

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
OCT 30 1996
NOEL K. DESSAINT
CLERK SUPREME COURT
BY 722

In The Matter Of:)
)
ADOPTION OF MINIMUM) Administrative Order
STANDARDS FOR DOMESTIC) No. 96- 52
RELATIONS EDUCATION ON)
CHILDREN'S ISSUES PROGRAMS)
_____)

Arizona Revised Statutes § 25-351 provides for the establishment of programs for domestic relations education on children's issues. The purpose of such programs is to educate parents involved in certain domestic relations court actions about the impact that divorce, the restructuring of families, and judicial proceedings have on minor children. In accordance with state statute, the programs are to be adopted and implemented in each county under the administration of the presiding judge of the Superior Court, who shall submit educational program plans to the Supreme Court for approval.

Pursuant to § 25-351(B), Arizona Revised Statutes, the Supreme Court shall adopt minimum standards for these education programs. Each county program must be consistent with the minimum standards, 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.

Now, therefore, pursuant to the administrative authority vested in the Supreme Court by Arizona Constitution, Article VI, Section 3, and consistent with state statute,

IT IS ORDERED that the attached statewide Minimum Standards for Domestic Relations Education on Children's Issues Programs are incorporated by reference into this Administrative Order and are adopted effective this date. The presiding judge of the Superior Court in each county shall fully and effectively implement these standards.

Dated this 30th day of October, 1996.

THOMAS A. ZLAKET
Vice Chief Justice

**MINIMUM STANDARDS
FOR
DOMESTIC RELATIONS EDUCATION
ON CHILDREN'S ISSUES PROGRAMS**

In accordance with Section 25-351, Arizona Revised Statutes, program plans for domestic relations education on children's issues programs, adopted and implemented by the Superior Court in each county, shall be consistent with the following minimum standards:

I. DEFINITIONS

For purposes of these standards, the following definitions apply:

- A. "Presenter" means a person who conducts domestic relations education on children's issues programs.
- B. "Provider" means a court or a political subdivision or private entity that contracts, or is approved by the court, to provide domestic relations education on children's issues programs. A provider may also be a presenter.

II. LENGTH AND NATURE OF THE PROGRAM

- A. **The program shall be a minimum of two hours.**

It is suggested/desirable that programs:

- Be four to six hours in length to adequately cover the program material.
 - Be available at flexible times, *i.e.* evenings and weekends.
 - Be offered as early as possible in the domestic relations litigation process.
- B. **While additional topics may be covered, all programs shall include information on the following topics as they relate to the impact divorce or separation, the restructuring of families, and judicial proceedings have on children:**
 - 1. **Common reactions by children and parents to divorce and separation.**
 - 2. **Helpful and harmful parent behaviors.**

3. **Communication and co-parenting skills.**
4. **Harmful effects on children of parental conflict, including domestic violence.**
5. **Children's reactions to divorce and separation at different developmental stages and warning signs of serious problems.**
6. **Emotional and financial responsibilities of parents.**
7. **Factors which contribute to healthy adjustment for children including the value of parenting plans.**
8. **Basic domestic relations court procedures.**
9. **Issues surrounding continued access to maternal and paternal relatives.**
10. **Resources in the community to obtain additional services.**

C. Videotape Presentation

Educational classes may be presented by means of videotape. The Arizona Supreme Court Administrative Office of the Courts shall provide to the court in each county a list of videotapes approved for use in educational classes. Any other videotape intended for use in an educational class must be submitted to, and approved by, the Administrative Office of the Courts prior to use.

III. QUALIFICATIONS OF PROGRAM PRESENTER

Each program shall be conducted by at least one presenter having 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. Additional presenters, if used, shall have a minimum of a bachelors degree and have majored in one of the previously stated fields or one closely related. Each presenter shall have experience working in the areas of domestic relations, family restructuring, child welfare, family dynamics, and training in domestic violence issues.

It is suggested that:

- **Programs take into account the language and cultural needs of the students.**
- **When two or more presenters are used, at least one be male and one be female.**

IV. GENERAL PROGRAM REQUIREMENTS

A. Security/class location

Each provider shall make reasonable efforts to provide a comfortable and safe environment for participants while attending the program.

B. Insurance

Non-court providers shall demonstrate proof of continuing professional and public liability insurance, and shall name the court as an additional insured.

C. Participants with disabilities

Providers shall comply with the Americans with Disabilities Act to enable persons with disabilities to participate in the program.

D. Certificate of Completion

A certificate of completion shall be provided to the participant by the provider. The court may prescribe requirements necessary to facilitate proof of attendance to the court. 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(s) of attendance, the participant's name, and the name (including address and phone number) of the provider.

E. Attendance records

For a period of five years from the date of program completion, the provider shall maintain records that can be accessed by participant's name, case number, and date of class completion.

F. Assignments of litigants to different classes

Participants from the same court case shall attend different classes unless both participants request to attend the same class. In this instance, the court, or someone on behalf of the court, shall verify that both requests to attend the same class were made voluntarily.

G. Solicitation of participants as clients for other services

Providers and presenters shall be prohibited from soliciting participants as clients for other services.

H. If contracted, education services shall be competitively bid following applicable state and local procurement laws and requirements. Competitive bidding is not required if the court is the provider.

I. Fees and surcharges 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.

V. Program Evaluation

A. Commencing September 30, 1997, the Superior Court in each county shall conduct an annual evaluation of the educational program and the presiding judge or designee shall forward the report to the Administrative Office of the Courts.

B. The Administrative Office of the Courts shall provide minimum program evaluation criteria to the Superior Court.

VI. EXCEPTIONS TO STANDARDS

Upon request by a Superior Court presiding judge, the Administrative Director of the Arizona Supreme Court may, for good cause, grant an exception to any of these standards not required by statute.