum standards that are adopted by the supreme court, including the length and nature of the program, the qualifications of program providers and the means by which the program will be evaluated and maintained. Each program shall also include information regarding the

notification requirements of A.R.S. section 25-403.05, subsection B.

- C. The presiding judge of the superior court or a judge who is designated by the presiding judge shall administer the program in each county and may provide or contract with political subdivisions in this state or private entities to provide the program to participants who are required to attend.

**C. Purpose.** This section provides the minimum standards for parent education programs, including the length and nature of the program, the qualifications of program providers and presenters and the means by which the program shall be evaluated and maintained.

**D. Length and Nature of the Program.**

1. The program shall be a minimum of two hours and a maximum of six hours. The program length shall be adequate to cover the program material. To the extent that each county has the resources, the program shall be available at flexible times, including evenings and weekends, and be offered early in the domestic relations litigation process.
2. All programs shall include but shall not be limited to information on the following topics which relate to the impact divorce or separation, the restructuring of families and judicial proceedings have on children:
  - Common reactions by children and parents to divorce and separation.
  - Helpful and harmful parent behaviors.
  - Communication and co-parenting skills.
  - Harmful effects on children from parental conflict, including domestic violence.
  - Children's reactions to divorce and separation at different developmental stages and warning signs of serious problems.
  - Responsibility of parents to provide emotional support and financial support to children.
  - Factors which contribute to healthy adjustment for children including the value of parenting plans.
  - Basic Arizona family court procedures.
  - Issues surrounding continued access to maternal and paternal relatives.
  - Resources in the community to obtain additional services.
  - Notification requirements of A.R.S. § 25-403.05(B).
3. At the discretion of the presiding judge of the superior court, Pparent education programs may be presented by videotape alternative delivery method in whole or in part. The Administrative Office of the Courts (AOC) shall provide maintain a list of videotapes alternative delivery method materials/web sites being used approved for use in educational classes to the court in each county. The Superior Court in each county shall notify the AOC of any All other videotapes alternative delivery method materials/web sites being used in parent education classes shall be submitted to and approved by the AOC prior to use.
4. Online programs shall be hosted by the provider. The court shall ensure all necessary data

and validation safeguards are in place.

**E. Program Presenter Qualifications.** At least one presenter involved in conducting each program shall have a graduate degree from an accredited college or university in child development, family life education, marriage and family therapy, psychology, social work, counseling or a closely related field. Any other presenters, if used, shall have a minimum of a bachelor's degree with a major in one of the stated fields or a closely related field. All presenters shall have experience working in the areas of domestic relations, family restructuring, child welfare, family dynamics and training in domestic violence issues. Presenters shall take into account the language and cultural needs of the students and when two or more presenters teach a class, at least one shall be male and one female, when practical.

**F. Program Operations.**

1. Security and class location. Each provider shall make reasonable efforts to provide a comfortable and safe environment for participants while attending the program.
2. Insurance. Non-court providers shall demonstrate proof of continuing professional and public liability insurance in an amount approved by the court and shall name the court as an additional insured.
3. Participants with disabilities. Providers, ~~and~~ program facilities and ADM environments and materials shall comply with the Americans with Disabilities Act to enable persons with disabilities to participate in the program.
4. Certificate of completion. The court may prescribe requirements necessary to facilitate proof of attendance to the court. The provider shall provide a certificate of completion to each participant. The certificate of completion shall be in a form acceptable to the court and, at a minimum, shall include the court case number, the date of attendance, the participant's name and the name, address and telephone number of the provider.
5. Attendance records. The provider shall maintain attendance records accessible by participant's name, case number and date of program completion for a period of five years from the date of program completion.
6. Assignments of litigants to different classes. Excepting ADM programs, Pparticipants who are adverse parties in the same court case shall attend different classes unless both participants request attendance in the same class. Any request that both participants attend the same class shall be in writing, signed by both parties and both signatures notarized.
7. Solicitation of participants for other services. Providers and presenters shall not solicit participants for other services.
8. Competitive bidding selection. ~~Parent education programs not provided by the court shall be competitively bid following applicable procurement laws and requirements. If the parent~~

education program will be offered by one or more private entities approved by or under contract with the court, the court shall conduct a competitive assessment of the providers' qualifications and fees prior to approving any providers or entering into any contracts for this service.

9. Fees and surcharges. Amounts collected from persons ordered to attend education classes shall be receipted, deposited, accounted for and disbursed pursuant to statutory requirements and the Minimum Accounting Standards for Arizona Courts.

**G. Program Evaluation.** The court shall conduct an annual evaluation of each educational program and the presiding judge or designee shall prepare and forward a report to the AOC. The evaluation shall be conducted in accordance with minimum program evaluation forms provided to the superior court by the AOC.

**H. Exceptions to Standards.** Upon request of a presiding judge, the Administrative Director may for good cause grant an exception to any of these standards not required by statute.